

Televised Sports Coverage in New Zealand: Between Global Capitalism and Cultural Citizenship

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2022

A thesis submitted to Auckland University of Technology in fulfilment of the requirements for
the degree of Doctor of Philosophy

Abstract

This thesis explores the political economy of New Zealand sports coverage, via public television, subscription-pay-TV and digital streaming, amidst the evolving tensions between global capitalism and cultural citizenship. The political economy of communications research approach considers televised sports from historical, political, economic, and social-cultural standpoints. Within this framework, document analyses, interviews, and case studies are undertaken. The latter comprises a selection of sports rights controversies that occurred from 1996. For each of these, political economy, and discourse analyses are combined to present a snapshot of New Zealand's mediated sports culture at given points in time. In this context the tensions between global capitalism and cultural citizenship are identified.

This research also traces the commodification of televised sports rights by detailing the business practices of New Zealand's longest standing pay-TV company, Sky TV. A historical overview of sports broadcasting, before the launch of Sky TV, documents the significance of free-to-air mediated sport. Pay-TV and sports rights are also placed within a wider ecology of global media and global capitalism in order to explain how pay-TV became entrenched in New Zealand's media sport landscape. From the mid-1990s Sky TV became dominant as the media sports economy became more commercialised and transnational.

The research findings here show that market-based discourse was used to justify, or rationalise, the loss of sports from New Zealand's free-to-air channels. Discourse opposed to the exclusive siphoning of sports, on the grounds of citizenship, was evident in vox pop news segments but had little credence elsewhere. Over time, the outrage around paying for live sport dissipated as it became the only viewing option available. While the 2011 Rugby World Cup news coverage re-emphasised free-to-air live sport as an expression of cultural citizenship, this came at the cost of a meritocratic free-to-air bidding process.

Finally, the thesis shows how new entrant digital streaming companies came to challenge the long-held dominance of Sky TV regarding sports rights. Consequently, copyright became more difficult to control with the advent of illegal streaming. News media coverage heralded digital streaming as an exciting development which would offer flexibility and choice to consumers. However, critical examination of these technologies was largely absent from coverage, despite the obvious, initial shortcomings of transmission. Digital streaming business models combine qualitative evidence of viewer engagement with audience metrics for live events. The central imperative is to capture and monetise audience attention. Yet for followers of sport this offers a fragmented, individualised experience and erases an important tenet of cultural citizenship: public access to live, mediated sports events.

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Attestation of Authorship

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person (except where explicitly defined in the acknowledgements), nor material which to a substantial extent has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.

Rachel Peters 20 April 2022

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Dedication

To my children, Arah and Charles, whose arrivals were part of my PhD journey, and who gave me the purpose and determination to write my thesis.

To my father, a talented athlete, coach, and sports administrator, who passed his love of sport down to my brothers and myself. I wrote the proposal for my thesis in the weeks that followed my father's severe stroke; up-sweeping the baton from him to take sport into my career.

Lastly, to my mother, the pillar of inspiration and strength in our family. Her support has been vital to my academic career.



Image

My Dad, Wayne Peters (with ball), playing rugby for Auckland University against Victoria University, 1976.

Acknowledgements

Ehara taku toa I te toa takitahi, engari he toa takitini

My success is not mine alone, it is the success of the collective.

Completing a PhD thesis while caring for a young family during a global pandemic took an extraordinary team effort on the behalf of my colleagues, family, and friends. I have more words of gratitude than can be expressed here, but there are a few names which require formal acknowledgements.

Firstly, I would like to thank my supervisor Wayne Hope in the School of Communication Studies at Auckland University of Technology. His guidance and vision have been integral to my thesis from beginning to end. I am grateful that he has always shown me patience and encouragement while also sharing his huge depth of theoretical knowledge. My secondary supervisor Geoffrey Craig, also from the School of Communication Studies, contributed valuable insights, and offered thoughtful advice and support.

Secondly, I would also like to thank my partner Darrell for his emotional and financial support throughout my PhD, without which, I would not have been able to contemplate writing it. He has been a wonderful partner to me and father to our children. My mother, Pamela; mother-in-law, Terena; sister-in-law, Calista, and the kaiako at Kidstown day-care, have also helped me to juggle motherhood with writing a thesis. I am forever grateful for their help and the care that they have given us as a family.

Thirdly, I extend my thanks to the friends and colleagues I have met at Auckland University of Technology. I have enjoyed working alongside the other post-graduate students and we have offered each other many encouraging thoughts and anecdotes along the way. May you all be more productive now that I am no longer available to chat in the open-plan space.

Ethical approval for this thesis was granted by the Auckland University of Technology Ethics Committee (AUTEC). The AUTEC reference for this thesis was: 20/363 - The political economy of sports broadcasting Aotearoa/New Zealand: A case study of Sky TV. Approved on 20 December 2020

Chapter One: Introduction

On April 18th, 2021, 12 elite soccer clubs from England, Spain, and Italy announced that they would be breaking away from the Union of European Football Associations (UEFA) Champions League to pursue a European Super League. The 20-team league would comprise 15 permanent members and 5 open positions to be filled after seasonal results. This proposal was initiated by the American owners of Arsenal, Liverpool and Manchester United, who had run similar closed leagues with their US franchises (Harris, 2021, p. 976). Investment bank group JP Morgan committed €3.25 billion to establish the new league, offering the clubs €200-€300 million as a welcome bonus (Neate et al., 2021). If the league were to eventuate, owners and investors would benefit from highly lucrative media rights deals and merchandising.

The announcement caused outcry from fans, players, the public, and even politicians, with UK Prime Minister Boris Johnson who initially approved of the proposal before catching the public mood, offering his opinion that the deal was damaging to football. Many fans in Europe took to the streets, protesting that the breakaway league would effectively wall off the permanent members from fair competition. It was particularly criticised for its lack of meritocracy at a time when the global coronavirus pandemic was causing financial hardship, and suffering for many sports clubs and communities.

Although clubs, such as Liverpool and Manchester United, are no longer the working-class clubs they once were, the breakaway league was clearly a step too far into the commodification of globalised, mediated sport. The emotional bonds that people have to their sports and clubs remain strong. Former Manchester United player and sports pundit Gary Neville went viral in his condemnation of the European Super League, saying he was “disgusted” and that it was “an absolute disgrace” (Sky Sports Football, 2021). Similarly, former Manchester United athlete Rio Ferdinand gave the deal a damning critique, calling it a “disgrace” and “a war on football (...) which goes against everything that football is about” (BT Sport, 2021). The European Super League deal collapsed within a week after widespread public condemnation.

In 2020, the narrative of commodification corrupting sport played out in New Zealand, when Silicon Valley investment firm Silver Lake set out to buy a 12.5% stake in New Zealand’s national rugby team, the All Blacks. The deal, estimated to be worth NZ\$387.5 million, did offer much needed financial support for grassroots and regional rugby, and came

at a time when clubs were experiencing disruption and isolation due to the coronavirus pandemic. During 2020, New Zealand Rugby had taken a NZ\$34 million loss (Knowler, 2021). However, the deal would also give Silver Lake the power to control the All Blacks' commercial interests. The players association refused to sign off on the deal, saying that it was too risky financially, and a misappropriation of Māori and Pasifika culture. Also at risk was "the 'special bond' New Zealanders have with the game" (Knowler, 2021).

These deals illustrate a common narrative; they are tales of commodification and global capitalism undermining sport as an expression of cultural citizenship. While sport is now a global business, which appeals to the elite barons of global wealth, it also represents long-held, emotional ties to clubs, communities, regions, and nations. The owners of sports teams and sports rights continually look for opportunities to maximise their investment returns, yet there is a democratic and meritocratic ideal at stake. Many fans and citizens believe sport should be, on principle, accessible to play and accessible to watch. In this context I examine the underlying tension between global capitalism and cultural citizenship.

To date, research on the political economy of New Zealand media looks across the whole landscape, and/or focuses on the effects of media concentration on journalism and democracy (Hope & Myllylahti, 2013; Myllylahti, 2011, 2012, 2013, 2014, 2016, 2017). This research is the first political economy study to specifically focus on mediated sport in New Zealand in regard to the global transition from broadcasting to streaming. Here, pay-TV operator Sky TV's influence on sports broadcasting is considered, as is the changing cultural significance of sports broadcasting. In this context a political economy overview of Sky TV, New Zealand's major pay-TV provider of the last few decades, is outlined. This thesis also analyses the movement of New Zealand sports behind a subscription-based paywall and assesses the attempt to implement anti-siphoning regulations. Additionally, the competing interests of the 2011 Rugby World Cup free-to-air rights negotiations are examined. There was a certain lack of national inclusivity when Māori TV attempted to secure the free-to-air rights. Finally, I will explain how the digital streaming model has disrupted the pay-TV model in New Zealand, and detail how mainstream news coverage normalised the digital streaming of sport.

Theoretical Framework

This study uses the political economy of communications approach to explore the political, economic, and socio-cultural history of New Zealand's major pay-TV sports

broadcaster Sky TV (henceforth Sky). Political economy analysis generally can be defined as “the social relations, particularly the power relations, that mutually constitute the production, distribution and consumption of resources” (Mosco, 2009, p. 25). Within the political economy of communications framework, Winseck (2011) categorises (a) the conservative/liberal neoclassical school, (b) the radical media school, (c) the Schumpeterian institutional school, and (d) the cultural industries school. This study is not bound to any of these branches (although it is informed by a range of associated scholarship), rather it is situated within the political economy of the global capitalism school (Carroll, 2010; Dicken, 2011; Hope, 2016; Robinson, 2004; Sklair, 2002). Consequently, mediated sport is conceptualised as a process within globalised capitalism. This thesis also draws on past and current scholarship concerning the political economy of mediated sports (Boyle & Haynes, 2009; Rowe, 2004a, 2011; Wenner, 1989; Whannel, 1992, 2008). Therefore, the economic, political and socio-cultural aspects of sports media are understood holistically. The declaration that economic forces have “absolute powers of determination” (Rowe, 2004a, p. 6) over the manufacture and representation of mediated sports content is thereby avoided.

The political economy of communication provides an understanding of “social change and historical transformation” (Mosco, 2009, p. 13). This study documents the historical transformation of mediated sport in New Zealand with the entrance of Sky. This approach also allows us to examine the “totality of social relations” (Mosco, 2009, p. 13). Contrary to mainstream reportage about Sky, usually in the business section of newspapers, I explore the socio-cultural and political ramifications of Sky’s influence. The political economy of communications tradition makes a commitment to “moral philosophy” (Mosco, 1996, p. 14), In this regard, a critical, normative stance can be taken on sports broadcasting and mediated sport generally.

The relevance of television studies to this thesis must also be noted. This field of study analyses television from a multi-faceted standpoint, typically referencing “at least two of the program, the audience, and the industry” (Gray & Lotz, 2012 p. 25). It differentiates itself from simply being a textual study of television, by discussing the context, whether it be socio-cultural, technological and/or historical (Gray & Lotz, 2012). Television studies positions the medium as a repository of meaning and cultural values. Within this, televised sport is a site where power and ideology operate and can be examined (Gray & Lotz, 2012).

A particular area of relevance here is institutional analysis, i.e. how television is created and distributed. Institutional studies have some cross-over with political economy of communications research in that both address the macroeconomic context of television

(Gray & Lotz, 2012). Gray and Lotz (2012) distinguish television studies institutional analysis from the political economy of communication research. In their view television scholars tend to draw on methodologies of the humanities and investigate television at a more micro-level whereas, political economy of communication research has a macro focus. Regardless of the differences in these approaches, institutional analysis within television studies provides insight into the production and distribution of media sport.

Media sport research can offer a historical account of the movement from traditional television to digital streaming. Television has been transformed by digital technologies, along with the business and distribution models that underpin them. For Lotz (2014) the arrival of this process represents the post-network era whereby television viewers have more choice over what they watch and when. In this regard, Johnson (2019) notes that sports can be consumed not just in traditional ways, but as highlights and through memes. They can also be “binged” (as in shows like Netflix’s Michael Jordan documentary, *The Last Dance*). The malleability of sports content makes it a “high-stakes battleground” (Johnson, 2019, p. 44), for television and streaming companies.

As will be explained in the following chapters, mediated sport can be theorised as *both* a global commodity and as an important resource for cultural citizenship, national identification, and egalitarian principles. Rowe (2004b) notes that there is much to criticise in modern sport, including the “patently unequal gender order, propensity for reproducing racial ideologies, and sometimes-rampant commercial exploitation” (p. 392). However, we can distinguish sport itself from the way in which it reproduces social inequities (Rowe, 2004b). Instead of repudiating it we should “find ways in which sport can most effectively contribute to the realization of a more developed framework of cultural citizenship (Rowe, 2004b, p. 393). Issues of commodification and inequality in regard to sports can be addressed by maximising the democratic potential of sport and by advancing equal access to mediated sports content. In the latter context, Rowe (2016) describes cultural citizenship as “the rights and responsibilities regarding access to, and representation in, sports culture” (p. 12). According to Stevenson (1997), cultural citizenship is expressed if citizens can access semiotic material which makes “social life meaningful” (p. 42). To this end, they can critique “practices of domination and allow for the recognition of difference under conditions of tolerance and mutual respect” (Stevenson, 1997, p. 42). Sport is an important aspect of culture and brings meaning to people’s identities and social lives. Furthermore, many countries have regulations designed to make the mediation of sports accessible (i.e. anti-siphoning regulations, unbundling packages) and these are often justified through the concept of cultural citizenship. However, it is important to be aware that cultural citizenship

practices should always be critiqued in order to enhance inclusivity and to produce multicultural, wide-ranging semiotic materials which recognise cultural difference.

This idea that sport is an arena of cultural citizenship is problematised by the commercial function of sport as it exists within and permeates the logic of globalised capitalism. Capitalism is now global at the levels of finance, production, distribution, and consumption, and is dominated by transnational corporations (TNCs), a transnational capitalist class (TCC), and transnational state institutions. The ownership patterns of sports organisations, sport-dependent media, the migration of athletes, the spectacle of mega-events, and the associated consumerism all make sport an important signifier of global capitalism. In New Zealand, the commercialisation of sport since the professional era has meant that mediated sport has become less accessible to citizens and generally unrepresentative of New Zealand people.

Research Questions and Methods

Using the political economy of communications approach, my research documents and historicises the transformation of New Zealand sports broadcasting during the pay-TV era and beyond (1990-2021). Here, two inter-related research questions are identified:

1. How has the emergence, ascendancy, and relative decline of Sky affected the socio-cultural significance of televised sport in New Zealand?
2. How do tensions between global capitalism and cultural citizenship play out through New Zealand's sports media landscape and surrounding discourses?

To answer these questions in detail, three research methods are employed: document analysis, interviews, and media discourse analysis. Document analysis and interviews, as sources of information, can provide an understanding of New Zealand's sports media nexus. According to Bowen (2009), document analysis is often used alongside other qualitative methods such as interviews. This approach allows the researcher to "corroborate findings across data sets and thus reduce the impact of potential biases that can exist in a single study" (p. 28). Semi-structured interviews are aimed at gaining more information than can be found in publicly available documents alone, conducted with key informants in particular case studies. Three chapters of this thesis are devoted to nine case studies which explore controversies involving Sky and New Zealand's sports broadcasting rights. These

case studies involve media discourse analysis of texts concerning controversial events. This is to examine the changing socio-cultural significance of sports broadcasting, as well as the tensions between global capitalism and national cultural citizenship.

The document analysis builds on obtainable annual reports, media texts, biographical material, and academic research to sketch an economic, political, and socio-cultural understanding of the broadcaster. Document analysis is a systematic method of examination and interpretation used “to elicit meaning, gain understanding, and develop empirical knowledge” (Bowen, 2009, p. 27). The advantages of using this method are efficiency, cost-effectiveness, availability, and access to the background knowledge necessary to conduct interviews. The analysis draws on as wide a selection of documents as possible, primarily newspaper texts and Sky’s annual reports. Their reports are used to assess overall corporate performance, including profits and subscriber numbers. The document analysis is used to write a historical timeline which covers Sky’s ownership structure, corporate performance, technological development, political influence, and sporting influence.

This thesis contains semi-structured interviews with some of New Zealand’s major sports media industry insiders. The informants have provided information not available in document analysis concerning the sports media issues that involved their organisations. According to Berger (2011) a semi-structured interview is when “the interviewer has a written list of questions to ask the informant but tries, to the extent possible, to maintain the casual quality found in unstructured interviews” (p. 135). Four interviews were sought, and two were obtained. The names of these participants have been used with their consent. Anonymity was not possible because the participants provided information concerning their high-profile careers at particular sports media organisations. The interviews were undertaken to complement information from secondary material. The interviews were transcribed using the online transcription service, Sonix. Coding was not necessary as the questions related specifically to the case studies and did not need to be analysed thematically.

Finally, media discourse analysis is applied across the nine case studies which focus on sports broadcasting controversies involving pay-TV. They cover the period between 1996 and 2019, and capture significant moments in the intersecting histories of Sky and mediated sport in New Zealand. Each case study contains background information and a media discourse analysis of texts surrounding the event. A range of media texts captures multiple perspectives and discourses relating to sports broadcasting in New Zealand.

Media discourse analysis distills the language of particular controversies and attributes keywords to the particular interest groups involved. The analysis is underpinned by the principal insight of critical discourse analysis CDA (Fairclough 2010), i.e., that language is ideological and therefore, part of the apparatus for sustaining relations of power. According to Fairclough (2010), struggle among groups lies within discourse and can be brought to attention through semiotic analysis. CDA and the political economy of communications approach, both have a critical and emancipatory aim. However, the entry point for this study is not the semiotic materials as such but a historical narrative concerning the political economy of media sport. Therefore, a general rather than granular approach to language analysis was used. The media discourse analysis allowed for the material relations of media sport to be captured while showing how were reflected and sustained by the prevailing patterns of language.

The case studies are listed below:

- 1996 Rugby rights go to Sky.
- 1998 Cricket rights go to Sky.
- Review of Regulation for Digital Broadcasting 2006-2009.
- 2011 Netball rights go to Sky.
- Global tournaments and television rights: Rugby World Cup, 2011.
- English Premier League rights: Coliseum vs Sky.
- Sky's copyright clash over the Rio Olympics.
- Boxing, illegal streaming and piracy: Joseph Parker vs Carlos Takam.
- The entrance of Spark Sport: Live coverage of rugby and cricket.

The media discourse analysis identifies key perspectives within each case study as well as investigating rhetorical devices and language used at a micro level. The textual material was gleaned from keyword searches in the Auckland University of Technology library website, the Auckland Library, google searches, and through New Zealand's archive of Film, Television, and Sound, Ngā Taonga. Texts were chosen from New Zealand's major mainstream media outlets and discussion of these materials is included in each chapter. Each case study included as many texts as I could find for analysis. News media content was the primary type of data used, but some policy documents and advertisements were also examined. As a rich source of data for examining the changing significance of sport in New Zealand, news reflects "changing patterns of life in society" and interpretations of social change (Hall, p. 11).

The method of analysis was loosely adapted from the three stages of reading recommended in Stuart Hall's *Paper Voices* (1975). The first stage involves reading all the content by date to get an understanding of the texts. Hall calls this a "long preliminary soak" (Hall, 1975, p. 15). The second reading is for content analysis. I have used this approach to identify key perspectives or arguments in each text. Thirdly, Hall (1975) recommends an in-depth reading which addresses the language and rhetoric used. In this thesis the most prominent perspectives, related to the research questions, were selected for analysis and discussion. The media discourse analysis primarily analyses the data at a lexical level. It analyses keywords and their connotations, and attributes them to certain sports media interest groups. To ensure that the interpretation of these perspectives is grounded in the texts, I have included quotes from the materials alongside contextual information as to where and when they were published.

Marx and Engels (1976) famously proposed that the ideas of the ruling class are, in any age, the ruling ideas in society. This dominant ideological perspective argues that the power structures of capitalism are obscured by ideology, and people are distracted from full knowledge of this reality because of their false or incomplete sense of consciousness. This perspective influenced one of the founders of the Italian Communist Party, Antonio Gramsci, who questioned why people supported systems and ideas which worked against their own interests. From this inquiry, Gramsci developed the concept of hegemony. Baker (2008) states that "for Gramsci, hegemony implies a situation where a 'historical bloc' of ruling-class factions exercises social authority and leadership over the subordinate classes" (p. 87). This is done through a combination of force, but importantly, also through consent. The consent to structures of authoritative power contributes to the process of making and reproducing ideological meaning. However, meaning is a site of struggle between different ideas, with 'common sense' being the sought-after space in which some ideas become 'taken for granted'. Baker (2008) considers common-sense "a practical consciousness which guides the actions of the everyday world" (p. 88). As meaning is constantly being re-negotiated, culture becomes a site of the struggle over meaning, so that textual and ideological analysis can illuminate this struggle.

Hall (1992) also discusses hegemony, arguing that the dissemination of ideas is not entirely top-down. In mass media there is space for a contestation of narratives, but the ruling establishment has more resources with which to advance perspectives. For example, businesses and governments are able to employ PR practitioners to work their agenda into the mass media domain. They often provide authoritative comment on issues because of

established relationships with media organisations. Thus, while analysing news and other media material it is important to identify surrounding relations of power.

Chapter Overview

Chapter Two provides historical background to the emergence of global capitalism, and the relationship between the nation-state and economic globalisation. In this context, media has become global in its configurations, and increasingly associated with the advancement of digitalization and the growth of the information, communication and technology industries (ICTs). Sport has been integral to the expansion of global media even though it retains national importance and localised fan bases. Lastly, this chapter discusses the fragmentation of sports rights and audiences due to the proliferation of streaming services.

Chapter Three critically examines how New Zealand's major sporting events fit within wider socio-political understandings of national identity. It highlights the amateur ethos of early New Zealand sport and how the media reinforced this ideology. The close association between national identity and sports coverage is thus outlined. Furthermore, this chapter shows how the business of sport interrelated with the growth of professional sports during the 1980s. Lastly, America's Cup campaigns are considered in order to demonstrate how corporate nationalism developed in New Zealand sport during and after the 1990s.

Chapter Four uses document analysis to provide a political economic overview of Sky. In its early stages Sky sought to establish itself in the New Zealand market and required international investment to become profitable. Furthermore, Sky's national launch involved major difficulties in getting coverage to all of New Zealand. Sky's most dominant period was between 1997 and 2013 as subscriber numbers steadily grew. However, from 2014, when streaming became more accessible, Sky lost some of its previous dominance.

Chapter Five outlines the movement of New Zealand sport to pay-TV at a time when broadcasting, generally, faced the prospect of a new regulatory framework. The themes addressed here include the shifts in rugby union, cricket, and netball rights to Sky, and the proposed regulatory review of digital broadcasting. Throughout this period, Sky argued that exclusive sports rights deals were necessary for their investment in New Zealand sport. Meanwhile, free-to-air discourses became marginalised. This chapter also reveals a lack of political will to introduce anti-siphoning regulations.

Chapter Six discusses the 2009 Māori TV bid for the free-to-air rights to the 2011 Rugby World Cup. This was politically controversial, and caused the government to intervene and support a joint bid between Māori TV, TVNZ, and TV3. This chapter interrogates the public narratives opposing the bid and shows that New Zealand's racial tensions were a factor in the government intervention. This chapter reveals a re-emergence of cultural citizenship in New Zealand's sports media discourse, and how it relates to the underlying racial tension within New Zealand's concept of national identity.

Chapter Seven considers how digital technologies have changed the sports media market through the examination of four case studies. Firstly, the entrance of streaming platform Coliseum, with the English Premier League rights for New Zealand, is examined. People wanted to see competition for Sky as well as a more flexible style of watching content, but access to high-speed broadband was still an issue for many. Secondly, a copyright clash between Sky, Fairfax, and New Zealand Media and Entertainment (NZME) over their 2016 Rio Olympics coverage is examined. Copyright is also the focus of the third case study concerning illegal streaming, privacy, and the boxing match between Joseph Parker and Carlos Takam. The fourth case study examines the entrance of telecommunications company Spark into sport with the launch of Spark Sport. Spark had secured the rights to the 2019 Rugby World Cup and international cricket in New Zealand from 2020. These analyses reveal a new orthodoxy in the mediation of sport incorporating clips, highlights, delayed watching, and customised viewer engagement.

Finally, Chapter Eight draws on the findings of preceding chapters to evaluate the changing significance of sports broadcasting in New Zealand. This chapter re-examines the tensions between global capitalism and cultural citizenship which underpin the contesting national discourses of media sport using the analysis from the case studies. It also looks beyond traditional broadcasting to discuss the emerging manifestations of digitally mediated sport including the datafication of fan engagement and commercial significance of sports related content (compared to live event broadcasting). Finally, potential areas for future research are identified and discussed.

Chapter Two: Global Capitalism, Global Media, and the Commodification of Sport

Historically, sports fans supported their local teams, but there is now a global media market which opens opportunities for fans to follow and support teams from all over the world. Furthermore, athletes have increased global mobility, and TNC's are a vital part of the sports economy through their sponsorship endeavours. To understand these sorts of changes we commonly draw on the notion of 'globalization'. While globalization can be conceptualised as multi-causal (Appadurai, 1990; Held et al., 1999), focusing on global capitalism provides a specific point of entry for analysis. It also illuminates the driving force behind the transformation of global spatial organisation (Dicken, 2011). This is not to say that the economic sphere can be easily separated from political, cultural, and technological transformation nevertheless, these latter trends will also be considered.

Global capitalism does not simply refer to the international trade of goods, but rather, a global restructuring of industrial processes at the level of production, distribution, and consumption. The epoch of global capitalism, beginning in the 1980s, was characterised by the rise of TNC's, the transnational state, institutions, and a TCC (Robinson, 2004). Furthermore, technological advancements have enabled the global flow of information, financial transactions, and communication, and have intensified the interdependence of global networks. However, it should be recognised that the details of these developments have been "conditioned by their social and their economic context" (Dicken, 2011, p. 76); that being the competitive business ethos of capitalism.

Global Capitalism Emerges

Capitalism can be distinguished from other social systems by its mode of production. Capitalism entails a bourgeois class who own the means of production (i.e. land, industrial machinery, factories, etc) and a working class who sell their labour to the bourgeoisie for a wage (Robinson, 2004). Through this relationship, commodities are created and then traded through a market system for a profit (Robinson, 2004). Unlike other social systems, such as feudalism and communism, capitalism inherently seeks to expand in order to increase profit thus, there is a constant drive for "access to new sources of cheap labour, land, raw materials (crops and minerals), and markets" (Robinson, 2004, p. 3). As capitalism has

globalised there has been a “qualitative transformation of economic relationships across geographical space” (Dicken, 2011, p. 7).

According to Harvey (2006), a commodity is the “material embodiment of use-value, exchange-value, and value” (p. 1). The use-value of a commodity can be described as the “usefulness of the thing” (Marx, 1976, p. 126). It is qualitative in nature, yet in order to create the ‘right amount’ of the commodity, to satisfy needs or wants, it will become quantified in the production process (Harvey, 2006). Notably, use-values both shape and are shaped by production processes (Harvey, 2006). The exchange value is quantitative and represents the quantity and price at which use-values can be traded with one another. Within a Marxist definition, a good becomes a commodity when it goes from having a use-value to also having an exchange value and becoming an exchangeable item.

As a process, commodification is in an endless global pursuit of expansion and reproduction. It is integral to capitalism that capital expands and finds new use-values to transform into commodities (Marx, 1976). Harvey (2006) explains that capitalists are bound together in the need “to promote the conditions for progressive accumulation” (p. 29), which requires mechanisms for manipulating wants and needs to market use-values. This need for expansion is critical to understanding the global spread of capitalism.

Capitalism developed in Europe from the 15th Century onwards as feudalism diminished (Robinson, 2004). According to Robinson (2004), between 1492 and 1789 capitalism expanded from Europe out into non- European domains, colonised populations were separated violently from their means of production in what Marx terms ‘primitive accumulation’. The second epoch of capitalism spanned the late 18th Century to the late 19th Century, and was characterised by the industrial revolution and the founding of modern nation-states (Robinson, 2004). The third epoch, which lasted up until the 1970s, can be distinguished from prior epochs by the development of a world economy which involved organised trading between nation-states, the development of a socialist alternative, and the rise of corporate capitalism (Robinson, 2004). Finally, the current epoch: global capitalism occurring from the 1970s onwards, is characterised by transnational production, trade, and consumption and by a world unified in a single mode of production and nations integrated into a global economy (Robinson, 2004).

The current epoch emerged as a result of deregulated national economies and free-trade agreements which national governments implemented to overcome challenges in the world economy during the 1970s (Robinson, 2004). Key trends included the collapse of the

Bretton Woods system (a set of policies which facilitated the creation of fixed international currencies and exchange rates), the 1970s oil crises, and worldwide recession (Robinson, 2004). Neoliberalism was the philosophy, ideology, and political agenda behind these developments. The philosophy behind neoliberalism claims that “human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterised by strong private property rights, free markets, and free trade” (Harvey, 2005, p. 2). Neoliberalism is premised on an individualistic moral philosophy and describes a set of policies which national governments have executed in varying degrees (Harvey, 2005). It has been vital for the transformation of capitalism from a system of integrated national markets, to a global system which enables the global accumulation of capital.

In 1971, Richard Nixon joined other governments in abandoning the gold standard which was used to fix exchange rates against a fixed amount of gold (Held et al., 1999). This was the first step in liberating transnational capital from the regulatory nation-state system. TNC's, defined as “firms with headquarters in more than three countries” (Robinson, 2004, p. 55), were compelled to further diversify their operations which accelerated their global reach (Held et al., 1999). At the same time, advances in technologies and communications, which brought about the ‘information age’, made it easier for companies to find and utilise off-shore cheap labour and transnationalise their production lines (Robinson, 2004). Advances in technology also allowed for a globally integrated finance system, as banking and financial systems transnationalised in the 1990s and 2000's (Robinson, 2004).

As economies have globalised there has been an increase in foreign direct investment, mergers and acquisitions, and “transnationally interlocking directorates, and strategic alliances” (Robinson, 2004, p. 68). This environment has provided the ideal conditions for TNC's to play “the key role in coordinating global production networks” (Dicken, 2011, p. 58) and to take advantage of the particular regions they are involved with, (i.e. the local cost of labour, natural resources, and regulations or lack thereof) (Dicken, 2011). The majority of these TNC's had their headquarters in the US, UK, France, Germany, or Japan. However, developing countries have also been developing TNC's, with Chinese conglomerates now dominating the United Nation's (U.N.) list of multi-national enterprises originating from developing countries (United Nations Conference of Trade and Development, 2018a). The proliferation of TNC's has entailed a complex web of vertical and horizontal integration. Vertical integration occurring as companies aim to expand operations across their supply chain, and horizontal integration occurring as companies merge or

acquire businesses on the same part of their supply chain. Moreover, the rise of TNC's has made local circuits of production very difficult to separate from global production.

The rise of transnational capital transformed the upper levels of national bourgeoisie into a TCC who have an interest in global capital accumulation (Robinson, 2004). The TCC are "the group that owns the leading worldwide means of production as embodied principally in the TNC's and private financial institutions" (Robinson, 2004, p. 47). They make up a "global corporate network" with "overwhelmingly a Euro-North American configuration" (Carroll, 2010, p. 224). As the TCC attained more power, in the 1980s and 1990s, it captured policy makers, and was able to shape politics and culture by influencing government branches linked to the global economy. The TCC maintains power not just through owning the means of production, but also by exercising control of political and social institutions (Robinson, 2004).

Individuals in the TCC operate within economic and political networks by serving on transnational boards of directors, and forming strategic alliances among businesses, governments, and media organisations (Sklair, 2002). The TCC contends that class interests are compatible with national interests and, in doing so, perpetuates the ideology of consumerism (Sklair, 2002). Sklair (2000) writes that these "consumerist visions of globalising corporations" are transmitted through the mass media and operate through more subtle messaging too (p. 288). This "hegemonic agenda of the transnational capitalist class" presents a world view "not simply as 'common sense', but as 'expert sense'" (Carroll, 2010, p. 232).

Through leveraging control of policy making and constituting a political wing, the TCC formed institutions which make up the transnational state (TNS) apparatus. This "is an emerging network that comprises transformed and externally integrated national states, together with the supranational economic and political forums, and has not yet acquired any centralized institutional form" (Robinson, 2004, p. 88). The growth of the TNS superseded the establishment of the Bretton Woods system, the International Monetary Fund (IMF), and the U.N. at the end of World War Two. Then, in the 1980s, TNC's and political elites began arranging a global economy through multilateral agreements with international institutions, such as the Group of 7 (G7) and the Organisation for Cooperation and Development (OECD) (Robinson, 2004). These organisations favoured economic policies for crisis ridden developing countries developed by the World Bank and the International Monetary Fund (IMF). Such organisations added to the international groups formed post World War II, such as the Trilateral Commission, the Bilderberg Group, and the World Economic Forum, which

have all focused on building strategic economic alliances across the globe. Their approach strongly aligns with neoliberalism through a market-based, deregulatory agenda which aimed to increase international trade and reduce tariffs (Robinson, 2004). The network of TNS organisations exemplifies some of the power and historical function of nation-states, but it has no internal coherence. Rather it is made up of multiple centres, and diverse institutions which share differentiated histories and trajectories (Robinson, 2004).

Global finance plays a central role in lubricating global production circuits “but also in shaping them through their evaluative decisions on what (and where) to invest in order to gain the highest (and sometimes the quickest) return” (Dicken, 2011, p. 58). Finance has become increasingly important to all aspects of the commodity circuit, even for markets which were previously not involved with finance, such as manufacturing (Dicken, 2011). Hope (2016) describes the co-dependency of finance and production as a defining characteristic of global capitalism. The globalization of finance has been facilitated through advances in computer processing and telecommunications, with the internet facilitating the global flow of investment among different stock exchanges (Hope, 2016). The large-scale speculative activity within finance markets means that “national macroeconomic policy is vulnerable to changes in global financial conditions” (Held et al., 1999, p. 228). Financial business models have been a key driver in modern economic strategies, and is “especially evident with respect to the telecom, internet, and media sectors globally” (Winseck, 2011, p. 143).

The relationship between global capitalism and the nation-state can be characterised as one of both rivalry and collusion. TNC’s seek to create profit and maximise shareholder value, whereas the state wants to maximise the material welfare of its citizens (notionally at least) (Dicken, 2011). TNC’s have global economic interests and as economic production has been ‘denationalised’, labour and financial markets have become globally connected. This means that national economies are subject to global economic imperatives. Importantly, “national politics is gradually losing its influence over the conditions of production under which taxable income and profits are generated” (Habermas, 1998, p. 412). This is not for lack of will, but rather because, “different classes and groups contest (national) state power, but real power in the global system is shifting to transnational space that is not subject to ‘national’ control” (Robinson, 2004, p. 103). While the nation-state is able to use its national political authority to regulate labour, for example, it is not able to adequately regulate global capital (Robinson, 2004). As countries seek to be internationally competitive, they engage in practices which may not be wholly beneficial for sectors of their societies, such as, the dismantling of the welfare state (Habermas, 1998). However, the decline or demise of the

state's economic sovereignty does not mean that the nation, as an 'imagined community' (Anderson, 1983) is erased. This is because the nation-state is not just an economic and political entity, but also a cultural construct.

Global Capitalism and Global Media

The global reach of capitalism at a cultural level is evident through the proliferation of TNC consumer brands such as McDonalds, Nike, and Apple. The international spread of signs and images stemming from the branding and advertising of TNC's has accelerated to an unprecedented level. Furthermore, global capitalism cannot be analysed without taking into account the revolutionising impact of "contemporary telecommunication, broadcasting, and transport infrastructures" (Held et al., 1999, p. 327). The infrastructure of global communication has been advanced by a series of technological advances. Firstly, through the development of transnational telephone cables, then through the deployment of satellites and fibre optic cable. Following satellite technologies, the world wide web was developed in the 1970s and 1980s and grew in popularity with the global public in the 1990s. By 1994 there were 38 million internet users and by 2016 that figure increased to 3.611 billion (Lee & Jin, 2018). As these technologies have grown, media companies have been able to publish and disperse their material more widely, and previously nationally-orientated media companies were able to grow into TNC's (Held et al., 1999). Although media and communications can be analysed as the subject of global changes, such industries have been a central agent in the development of global capitalism as "global communications infrastructure...facilitates global information flows and cross-border commercial activity" (Flew, 2007, p. 71). Furthermore, global mass media facilitates global capitalism through promoting the advertising of goods and services (Flew, 2007).

Until the 1970s, large telecommunications corporations and media-entertainment conglomerates belonged to separate economic sectors. For the most part, they were national corporations servicing domestic markets (Held et al., 1999). Telecoms, television, and radio broadcasters were often owned or partially-owned by the state or, in other cases, by private companies operating in highly regulated environments (Held et al., 1999). Newspapers had a limited local reach and a nationally bound audience, but as telecommunications technology expanded it became feasible to transmit a large amount of information overseas. Along with the expansion of telecommunications technology, international news agencies developed as "the first significant form of global media" (Herman & McChesney, 1997, p. 12). News agencies, such as Reuters, Havas, Wolff and the U.S.

Associated Press, became “wholesalers of content to other commercial media in their home nations primarily, but also to the media in many nations which could not support their own global news services” (Herman & McChesney, 1997, p. 13). The power of the U.S. and the legacy of English imperialism made English “the global ‘second’ language” (Herman & McChesney, 1997, p. 18) which assisted the U.S. in exporting media and cultural goods abroad.

Advertising provides a key link which connects the global flow of goods and services to the rise of global commercial media. Sinclair (2012) argues that modern consumer culture is built upon the manufacturing, marketing, and media complex. Some of the oldest U.S.-based ad agencies were able to establish an overseas office to advertise for their transnational clients by the 1920s, and after World War Two there was a further wave of expansion particularly into Europe, Asia, and Latin America (Sinclair, 2012). In the 1960s and 1970s advertising expanded further, and advances in television technologies made global media and global advertising campaigns plausible. At this stage, the advertising agencies of global clients were more likely to partner with local agencies or acquire stakes in local firms, which gave them local knowledge for their campaigns and local agencies access to major clients. Sinclair (2012) believes that from the 1980s advertising entered its truly global configuration as they became incorporated into international holding companies along with broader marketing services. This alignment has been “a crucial mechanism in bringing about the world of mega agencies servicing mega-clients” (Sinclair, 2012, p. 43).

The commercial media system is linked to the capitalist system through its funding model of selling audiences to advertisers. Smythe’s (1977) concept of the audience commodity is an invaluable critique of how far processes of commodification have spread into the social fabric of society. Media enterprises produce a market in which audiences are bought by advertisers who wish to market commodities. Importantly, this dynamic means that the media content surrounding the advertisement must keep attracting audiences to “cultivate a mood conducive to favourable reaction to the advertisers’ explicit and implicit messages” (Smythe, 1977, p. 34). The commercial media system is set up to give shareholders whatever they can make the most profit from. This means that media content is littered with product placement, sponsorship, branding, advertising, and merchandising, and is relentlessly commercial (McChesney, 1999). This commercialisation has come at a cost to the public service values of news media, the health of public debate, and the strength of the public sphere (McChesney, 1999).

Technological advancements aided the import and export of media goods and, with the establishment of a transnationalised media supply chain, it was the neoliberal policies of the 1980s and 1990s which opened media systems to the international economy (Fitzgerald, 2012). Although these policies differed from state to state, generally they refashioned socio-cultural values and political systems to comply with laissez faire economic objectives (Fitzgerald, 2012). These reforms involved greater “commercialization, liberalization, and privatization” (Fitzgerald, 2012, p. 113) and removed nationally focused regulations so that media companies could develop into TNC’s. Neoliberal media policies were firstly developed in the U.S. and the U.K.- for example, the U.S. Cable Act of 1984¹ encouraged greater cable TV competition by making it easier for cable TV operators to renew licences (Fitzgerald, 2012). Neoliberal media reform soon spread throughout the West and Japan, then on to developing economies. The transnationalization of the U.S media system has produced a globally competitive media system, which in turn contributed to an international shift towards greater commercialization and market liberalization (Fitzgerald, 2012; McChesney, 1999). For example, in Brazil deregulation was used to open the media market to foreign investment. The 1995 Cable Law “increased foreign ownership limits to 49% and attracted investments from global financiers”. This increased the dominance of major media franchises such as TV Globo which, in 1996, “allied with Murdoch’s News Corporation and US cable firm Liberty Media (owned by Malone) to launch Sky Brasil, and later partnered with US telecommunications giant AT&T” (Evens et al., 2013, p. 139). In the global media system, the US has disproportionate power in infrastructure. Furthermore, they use it, not just to advance their national interests, but in the “interest of global capitalist accumulation in which U.S. capitalism claims a disproportionate share” (Fitzgerald, 2012, p. 124).

Media corporations grew into TNC’s as they developed business strategies around horizontal integration and vertical integration, and cross-border mergers and acquisitions. These business strategies radically changed the configuration of New Zealand’s media. The first wave of neoliberal media policy reforms included the deregulation of broadcasting (1989); the entry of New Zealand’s first commercial, free-to-air channel, TV3; pay television (1989), the sale of New Zealand’s publicly-owned and funded telecommunications company Telecom (1990), and the lifting of restrictions on foreign media ownership (1991)” (Hirst et al., 2017). The trans-nationalization of New Zealand’s media was furthered when CanWest’s

¹ The U.S. congress passed the Cable Communications Policy Act as result of a three-year disagreement between cable franchises and municipalities over regulations. The Act reduced regulation by the Federal Communications Commission and shifted regulation locally. It was also designed to encourage the growth of cable which was believed to provide a greater diversity of information. In reality, it resulted in minimal diversity, and caused customer outrage at prices and the quality of service (Aufderheide, 1992).

subsidiary company, Mediaworks, went on to own TV3 and nine of New Zealand's commercial radio stations (Hirst et al., 2017). TNC's in general seek to become shareholders of smaller media companies or have representatives serve on their board of directors to reduce competition and risk. By operating as conglomerates, in a variety of media sectors (such as television, film, and radio), TNC's can enhance profits through cross promotion of their brand's products through various platforms.

Since the late 1990s, finance has become a growing influence in the media industry (Winseck, 2008). In the U.S., the Telecommunications Act of 1996 reduced regulations on media ownership and allowed for private equity firms to employ debt financing to acquire publicly traded media companies (Crain, 2009). This policy change contributed to financialization of the general economy which has been "enabled by the proliferation of neo-liberal policy regimes requiring the dismantling of international currency agreements and the deregulation of nationally centred financial sectors" (Hope & Myllylahti, 2013, p. 193). Financialization, as an ownership model, has become prominent within major media conglomerates, as well as pan-regional and national media firms (Winseck, 2008). In general, the strategy employed by financial institutions in regard to media organizations is to "restructure them to maximise efficiency, and then exit the investments by selling the streamlined properties at high profit margins" (Crain, 2009, p. 209). In New Zealand, media have increasingly been owned by financial shareholders since 2010 (Hope & Myllylahti, 2013). These financial shareholders include both listed and unlisted financial institutions. This ownership model represents a significant difference from the previous long-term investment by global media companies, such as when News Corporation was a shareholder of Sky, as global media companies tended to have greater long-term objectives for their investments (Hope & Myllylahti, 2013).

The impact of global capitalism has been felt strongly across the telecommunications sector as well as the media industry. In the digital era, media has expanded from encompassing print, broadcasting, film, and music to include social media, telecommunications, and information technology (Lee & Jin, 2018). The telecommunications industry was rapidly restructured during the neoliberal turn of the 1980s and across the following two decades (Jin, 2005). Governments engaged in deregulation, privatization, and liberalization, not only because of increased pressure from corporations, but also because of pressure from international organizations such as the World Trade Organization (WTO) and the U.S. government (Jin, 2005). Prior to the 1980s, telecommunications companies were run as national monopolies, except for in the US. However, in the 1980s it was believed that privatizing the sector would advance economic development as telecoms provide

infrastructure for information technology. Subsequently, British Telecom (BT) was privatised under Margaret Thatcher (Jin, 2005). Furthermore, as the telecommunications sector was privatised, the largest telecommunications companies began to invest in national telecommunication markets. In 1997, the WTO passed an agreement requiring nations to “open their domestic markets to foreign competition and to allow foreign companies to buy stakes in domestic operators” (Jin, 2005, p. 294), this agreement was signed by 69 countries, including New Zealand. Market liberalisation increased competition to the extent that the industry later imploded from over-competition and price wars which undercut revenue, which disrupted industry forecasting and exaggerated demand (Jin, 2005). Nevertheless, since then, telecommunication companies have developed new business models for providing internet services and mobile telephony, as well as access to media content via streaming such as Netflix and Spotify.

In the late 1990s the internet became a critical tool for business and the future of communication. Consequently, cell phone, computers, and Internet Protocol television (IPTV) have emerged as new global media platforms. The traditional media industry has adjusted by employing a cross-platform business strategy and by designing content for mobiles. Media and telecommunications corporations embarked on mergers and acquisitions as they attempted to deepen their investments into the global ICT market (Lee & Jin, 2018). Some of the tech companies which initially disrupted the established media industry (Facebook, Apple, Amazon) soon became established TNC's and displayed “market behaviours exhibited by large media corporations (such as consolidation, lobbying governmental bodies, and global expansion” (Lee & Jin, 2018, p. 142). In 2016, the top five companies, in terms of market value, were all from the ICT sector (Mosco, 2017). Of these top five tech companies (Apple, Alphabet (Google), Microsoft, Amazon, and Meta) all but the latter rank in the U.N. Conference for Trade and Developments list of the world's top 10 non-financial multinational enterprises (based on foreign assets in 2017) (United Nations Conference of Trade and Development, 2018b). These companies have promoted a “borderless flow of media content, enabling users to become producers through the new tools of digital content creation and networked distribution” which has furthered media convergence (Flew, 2007). These companies have incredible lobbying power and shelter revenue in tax havens rather than reinvesting their money in national economies (Mosco, 2017), which in turn contributes to the erosion of economic sovereignty.

Global Media and Mediated Sport

Globally mediated and commodified sports find their roots in the festivals that English rural communities celebrated in feudal times. These were later institutionalised through the English public school system and then spread through the British Empire and beyond. Many other cultures had folk games of their own, but it was quantified, competitive sports which eventually became commodified through the global media system. From the 1870's through to the 1920s sports spread from Britain to its colonies and took on an international configuration. International sports bodies were established to govern international competitions and to standardise rules across nation-states (Maguire, 1999). From the 1920s through to the 1960s, the American sports ideology of professionalism and commercialism began to compete with the former dominance of the English amateur ideology (Maguire, 1999). Furthermore, sports linked to the 'American' sphere, such as baseball, basketball, and ice-hockey, grew in global influence. Then, by the end of the 1960s there was a decentring of the West as non-western countries ascended in global sporting prominence. By this time, many non-western countries were able to beat former colonial powers through colonial sports (Maguire, 1999). International sports organizations were also reconfigured to be more globally inclusive and new varieties of sports emerged such as extreme sports (Maguire, 1999). The last quarter of the 20th Century and beyond represents the global era of sport, which includes "complex flows of sports, competitions, teams, athletes, genres, images, fan communities, audience formations, and mediated messages" (Rowe, 2011, p. 4). However, global media sport is not a full reality as there are large sections of the globe who do not have regular access to the media technologies and media channels that would enable them to follow sport beyond their communities (Rowe, 2011). Furthermore, nation-state rivalry remains the definitive standard of international competition.

The global era of sport has been facilitated by the development of a global media system, which turned sport into a global commodity and sporting events into a spectacle capable of being delivered to international audiences. Sport has also been critical to the expansion of media TNC's, particularly those involved with pay-TV. Hope (2006) summarises the distinctive features of sport which make it highly lucrative for media organisations, including: its cultural centrality which contributes to national, regional, and personal identity; the unpredictability of results; the drama it constitutes; its use of strategy and tactics (which are particularly appealing to close followers); the potential of major sporting events to become mass mediated entertainment spectacles; and the physicality and eroticism of athletes.

Sports media soon became an avenue for the "expansionist, supra-national ambitions" (Tomlinson, 2004, p. 35) of corporate media and, in turn, the primary business of

sport became the arrangement of televised competitions (Rowe, 2011). Sport is able to deliver large affluent media audiences to advertisers and sponsors. Rupert Murdoch famously referred to sport as the battering ram to establish pay-TV markets in Australia and the UK. Murdoch used a strategy of buying exclusive sports rights and putting them behind a pay wall, which meant audiences had to pay for the sports that they once watched free-to-air. Sports broadcasting rights provided an avenue for global media brands to expand, and by 1998 ESPN International reached 150 countries and had investments in Eurosport, Sky Broadcasting, and the Japan Sports Channel (Bellamy, 1998). Moreover, the value of the ESPN brand was the key reason for Disney acquiring Capital Cities/ABC, owned ESPN (Bellamy, 1998). As sport has become essential to the expansion of television, it also required sports media to pay their increasing costs, including player's salaries. Sporting codes have moved to format their competitions around television (under heavy pressure from television), and enhance the entertainment and spectacle elements of their games. This has meant that modern mediated sport is often scheduled to secure maximum television audiences. Some sports have even introduced rule changes to enhance televisual appeal, and generally, tournaments have expanded to increase the number of matches being played.

Gruneau and Whitson (1997) argue that the economic growth of the leisure and cultural industries, from the early 1970s, has worked to position citizens as consumers who identify through their consumption of leisure and entertainment. Traditional forms of self-identification, such as locality and nationality, were thereby partially displaced. Pay television has been vital to this changing nature of sports fandoms. English Premier League (EPL) Teams such as Manchester United and Liverpool grew out of an industrial, working class North-West England (Rowe, 2011). However, when the EPL was formed it was set up to financially benefit Murdoch's new pay-TV venture BskyB, and the top clubs who wanted a higher share in the revenue. These working-class teams, who could be previously watched on free-to-air television, were moved onto subscription television. Meanwhile, ticket prices rose, and the working class found it more difficult to access live games. The EPL was targeted towards the Asia-Pacific market and clubs such as Liverpool and Manchester United developed an international fanbase (Rowe, 2011). Rowe (2011) argues that the global economic appeal of the EPL is a 'product of astute marketing' (p. 31), and that consumption of the EPL is "an attractive signifier of global cosmopolitan identity" (Rowe, 2011, p. 31).

Sponsorship is also critical to understanding the growth of global commodified sport. Sponsorship is the primary bond between sports and corporations, and connects sports to

politics and economics. Whannel (1992) argues that the 1965 ban on advertising cigarettes on television in the UK led to a boom in sports sponsorship from cigarettes companies; a strategy which soon became popular with alcohol companies and financial institutions too. Attracted to the exposure that sports offer, the masculine realm of products (beer, razors, and cars) developed an association with sport. Thus, the expansion of sport from its national origins has required the intensive promotion of branded symbols that cross borders, which has included celebrities, clubs, corporations and, sporting organisations (Gilmour & Rowe, 2010). As sport formed greater ties with sponsors it became increasingly subject to market forces and was rationalised along capitalist lines. For example, Fraser Holland, former marketing sponsorship manager of the All Blacks, recognised that the All Blacks' commodity sign was in competition with other sporting brands and celebrities to extend its market presence (Scherer & Jackson, 2010). So, when Adidas was sponsoring the All Blacks, the end goal for Adidas was brand recognition. However, it also wanted the All Blacks to transcend rugby and reach the iconic status of Manchester United or the Chicago Bulls, who could sell merchandise across borders (Scherer and Jackson, 2010). The importance of merchandise as another revenue stream for sport's governing bodies means that sports associations constantly modify their uniforms to increase sales (Bellamy, 1998).

Mega-events, such as the Olympics and Superbowl, have become commercial spectacles, tools for soft power, and politically important for attracting tourism. They are also civic events which celebrate national identities and local cultures. As a result, modern cities now plan large scale sporting and cultural events as part of their "entrepreneurial urban economy" and socio-cultural regeneration (Belanger, 2009, p. 51). The spectacle of mega events has become a place to establish identity and create a memorable experience through consumption (beer, food, betting, merchandise) that is usually orchestrated around a theme. For example, in 2008, China used the Beijing Olympics to show that it had modernised itself and was now an "economic power to rival the United States" (Rowe, 2011, p. 113). The opening ceremony was a display of national culture with an impressive high-tech telling of their history through choreography. However, while it was an assertion of national identity, the Olympics were also a way for major TNC's such as McDonalds, Coca-Cola, and Volkswagen to penetrate the Chinese marketplace.

Although sport is now able to be packaged and transmitted across a global television network, Rowe (2011) still questions how global sports media really is. Many local sports, such as Australian Rules Football (AFL), are very popular locally but do not travel well. For example, baseball is popular in Taiwan but not in India, while cricket is popular in India but not in Taiwan (Rowe, 2011). Therefore, global media giants need to cater to local audiences.

In 2010, the AFL listed broadcast partners on their website that included international entities such as ESPN. Rowe (2011) recounts that ESPN broadcast AFL games, including the finals series and the grand final, in Africa, Israel, and the Caribbean. But, while the sport may be technically global this does not mean that AFL is much watched or played overseas. Nevertheless, companies such as News Corporation and Disney are able to acquire international broadcasting rights and populate national sports channels with international content. However, Rowe (2011) argues that the motive behind showing local sports in foreign markets may be supply with no demand. Much of this content is provided as filler for 24-hour sports channels. Furthermore, Rowe shows that global televised sport “is highly concentrated in production and content terms” (Rowe, 2011, p. 45). For example, over a sample week (6-12 May, 2008) the sports channel Fox’s data in Australia revealed that 30% of what was shown came from Australia, 63% from Europe and the U.S., and 7% from the rest of the world. Of that content, 79.5% came from just 7 sports, with 36% of this majority comprising tennis and golf. Data from other countries also confirms that there is a high degree of concentration on sports channels; they broadcast sport from the local regions, then from countries in the West, and lastly, a negligible amount of sports content from the rest of the globe (Rowe, 2011). The power of global media giants is not entirely unfettered as the cultural and historical context of a nation-state renders certain sports domestically, rather than globally, significant.

While sports themselves may not travel easily to foreign territories and cultures, the flow of foreign capital is less discriminating. In football, the most global sport, there is a dizzying maze of foreign commercial interests. In *The Guardian*, Ronay (2019) outlines the ownership and sponsorship of the Champions League, stating:

Real Madrid are sponsored by the Emirates airline of the UAE. Another of the emirates, Abu Dhabi, owns Manchester City. Manchester City are taking on Schalke, who are sponsored by Gazprom, which is owned by Russia, which is in effect at war in Syria with Qatar, which is being blockaded by Dubai, which is a financial services partner of Manchester United, whose next opponents will be Paris Saint-Germain, who are owned by Qatar (...) Confusing, isn't it? (Ronay, 2019, para 4-5)

The phenomenon of foreign ownership in professional sport is not entirely new but has intensified as TNC’s predominate. Purchasing football clubs is not a guaranteed way to make money, therefore analysts have tried to dissect why some owners are interested in buying into the game (Montague, 2017; Ronay, 2019). For Montague (2017), ‘following the money’ reveals that an “unequal, and murky economic system” (p.8) underpins global football, a system which could likely extend into other sports too. Amnesty international expressed a concern that “overseas owners may be using the prestige of elite football to

effectively 'rebrand' themselves" (Ronay, 2019, p. 21). Moreover, football has become an extension of global PR activity, with the term 'sportswashing' being coined to describe how sports are used by corporations and governments "to launder a reputation, to gloss a human rights record, to wash a little blood away" (Ronay, 2019, para. 12).

As sport has become increasingly commodified, globalised, and mediated, there is a growing tension between the commercial interests of media sport institutions, and the expression of sport as a facet of cultural citizenship. In many countries anti-siphoning regulations were introduced in order to fulfil government obligations to provide citizens with a sense of cultural citizenship; a valuable shared cultural experience which all can access. For example, in India, pay-TV broadcasters must share major sports rights with the public service broadcasting entity. Unsurprisingly, due to the commercial nature of the U.S.'s mediascape, there are no anti-siphoning regulations there. However, Evens et al. (2013) suggests that the U.S. system does not have the problem of one pay-TV broadcaster hoarding sports rights as their pay-TV market is relatively competitive, and many key events are on network TV. However, as pay-TV entered the broadcasting markets of other nations there was a tendency for them to siphon major sports. Australia, India, Britain, and member states of the European Union, responded by establishing anti-siphoning regulations themselves (Evens et al., 2013). While such regulations may be popular with citizens and free-to-air providers, subscription broadcasters and professional sports leagues have argued that such regulations hinder financial returns on transmission rights (Evens et al., 2013).

Global Mediated Sport in the Digital Era

Digital technologies were heralded as having the potential to revolutionise media, change entrenched hierarchic power structures, and democratise the spread of information (Hutchins & Rowe, 2012). The previous analogue model was based on a finite number of television broadcasters controlling the production and distribution of live sporting events. The digital era offers greater flexibility in the watching of sport by expanding the delivery options for the same or similar content compared to analogue television (Hutchins & Rowe, 2012). Although these new changes appear to be disruptive to the sports media industry, television broadcasting remains strong (Hutchins & Rowe, 2012). This is firstly because many users have a mixed media diet, thus, digital streaming has not replaced television but offered more options for watching television than before (i.e. on a phone, tablet, laptop, or through Internet Protocol TV). Secondly, sports rights owners have mainly supplied peripheral content to digital providers with premium content still being sold to television (Rowe, 2011). Although

the digital era has not entirely diminished the broadcast television market, the convergence of broadcasting, telecommunications, and ICT is “beginning to have a significant impact on the way that the rights of sporting events and competitions are sold and distributed” (Smith et al., 2016, p. 537).

The roll out of high-speed broadband has allowed for telecommunications companies to enter the television market “either as distributors or as vertically integrated distributors/content providers that compete directly with established pay-TV broadcasters” (Smith et al., 2016, pp. 538-539). Sports rights have been a major component in this strategic turn. For example, in Australia, Telstra has purchased online and mobile rights for netball, motor racing, rugby league, and AFL in an effort to dominate mobile content (Hutchins, 2014). Similar strategies have also been used by British Telecom (BT), Deutsche Telekom (DT), and Orange/France Telecom (Smith et al., 2016, p. 537) as these companies have all have entered the sports rights market through purchasing national football championships. The mobile or IPTV apps they offer allow sport to be accessed with ease and are popular with younger generations. The Australian Deloitte Media Consumer Survey of 2018 found that 40% of young men use their phones to watch sport (Duke, 2018). These rights deals, which are often offered in a bundle of services, may become a significant factor for customers when choosing which telecommunications company they will use for mobile deals and broadband. Moreover, they have become “a key source of market power in the wider communications market beyond pay-tv” (Smith et al., 2016, p. 539). While pay-TV may see the entry of these telecom companies as a threat, in some cases television companies have collaborated with telecommunications companies. For example, in 2020 Sky announced that it would share some streaming content with New Zealand telecommunications company Spark, even though Spark had obtained the rights to the 2019 Rugby World Cup and international cricket. Australia’s Optus purchase of FIFA 2018’s rights offers a cautionary tale in telecommunication capability. Optus bought World Cup online rights to stream FIFA 2018, but, due to technical issues, they could not handle the capacity of fans wishing to stream the matches. The rights for remaining games were given back to free-to-air provider SBS and customers who had paid for Optus’ online services were offered a refund (“World cup: Optus brand battered by streaming fail, with still no guarantee of a fix,” 2018). While this may represent a teething problem in the era of digital sports broadcasting, it still demonstrates that, at this stage, in certain countries television companies still have an advantage in terms of infrastructure and expertise when providing sports coverage.

ICT companies such as Amazon, Facebook, Twitter, YouTube and others appear to be testing the sports rights market for viability, with Amazon being the leader. In 2018

Amazon secured 20 EPL games from Sky and BT Sport, as well as Queens Club Tennis, the US Open, and Thursday night football (Mitchell, 2018). Amazon has described its strategy as starting with the customer “and working backwards”; they are using sport to expose customers to broader Prime Video offerings but are also very aware that sport has a local dimension. For example, in an interview, Marie Donoghue, Amazon’s vice president of global sports video, said about their strategy, “Sports are largely inherently local. No matter how much we talk about the global appeal of sports, which they have, ultimately the most passion is often local” (Carp, 2021, para. 14).

Another over the top (OTT) (a media platform which streams directly) to enter the market and provide a new strategic direction is DAZN, a UK based company owned by U.S. multinational; Access Industries (Biddiscombe, 2018). Billed as the Netflix of sports (which is also how Kayo bills itself), the company offers pricing as low as £9.99 a month for access to fighting sports and international football. Its strategy is based on buying under-monetised sports without directly competing with major sports rights content holders such as British Telecom and Sky. With streaming in Austria, Germany, Japan, Switzerland, Canada, and the U.S., they hoped to expand to 20 countries by 2022 (Biddiscombe, 2018). DAZN targets niche sports broadcasting audiences across nations- for example, it streams U.S. NFL in Germany, cricket in Canada, and baseball in Japan. Additionally, it secured a “five-year, multi-million-dollar broadcast agreement with American boxing promoter Golden Bay, to screen up to 10 live and on demand fights per year” (Biddiscombe, 2018, para. 2). This represents a significant change to the current pay per view model, which has priced many boxing fans out of the market. While DAZN may not be successful in this strategy of buying niche sports content, what its model shows is the possibility of a more global platform for sports rights as well as for market fragmentation. However, this new model of OTT sports comes with two major difficulties; there is increased competition in the digital space, and an expectation from customers that prices will be low (Impey, 2020).

Added competition in the sports broadcasting market has not always meant lower prices for content. In the UK, competition for sports rights has resulted in a “migration of market power from broadcasters and media providers upstream to the leagues and federations that control rights” (Milne, 2016, p. 87). The high cost of sports content that sports organisations demand from competitive broadcasters may be passed onto consumers, as has happened in the U.S. This resulted in revered sports channel ESPN losing millions of subscribers over recent years (“ESPN is losing subscribers but is still Disney’s cash machine,” 2017, May 6). In England, the entry of British Telecom into the market actually inflated the price of Premier League rights, from 2012 to 2015, as league

clubs benefited from increased competition (Smith et al., 2016) Furthermore, in Spain, there is a “maze’ of different pay-TV and pay-per-view packages viewers so that are required to negotiate in order to watch certain matches” (Smith et al., 2016, p. 544). Consequently, Spain is the most expensive country in Europe to watch live screen football (Smith et al., 2016).

Because of the high price of sports content and the relative ease of illegal streaming, digital piracy is considered an ongoing threat to pay-TV operators as they try to increase their revenues. There has been a long-standing campaign against copyright infringements including public education advertising which equates digital piracy with the stealing of material goods. But Hutchins and Rowe argue that such campaigns overlook the fact that nothing physically goes missing when immaterial goods are pirated (Hutchins & Rowe, 2012). They claim that media distributors embellish the financial losses of digital piracy while maintaining healthy audience sizes and profits. Prosecuting consumers is time-consuming, difficult, and could jeopardise the public support of fans (Hutchins & Rowe, 2012). Moreover, it is difficult to prosecute for digital piracy because hosts may be unaware that live streaming of premium sports content is occurring on their sites. Furthermore, it does not require a lot of technology and software to retransmit a broadcast when one is taken down (Hutchins & Rowe, 2012). Furthermore, the repercussions of digital piracy for the average viewer are minimal (Hutchins & Rowe, 2012).

A potential corollary of the trend towards greater customisation and fragmentation of mediated sport content is that the collective fandom may be undermined (Lopez-Gonzalez et al., 2017). The digital era also offers fans alternative fora, although there can be a tendency for online communities to become silos for like-minded people. Anti-siphoning regulations have the potential to bring increasingly fragmented audiences together and to ensure that major events are available for all citizens of a nation across various platforms. These regulations were introduced for an analogue era and have not been updated for the digital era despite being reviewed (Evens et al., 2013). The main argument for the delay in updating the regulations is that digital rights have been, so far, supplementary to television rights. Currently, digital piracy may provide an alternative for consumers wishing to access sporting events they cannot or will not pay for. In the opinion of sporting organisations, this seems to be the main threat brought about by media convergence. Finally, Hutchins and Rowe (2012) believe that citizen access to sport will be a pressing political issue over the next decade. They remain pessimistic, believing that neoliberal societies will continue to value sport as a consumer good rather than as a cultural and social experience. The lack of access may cause some fans to walk away from sport altogether, this only becomes an

economic issue for global sports media giants when the lack of overall visibility of sport degrades its market value.

Sport and Corporate Nationalism

As sport has become transnational, fans are able to follow teams with which they have no geographic connection. Athletes switch teams and play across borders, and TNC's sponsor athletes, teams, and events across the world. However, the ideological significance of the nation remains powerful and sports media plays a vital role in its construction as an 'imagined community' (Anderson, 1983). The collective identity and heritage of nations has been corporatised and branded as TNC's localise their products, and their advertising penetrates national markets through their sports sponsorship (a process which Silk et al. (2005) refer to as 'corporate nationalism'). This ideological form of global capitalism positions sports spectators as consumers rather than as cultural citizens. Therefore, televised sport has also become a domain of struggle between the values of national citizenship and those of the globalised media-sports economy.

Sport has a long been entwined with the traditions, history, and cultures of nations. We commonly refer to *our* athletes, who represent *us*, for the *nation*, they play with *our flag* and we sing *our anthems*. Scannell and Cardiff (1991) show that a sense of nationhood is an abstract concept that is manufactured and sustained, and made tangible through the images and symbols of mediated events. For Britain, a sense of national pride was partly cultivated through the establishment of broadcast sports (along with other cultural events and festivities). Sports events, which were previously discrete, became woven into common national life through the 1920s and 1930s by the public broadcaster BBC. Events such as the Oxford-Cambridge Boat Race, Derby Day, and Wimbledon becoming events of national significance for the public.

In New Zealand, nationalism lacks the militaristic fervour of that in the U.S. However, national identity is strongly linked with *our* national rugby side, the All Blacks. Global capitalism has repositioned this identity within a corporate nationalist discourse, influenced by transnational corporations such as former team sponsor Adidas (Scherer & Jackson, 2010). Scherer and Jackson (2010) explained how Adidas used Māori imagery and the *ka mate haka* in a commercial titled 'Black'. These visuals were woven with images of the All Blacks playing an international rugby match with Adidas branding. The advertisement was

designed for a global audience and shown in 70 countries, but it was criticised locally for the cultural appropriation and commodification of Māori culture. For Scherer and Jackson (2010) 'Adidasfication' of the All Blacks exemplifies the "ongoing naturalization of discourses of consumption and the brands of TNC's [transnational corporations] in New Zealand" (p. 217).

The branding of sports celebrities, clubs, and associations often draw on the culture, heritage, and traditions of geographical communities, including the nation-state. The nation-state becomes represented through the promotional strategies of TNC's, but local identities may in turn be renewed (and commercialised). In 2007, Nike launched *Where is the next* campaign across Australia, China, Japan, and South Korea to coincide with the Asian Football Confederation's Asian Cup. Ronaldo de Assis Moreira (Ronaldo) was chosen to endorse the campaign as a global athlete and celebrity, and it was understood by Nike that he symbolised the desire to be the best player in the game. Thus, his significance transcends borders (Kobayashi, 2012). However, working with a local advertising firm in Tokyo, some key differences in national sports cultures were recognised and incorporated into the campaign. Television ads were modified for each country, the Australian ad featured a club soccer game, whereas the Chinese ad featured street soccer. The Japanese ad featured Bukatsu (extracurricular activities), a form of sport in Japan which has both global and local characteristics, and is embedded with Japanese values, virtues and morals.

Following sport is often a shared experience and involves shared consumption. John and Jackson (2011) argue that corporate nationalism naturalises a consumerist social life. Sponsors do not want citizens to simply watch a tournament, but also to drink their beer, eat their food, and purchase their products. The naturalisation of a consumer lifestyle is also the concern of Silk et al. (2005). They suggest that corporate nationalism usurps "the productive role of modern political institutions," reducing the nation to "a branded expression of global capitalism's commandeering of collective identity and memory" (Silk et al., 2005, p. 7). The promotion of global consumption has been a vital component in the spread of capitalism, just as consumer behaviour is vital to economic growth (Comor, 2008).

Resistance and Contradictions

Critiques of capitalist ideology in sport apply mainly to that which is considered professional, high performance, and mediated. Yet, for most people actively involved in sport, whether by playing, coaching, volunteering at a club, or supporting their friends and families, there is an intrinsic value in their activities outside of commodified expression.

Participation in sport is commonly a shared activity. Historically, particular sports and clubs have been sites for working-class solidarity, although examples of it in the modern era are harder to come by. Fans show an awareness of the changing and globalising nature of sport, with supporters of local teams going as far as establishing their own clubs (F.C. United of Manchester, Enfield Town F.C., AFC Wimbledon) to resist modern corporate ownership structures. For example, when Malcom Glazer (an American businessman) took over ownership of Manchester United in 2005, disgruntled fans founded the fan club United of Manchester which had regular high attendances at games upon its opening (Hognestad, 2012). However, Bairner (2001) dismisses the outrage over Malcom Glazer's bid as hopeless idealism, stating that previous owners were not much different and that fans need a more realistic understanding of the economics of sports ownership. Such movements provide resistance to, but do not truly threaten, the modern political economy of sport.

In the face of global, commodified sport, fans are able to provide resistance to the delocalised and consumerist positioning imposed on them by transnational corporations, media outlets, and sporting bodies. Giulianotti (2002) documents four types of fans: supporters, followers, fans, and flâneurs. Giulianotti describes these categories as follows: Supporters have a "long term personal and emotional investment in a club (p. 33), followers are "not defined by an itinerant journey alongside the club but instead by keeping abreast of developments among clubs and football people (p. 34), fans develop "a form of intimacy or love for the club or its specific players but this kind of relationship is inordinately unidirectional" (p. 36) and more distant to that of a supporter, and finally, the flâneurs who have a "post modern spectator identity through a depersonalised set of market-dominated virtual relationships" (p.38). According to his theory, modern commodified sport welcomes the flâneur, a middle-class consumer who has economic and cultural capital, and a depersonalised relationship towards clubs. Traditional supporters still retain strong solidarity to their club as their players, coaches, and management come and go (Hognestad, 2012). In a colourful description of the parallel worlds of flâneurs and traditional supporters, Hognestad (2002) depicts a scene at Arsenal Stadium as Celtic (from Glasgow) played against Arsenal in the Football Emirates Cup:

Eventually a Mexican wave was started at one side of the ground. A local Arsenal supporter who sat next to us restricted himself to showing his middle finger, demonstrating his contempt at this universal crowd ritual which indeed could fit into the rituals of a non-place: The Mexican wave [the action of people in a stadium standing up then sitting in groups to look like a wave moving through the crowd] is

often seen as a bland and meaningless act, unsuitable to carry the message of specific club support. (Hognestad, 2012, p. 384)

This form of resistance is individualised and embedded into the reality of commodified global sport. It does not seek structural change but acts out rebellion. Digital media offers opportunities for communal participation and provides a tool for collective action which could break through the individualised nature of resistance to commodification. But it is more commonly used to perform fan identity (Millward, 2013). Millward (2013) finds that such technologies, rather than challenging the structure of commodified sport, are “routinely used by fans to announce blandly elements of their cultural identity”, in particular by arguing with “supporters of opposing teams” (p. 150).

Sport is a unique and important site for establishing national identity. Watson (2017) argues that, in the case of Canadian hockey, everyday nationalism, expressed in an informal and popular context is constructed and expressed through Canadian hockey, and shares a tense and complex relationship with state and corporate interests. The construction of sporting nationalism may occur through the state, the media, corporations, citizens, and fans (Watson, 2017). The state may use sport to reify competitive, antagonistic relations between nations, while non-government organisations may use sporting nationalism to aid in Sports for Peace and development programs. Furthermore, TNC's may use the construct of sporting nationalism to activate their profit motive (Watson, 2017). Watson found that when Canadians construct their national identity against the American 'Other', they conflated commodification with Americanisation. Canadians considered themselves to have a communal interest in hockey, as opposed to Americans who they saw as having corporate, profit making interests (Watson, 2017). This example represents a common thread of resistance to commodification. Sport and capitalism have developed together and major events outside of capitalism remain a utopian ideal. Not being able to conceptualise sport as de-commodified, citizens ascertain where the essence of their resistance should lie. They resist very overt instances of commercialisation or perceived Americanisation but not the fundamental processes of commodification as such.

In the lead up to the 2011 Rugby World Cup in New Zealand, it was revealed that Adidas-produced All Black jerseys were being sold in New Zealand at double the overseas prices (Scherer & Jackson, 2013). Adidas had also attempted to restrict New Zealanders from buying the cheaper version offshore through the internet (Jackson & Scherer, 2013). A TNC capitalising on New Zealanders' loyalty to the All Blacks caused outrage. As a result, the manager of Adidas NZ, as well as the managing director of Adidas, tried to defend

themselves through interviews with local media by reiterating that they had contributed considerable money to New Zealand Rugby over a 10-year period and needed a return on their investment. Furthermore, the jerseys were being produced under exploitative conditions in China. When the Adidas team were grilled about this on talk shows they were unable to answer, specifically stating that a sourcing agency dealt with the manufacturing. The controversy opened a discussion on the relations of production that operate beneath the surface of commodities, but was brief. In the mainstream media it was framed as a consumer rights issue and thus the chance of significant resistance was lost (Jackson & Scherer, 2013). This case encapsulates how difficult it is to sustain resistance and collective action against corporate hegemony when its prevailing values are embedded in social life (Jackson and Scherer, 2013). Indeed, such counter hegemonic examples are fragmented and marginal. Budd (2009) draws from Marx (1976) in stating that “ideology contributes to popular illusions precisely because people experience conditions that require illusion” (Budd, 2001, p. 15). Challenges to the hegemony of global media sport are most prominent in areas of culture change such as women and minorities seeking greater representation. On the other hand, sport’s circuits of commodification and capitalist economic relations remain firmly intact.

Conclusion

The global era of capitalism, characterised by the development of TNC’s, a TCC, and transnational state institutions was facilitated through neoliberal policies of privatisation, liberalization, and deregulation. These policies have transnationalised the processes of production, distribution and consumption. The TCCs worked to influence national policy makers, and to control their political and social institutions. To do so, they have employed transnational entities such as the IMF, World Bank, OECD, and the World Economic Forum to facilitate neoliberal policy regimes and the global flow of capital.

Global media has been central to facilitating global capitalism by providing a transnational communication system which allows for a global flow of information and entertainment. Communication technologies allowed nationally configured media companies to expand business operations; firstly with the global exchange of print news, then with radio, movies, music, and television. Through neoliberal policies, the largest media corporations have been able to invest in or buy up national production companies and media firms. This strategy of vertical and especially horizontal integration enabled the cross-promotion of media products while minimising the risk of potential competition. In the digital era

telecommunications and ICT companies have also become media content providers. The ICT sector has some of the biggest global TNC's, including Facebook, Alphabet/Google, and Apple.

The global spread of mediated sport cannot be separated from the processes of global capitalism and global media systems. Sport has contributed to the dominance of global media giants and the growth of pay-TV. As sport became permeated by the logic of globalizing capitalism, it developed as a highly lucrative business built on relationships among sport's governing bodies, sponsors, media companies, manufacturers, event management companies and other businesses, all of which had global aspirations to expand their revenue streams. The global commodification of sport has not reduced its national importance, but it has become less tied to cultural citizenship. Sports fandom is increasingly a consumerist, cosmopolitan practice which crosses national boundaries.

Digital technologies have allowed sport to be represented on platforms which extend beyond traditional broadcasters, although television has not been entirely supplemented. Rather they provide further options for watching sport across multiple platforms. In the digital era, telecommunications companies have changed their business strategies to include content creation, and the streaming of televisual material. Furthermore, OTT streaming companies such as Amazon and DAZN have also secured the rights to sporting events, further fragmenting the sports rights market. However, this will not necessarily result in cheaper prices for consumers as added demand for sports rights will likely inflate prices, meaning that many fans will not be able to afford to watch the sports they follow. Anti-siphoning regulations, which are used in some countries, could provide a partial antidote to the loss of sports media access within the global capitalist system.

As TNC's expand globally, sport becomes an important vehicle for the penetration of local markets. They can draw on national identities rather than seeking homogeneous global appeal. In this sense the national is still highly relevant in the age of global capitalism, in that corporate nationalism is used to expand brand power. Chapter Three will discuss how this kind of nationalism developed around sport in New Zealand.

Chapter Three: Sport, Mass Communication, and National Identity in Aotearoa/New Zealand

Major sports events have expanded from their localised origins and became global, commercial spectacles monetised through media rights and the sponsorship of TNC's. From their infancy, sports have been imbued with meaning and have positioned subjects as national citizens (among other subject positions). Sport can give people a sense of collective belonging, but sport does not always deliver on idealised conceptions of cultural citizenship. Furthermore, that principle itself can be, and often is, contested, as will be shown in this chapter.

The development of modern, organised sport is intertwined with the development of nation-states. As modern nations emerged as political, economic, and cultural entities “designed to consolidate and regulate capital accumulation within the boundaries of a specific geographic location”, sport became a key site for the “discursive (re)production of specific national cultures” (Silk et al., 2005, pp. 2,6). Anderson (1983) argues that the development of the mass media was critical to the emergence of national collective consciousness. When national citizens were able to consume the same newspapers simultaneously with other citizens, they developed a national subjectivity and a sense of group membership. Sports media, with its use of anthems, flags, uniforms, emblems, history, and mythologies, has been a particularly potent force in constructing national identity. Mass media has also been a key domain for promoting select sports as symbols of a hegemonic national consciousness, and for contentious negotiations over hegemonic identity. Beneath the veneer of the nation as a unified entity lies division and difference.

In Eric Hobsbawm and Terence Ranger's influential collection *The Invention of Tradition* (1992), the authors theorise that analysing newly formed traditions lends insight into how history is used to “inculcate certain values and norms of behaviour by repetition which automatically implies continuity with the past” (p. 1). One example they use concerns the gothic architecture of the 19th Century English parliament building. The style was chosen to reassure the Church of England and ruling elites of their heritage in a time of religious unrest. Hobsbawm and Ranger (1992) argue that these invented traditions enable social cohesion and a sense of group membership. This is a process that may legitimise institutions and socialise participants with particular beliefs and values. When, how, and why these traditions come into being is a matter of critical reflection for historians. Although

Hobsbawm and Ranger's book (1992) largely explores the traditions of Britain, Africa, India and Europe, the principles of 'invented traditions' could equally be applied to the sporting traditions of New Zealand. This chapter seeks to explore how sport has been used to develop a sense of allegiance to New Zealand, such that citizens are socialised with the values and ideologies of the time.

Such a sense of national identity and national history can also be explored through the theory of cultural citizenship. Cultural citizenship builds on Marshall's (1992) polemic *Citizenship and Social Class*, which historicises the development of civil, political, and social rights in Britain. The development of civil rights gave people individual freedoms, such as the right to free speech, that became central tenets of the law. The development of political rights then enabled participation in politics. Social rights, which emerged in the 20th Century, refer to the development of the welfare state as well as the right to equality of opportunity enabled by social equality of living standards. Miller succinctly describes political citizenship as "the right to reside and vote" and social or economic citizenship as "the right to work and prosper" (Miller, 2007, p. 35). Miller (2007) adds cultural citizenship to this schema as "the right to know and speak" (p. 35). Walby (1994) shows that gender is absent from Marshall's discussion of citizenship and notes that his theory and timeline of citizenship development does not accommodate the history of rights for women. Citizenship has been obtained in different degrees by different social groups at different times, but Marshall's conception is still useful in terms of its categorisations.

Hartley (2010) critiques Marshall's conception of citizenship as top-down which under-emphasises the differences in historical experiences that some groups have had. However, the establishment of rights for white urban heterosexual men has been leveraged by other groups to enhance their own emancipation. Hartley (2010) offers a definition of cultural citizenship which is less nationally bound, defining citizenship as "a term of association among strangers" and crucially, also a discursive practice. In this sense, citizenship can also be seen in communities which associate with each other through cultures or subcultures.

Raymond Williams, in *The Long Revolution* (1965), argues for marginalised cultural and political voices to be included through the enhanced communicative flows of information which developed after World War Two. Real inclusion requires not just rights granted through governmental or legal institutions, but cultural belonging. The nation-state is able to provide the resources for cultural citizenship by implementing cultural policy across many spheres, including mass communication (Stevenson, 1997). Cultural citizenship is not

confined to the nation-state, however, as cultural policy is set by national governments, and broadcasting is nationally configured, it is useful to think about cultural citizenship in the national domain while acknowledging that there is a discursive, bottom-up aspect too. Stevenson (1997) makes the point that there is a distinction between ethnic and civic nationalism: "Ethnic nationalism holds that citizenship is based upon a common cultural identity. This particular version of nationalism has been associated with the more destructive features of national cultures" (p. 47). But even when looking at cultural citizenship in terms of the civic nationalism framework it is important to be aware that such discourses can become strongly nationalistic. Cultural citizenship must aim to be inclusive of multicultural communities and national identity itself needs to be constantly renegotiated to include a diverse range of cultures. While regarding the concept critically, it helps us to understand the socio-political significance of sport.

This chapter does not aim to re-tell the sporting events which have captured the nation. Rather it critically examines how certain major events fit within socio-political understandings of New Zealand. This will set the context for how pay-TV changed New Zealand's socio-cultural understanding of sport. I will also explore the vital role that mass communication plays in fostering the development of sport as part of national identity and cultural citizenship. Understanding the relationship between sport, media, and cultural citizenship will ground later discussion on how this relationship changed with the arrival of Sky.

Sport and Colonisation

The industrial revolution in 18th- Century Britain led to sweeping social changes which resulted in both the proliferation of sport and the migration of the British population to settler colonies such as New Zealand (Ryan, 2004). Social games once enjoyed at the feasts and festivals of feudal communities were quantified, rationalised, and organised under the enlightenment and capitalist principles of the age (Ryan, 2004). These feudal traditions diminished as rural communities migrated to cities for work. But the games were then developed through the Victorian public school system to become the prototypes of modern sports (Whannel, 2008). Games such as cricket, football, and athletics were used to discipline boys and instil in them an 'ideal' form of masculinity (Whannel, 2008). The health-obsessed Victorians separated the treatment of the mind and the body but believed that the two spheres were interdependent (Ryan, 2004). Physical training was considered vital to the

maintenance of health and sport became a central facet of self-improvement (Ryan, 2004). Furthermore, the ideal man for Britain's imperial project was believed to be a 'muscular Christian' as sports also took on a religious significance (Ryan, 2004). In this regard, New Zealand's national male sports, cricket and rugby, were both considered appropriate recreation. Cricket, in particular, was esteemed for its Victorian virtue due to its elite connections with aristocratic patrons and "Oxbridge" (Ryan, 2004). On the other hand, the Victorian ideals for women were domesticity and servitude in their conjugal family. Women's sport was met with moral concern and their athleticism was denounced by quasi-medical opinions. These attitudes carried on well into the 19th Century in New Zealand. The Horowhenua Chronicle in 1921 reported that "girls must not be allowed to develop muscles" and that the medical profession has unanimously decided "that less muscle meant that more sons would be born" ("The Athletic Girl," 1921).

Explorer James Cook travelled the Pacific during the 1770's-1790's and secured small footholds in Australia and New Zealand. Christian missionaries were deployed in New Zealand from the early 1800's in an attempt to 'civilise' the indigenous Māori and, from this time, the British developed commercial interests in New Zealand (Ryan, 2004). The Christian missionaries encountered Māori forms of physical recreation such as dart throwing and kite flying but could not make sense of the way the Māori games were linked to oral genealogies and spiritual practices (Hokowhitu, 2008). The early missionaries discouraged most forms of Māori recreation, although games which bore similarities to those of Pākehā children were condoned (Hokowhitu, 2008). The British believed that the social value system produced through their physical recreation activities was superior to that of the Māori (Hokowhitu, 2008).

The Treaty of Waitangi or Te Tiriti o Waitangi, signed on February 6th, 1840, is New Zealand's founding document. The documents were signed by the British Crown and Māori chiefs of hapū (sub-tribes) and it contains three provisions in two languages: English and Māori. Due to issues with the translation of the treaty, there are two different documents with competing translations which have caused political tension since the signing. Interpretation of the texts is its own area of scholarship but it is crucial to note two key differences in the text. The English version states that the chiefs ceded their 'sovereignty' over their land to the Crown in exchange for British citizenship as subjects. In the Māori version, Māori gave the British right to governance or "kawanatanga" but did not cede sovereignty. The Māori version also promises 'rangatiratanga', or self-determination, giving Māori authority over their land and taonga. The English version promised Māori "the undisturbed possession of their properties, including their lands, forests, and fisheries, for as long as they wished to retain

them” (Waitangi Tribunal, 2016, para. 9). But, after the Treaty documents were signed, the deal reached between Māori and the Crown was betrayed by Pākehā through land confiscations, bloody conflict, and suppression of Māori self-governorship.

The signing of the Treaty of Waitangi was the basis for a rapid settlement of British immigrants to New Zealand. The major theorist for the systematic colonisation of New Zealand, Edward Gibbon Wakefield, believed that the social problems in Britain arising from industrialisation, such as inequality and urban overcrowding, could be eased by using the colonies as a release valve. The colonies were to be created in the image of tight-knit English agricultural communities (Ryan, 2004). The Wakefield scheme was implemented by the New Zealand Company, then by the Otago and Canterbury Associations. It also guided the development of Wellington, Nelson, and New Plymouth. Auckland, on the other hand, was not a Wakefield settlement but became the New Zealand capital in 1841 and grew quickly. In terms of establishing population growth, the Wakefield scheme was not as effective as often imagined (Ryan, 2004). Only around 4% of the pioneering population from 1830-1880 was part of Wakefield’s systematic colonisation strategy (Ryan, 2004). However, the greatest legacy of the Wakefield settlements was to “create a myth of Britishness” (Ryan, 2004, p. 13) in New Zealand. Sport was to play a central role in this process.

New Zealand’s first regular sporting events occurred on public holidays and anniversaries. As early as 1851, Canterbury anniversary days involving a cricket match, races, shooting, and folk games were recorded (Ryan, 2004). Water sports such as rowing and yachting were also popular, as was horse racing which was formalised through scheduled race meetings and with the establishment of clubs by the mid 19th Century (Ryan, 2004). These early days of sport provided settlers with a continuity of British life and allowed for expressions of mateship and cooperation. Cricket was the first major team sport to develop and became the leading game in New Zealand until 1890, when rugby union began to establish itself as the national game (Ryan, 2004).

The first formal cricket club was in Wellington and was established by young men who wished to foster their ‘manly exercise’ in the colonies (Ryan, 2004). Canterbury was the most prosperous Wakefield settlement and the most sporting too. The Canterbury Cricket Club was developed in 1877 with a gentlemanly membership. Otago experienced a slower growth of cricket as it was primarily settled by working-class people from Scotland with a Presbyterian faith (Ryan, 2004). Presbyterian religious authorities saw anniversary days as reserved for religious duties, thus, the Otago press avoided the subject of sport (Ryan,

2004). However, with the discovery of gold in Central Otago in 1861, the new mining population enabled the formation of an exclusive Dunedin Cricket Club in 1872.

The rules of cricket (and other sports) were not settled during the colonial era, yet adhering to the British form of the game was important. (Ryan, 2004). However, there were some challenges for the pioneers of cricket who were so far from their motherland. The grass of the pitches in New Zealand was dense, and the cricket clubs lacked the resources required to develop the fields as well as the equipment required for safe play. Photos from this time show batsmen (a gendered-term but historically accurate) and wicketkeepers without pads, or in some cases, just one pad (Ryan, 2004). Furthermore, there were less than regular work schedules which meant cricket was often played on a weekday. In the case of an inter-provincial match, a half day holiday might be granted to all workers so that players and spectators could go to the match (Ryan, 2004). Transport and communication challenges made inter-provincial competitions a huge undertaking and this resulted in a fragmented schedule.

From 1870-1914 there was great social and economic upheaval in New Zealand. Settlements drew larger populations and as an urban workforce emerged; cricket grew rapidly. This put pressure on developed grounds and to coordinate fixtures in the cities the Wellington Cricket Association, the Otago Cricket Association, the Auckland Cricket Association, and the Canterbury Cricket Association were formed. Club membership was largely defined by class, and the working class was under-represented at the inter-provincial and senior levels of the game (Ryan, 2004). The population distribution of New Zealand meant that representative level cricket only functioned in the major cities.

Rugby union also developed extensively in the latter quarter of the 19th Century. During the 1870's rugby union expanded into rural towns and players would travel via horse or coach to play inter-provincially. Rugby was expanding to include players from many backgrounds, from ex-schoolboys to farmers, policemen, military officers, and bankers (Phillips, 1996). Although this expansion suggests rugby was an inclusive game, the press still made a distinction between the gentleman and the 'rustics' (Phillips, 1996). Rugby union had its detractors too with condemnation coming particularly from the middle class who associated rugby union with the vices of violence, gambling, and drunkenness (Phillips, 1996). At this early stage, the rules of the game were not clearly established; the size of the teams varied from 11- 20 players, captains negotiated rules before the games, and sometimes compromise to switch rules at halftime occurred. Furthermore, because there was no fixed length of play, games could continue until players became too exhausted or

night fell. During the 1880's, rules became standardised and whistleblowing referees were introduced (Phillips, 1996). In 1892 the New Zealand Rugby Football Union (NZRFU) was formed to coordinate an inter-provincial competition and international matches.

The role of Māori within early rugby union is ambiguous (Ryan, 2005b). Popular accounts of New Zealand's history conjure up an egalitarian narrative of Māori integration into rugby union from its inception. This is based on the fact that, during the 1880's, there was evidence of Māori being integrated into Pākehā teams as well as having their own Māori clubs (Ryan, 2005b). Furthermore, rugby was also played in Māori schools inspired by the British education system, schools such as Saint Stephen's Native School and Te Aute College. But Ryan (2005) argues that accounts of Māori having some innate affinity with rugby are exaggerated. The belief that Māori have an essence of physicality is an extension of the European stereotype that Māori were 'primitive savages' (Hokowhitu, 2009; Ryan, 2005b). The New Zealand Native football team was the first New Zealand rugby team to go on a major international tour during 1888-1889. Interprovincial animosity hindered the development of a nationally representative team through established Pākehā channels. Joe Warbrick and Thomas Eyton became the organisers of the tour, with Warbrick captaining the team and recruiting players, and Eyton, a British born New Zealander, providing financial backing and acting as promoter (Ryan, 1993). Although this was an entrepreneurial venture, especially for Eyton, Hokowhitu (2009) argues that Warbrick also wished to show the world the "virtue of his Māori heritage" (p. 2317). Five Pākehā players were selected to strengthen the team and it was named the New Zealand Native football team, despite two of the Pākehā players having been born overseas (Ryan, 1993). The initial selection of an all Māori team was not seen as representative of New Zealand by the rugby establishment. Even with the addition of Pākehā, Māori players predominated and this was not seen as appropriate for colonialists (Hokowhitu, 2009). From the perspective of the organisers the inclusion of Pākehā was necessary, as with family or work commitments being incompatible with sports tours in the amateur era, it meant there were not enough eligible Māori to provide a highly competitive team (Ryan, 1993). Those that did embark on an 11-month campaign across Britain, Australia, and New Zealand were unmarried and without full-time work obligations. For these rugby players, the tour was an adventure and a paid international trip (Ryan, 1993). Moreover, when the team arrived in Britain, the British were surprised and disappointed to see that the team of natives did not meet their 'savage' stereotype. While they may have seen the team as an exemplar of sport as a colonial export, Hokowhitu (2009) argues that the inclusion of Pākehā "provides an ironic counter-narrative of assimilation, where Pākehā are integrated into a Native team to showcase the talents of Māori" (p. 2318). The New Zealand Native football team performed well and experienced

much hardship on the tour, but the failure of the tour to fit neatly within the class and race-based establishment and its amateur ethos contributed to the erasure of the tour from public memory (Ryan, 1993). The fact that this tour is not memorialised in New Zealand's collective memory, as the 1905 'Originals' tour is, speaks to Hobsbawm and Ranger's (1992) argument that the invention of tradition implies a continuity with a "*suitable*" past (p. 1).

Settler feminism developed soon after New Zealand was colonised and focused on increasing women's political rights and reforming the norms of dress (Curtin, 2016). Farming women in New Zealand were performing roles involving strenuous physical labour, and there was less domestic help available to them than to women in Britain. Accordingly the boundaries of gender roles changed (although women were still expected to perform domestic duties) (Curtin, 2016). Settler women also made an attempt to establish sports competitions (Curtin, 2016). For example, in 1891, Mrs Nita Webb attempted to put a women's rugby team together to tour Australia and placed newspaper advertisements. The idea of the tour created a media outcry- some journalists saw it as unwomanly and depraved. Its subsequent cancellation was reportedly due to public hostility (Curtin, 2016). Although there was societal change in attitudes towards women's recreation, with a certain level of participation deemed acceptable, what constituted an appropriate sporting activity was hotly debated and contact sport for women was condemned.

Sport, Mass Communication, and Nation-Building

In 1905, the first official tour of Britain by a New Zealand representative rugby team took place as an extension of New Zealand's foreign policy. Premier Seddon was an ardent imperialist and reportedly stated that the tour would "draw the colony closer to the Mother Country" (Macdonald, 1996, p. 23). The government of New Zealand had begun to realise that sport was an effective tool for nation-building. In the early 1900s there was growing class antagonism due to stagnant wage levels, and it is possible Seddon saw the tour as a symbol of unity which could distract from this (Hope, 2002). He gave the team an official send-off and received regular updates on the team's performance from Agent-General William Pember Reeves, who then sent them on to the *Evening Post*. The score would be displayed in its window on Sunday afternoons (Phillips, 1996). The public demonstrated an appetite for rugby news and the press gave the tour regular coverage. The New Zealand government also used the tour to attract new immigrants, placing advertisements for New Zealand in British newspapers on the days of matches (Phillips, 1996). The tour was a great

success, with the New Zealand team winning 35 of their 36 games and upon their return home they were met with celebration. The team was memorialised as ‘the Originals’ and dubbed the ‘All Blacks’ by British journalists (Phillips, 1996) as it was on this tour that they wore a black uniform which carried New Zealand’s iconic embroidered silver fern. The tour also meant that future rugby teams would bear the expectation of success.

When Premier Seddon was asked by the London *Daily Mail* why the All Blacks were successful, he suggested that the conditions of New Zealand made for strong, athletic men; a sentiment which has been echoed by sports historians Nauright and Broomhall (1994), Phillips (1996) although ridiculed by the British press at the time (Daley, 2005). Despite available counter-narratives, environmental determinism has been a salient mythology for New Zealand’s sporting success. Furthermore, the mythology overlaps with discourses of rural nostalgia which propose that New Zealand’s early success in rugby can be attributed to the pioneering work of farmers. Ryan (2005) demonstrates that there is no compelling evidence that great rugby teams have had a high proportion of players from labouring or farming backgrounds. Nevertheless, such narratives proved important to New Zealanders in fostering a distinct collective identity.

New Zealand’s early press played a key role in strengthening the colonial ideal of amateurism. Early papers such as *The New Zealand Herald*, the *Auckland Gazette*, and the *Lyttleton Times* were an extension of the colonial mission, being owned by established families and espousing British values (Hope, 1996). From the 1890’s papers became more specialised and were able to employ a team of staff which included reporters, editors, and producers (Hope, 1996). Even as papers were loosened from political-proprietary interests they firmly held on to the importance of the amateur ideals of sport, as did colonial middle-class schools.

However, the amateur ethos extolled by local elites in New Zealand was to be challenged in 1907 when a professional rugby tour of Britain was conceived. After rugby union and the northern union split over professionalism in England during 1895, northern union (henceforth rugby league) was designed to be more attractive to players and spectators, and to draw revenue from crowds (House, 2010). By 1907, lineouts were removed, ‘play-the-ball’ was introduced to restart play, and the 15 players on the field at one time was reduced to 13 players. This made rugby league a faster and more fluid game than rugby union (House, 2010). Although professionalism was policed by the NZRFU, the rugby league style of play and the financial compensation was desirable to some rugby union players. Albert Baskerville and Harry Palmer organised a professional team to tour Britain

and offered £50 for players' initial expenses. It was reported that they received no less than 160 applications from national and provincial rugby union representatives (Falcous, 2007). Authorities tried to convince rugby union players to sign a document declaring loyalty to amateurism and the press dismissed the tour for its professionalism. Despite the 'intersection of elite interest in the press, local politics, government and sporting administration" lauding amateurism over professionalism, the tour went ahead and was a commercial success (Falcous, 2007, p. 431). The team, which included eight All Blacks (some of whom played in the 1905 'Originals' tour), was declared the "All Golds' by the *Sydney Morning Herald* and the tour marked the beginning of international rugby league competition. The new code went on to develop provincial competitions, with Auckland, Wellington, Taranaki, Otago, and Southland harbouring representative squads by 1909. The West Coast developed a strong rugby league competition shortly after (House, 2010). But the middle-class establishment was set on marginalizing rugby league in comparison to rugby union. In 1912 the New South Wales rugby league team toured New Zealand and were set to play Hawkes Bay in Napier. Rugby union officials, having failed to extort an exorbitant fee from rugby league administrators, "dismantled a temporary grandstand at the recreation ground" (House, 2010, p. 8). Napier locals, rugby league administrators, and affiliates of the visiting team, worked through the night to rebuild it before the game.

World War One disrupted sport in New Zealand, 100,000 troops were sent away and many of them were killed or wounded. At a domestic level, rugby union suffered, with clubs unable to find enough fit young men or to secure the finances required to field competitive teams (Hope, 2002). The war years also allowed women to become more prominent in sport. They used games to raise money for the war effort and for their own entertainment (Curtin, 2016). Over this period there is more frequent reporting of women's games and this continued for years after the war. This trend was also found in Australian football codes during World War One (Curtin, 2016).

New Zealand's deference to British imperialism was evident in the sacrifice made by New Zealand's armed forces. Even after a disastrous campaign in Gallipoli, resentment towards Britain was low (Macdonald, 1996). Conservatives exalted the military and moral significance of rugby union, and used it to entrench imperial loyalty and reinforce the ideals of amateurism (Falcous, 2007). At this stage of New Zealand's history, the culture of New Zealand was tied to Britishness. For example, in 1939, when World War Two broke out, Prime Minister Michael Savage announced allegiance to Britain, saying "where she goes, we go. Where she stands, we stand" (New Zealand History, n.d.).

Women's sport developed in early 20th Century New Zealand, with hockey and netball being the most popular team sports for women. Netball came to New Zealand soon after it was developed in Britain in the 1890's. At the time it was known as women's basketball. Hockey also developed as a sport appropriate for women, but unlike netball it was also played by men. The player demographics for hockey were largely middle and upper-class women (Watson, 2016). Netball was promoted as the most appropriate sport for females (Nauright & Broomhall, 1994), and it was unique in that it was controlled by women at a coaching and administrative level (Nauright & Broomhall, 1994). The game experienced rapid growth in New Zealand from 1911 to 1920, including in the major cities of Auckland, Christchurch, Otago, and Wellington (Nauright & Broomhall, 1994). In 1925, a national body, the New Zealand Basketball Association (NZBA) was formed, and in 1926 the first national netball tournament was played. Although inter-provincial games became frequent between the wars, some provinces initially struggled to establish themselves due to financial insecurity (Nauright & Broomhall, 1994). A lack of support meant that it was a struggle to expand the sport; the NZBA even paid the press to advertise and cover their games (Nauright & Broomhall, 1994). This is an example of the gendered nature of national citizenship. Citizens have expressed their cultural citizenship through following national sports teams, and, in turn, those national games become entrenched locally as part of national identity. However, women were believed to belong more in the private sphere than the public sphere, meaning that narratives around sport and cultural citizenship favoured men's sports. Media can be an important vehicle of cultural citizenship, especially in showing the lives and events of different segments of the population. However, historically, the early days of the New Zealand media largely focused on Pākehā men for a Pākehā male audience (Day, 1994).

Radio was introduced into New Zealand in the 1920s and sports coverage quickly became a popular feature. Initially, journalists covered sports for free and clubs were hesitant to accept it. However, sports administrators quickly became more accommodating when they realised that radio could be used to boost the popularity of their sports (Day, 1994). Furthermore, there was disagreement as to whether sports broadcasting hindered game attendance. The rugby unions believed that people chose to attend minor club and provincial games instead of major games they knew would be broadcast. Restricting the radio broadcasting of games turned out to be unpopular with the public and presented the rugby unions with a conundrum. In 1930, the first live radio broadcast of an international rugby match occurred for the British Lions tour (Day, 1994). The NZRFU was not entirely happy to broadcast the test matches of the tour, but the public, players, and smaller unions were in favour of it. In 1931, the Royal Broadcasting Company agreed to begin payments to

the NZRFU for sports rights, which would compensate for the revenue lost in ticket gate sales (Day, 1994). The use of radio integrated rugby and other sports (wrestling was particularly popular at the time) with the social lives of New Zealanders, and the live games fostered a greater sense of national identity as people came together in real time to support New Zealand's athletes (Day, 1994). However, this burgeoning sense of nationhood fostered by radio was not entirely inclusive. Programming was split along gender lines, and women were provided daytime, home-bound programming but not given attention for their sporting endeavours. Furthermore, broadcasting was not oriented towards Māori or iwi. (Day, 1994)

The purchase of Carlaw Park in 1921 by Auckland Rugby League, went some way to establishing Rugby League as a popular sport. It was used as a headquarters for the code throughout the 20th Century, and hosted North Island vs South Island clashes from 1925-1954 (House, 2010). During the inter-war years there were pockets of strong support for the game in Auckland, the West Coast, Wellington, and Christchurch. Moreover, while some smaller cities had clubs boom and bust, the West Coast mining and lumbering communities were particularly drawn to the game (Falcous, 2007). Some New Zealand rugby league players sought international careers by playing professionally overseas, like rugby union player George Nepia, who had miraculously played every game of the 'Invincibles' rugby union tour (House, 2010). Despite being regarded as a national hero, Nepia recalls his decision to play professionally in England as nothing short of criminal in the eyes of the rugby establishment (Falcous, 2007). Similarly, Cecil Mountford, New Zealand's most successful rugby league export during the 1940s and 1950s, recounts growing up on the West Coast and being disallowed from playing rugby union because he had associations with a junior amateur rugby league club (Falcous, 2007). These stories of stigmatization reveal that rugby union's stronghold on the national imaginary relied on its entrenched position among ruling elites who were committed to amateurist ideology (Falcous, 2007). However, the New Zealand rugby league team did carve out some place in the civic imaginary of Auckland. In 1938, the New Zealand team toured Australia in a challenging tour in which they were dubbed the New Zealand Kiwis. They received their first civic farewell with Auckland mayor Ernest David bestowing them with the "the best wishes of the citizens of Auckland" (The Auckland Star, 1938).

In 1949 the New Zealand cricket team left to England for an eight month tour which included a visit to Australia and South Africa (Hadlee & Romanos, 1993). The biography of the captain Walter Hadlee; *The Innings of a Lifetime* (1993), written with Joseph Ramanos, describes the tour in a way which differs markedly from the working-class world of rugby league. Cricket was still a part of elite tradition. The team received a state farewell, a farewell

broadcast, a visit from the Governor-General, official photographs, and a farewell cocktail party. The tour was New Zealand cricket's most successful, and the batting, in particular, earned praise. New Zealand drew all four of their three-day test matches, and of their 35 first-class fixtures, they lost only to Oxford. Neely and Payne (2008) credit the tour with doing for New Zealand cricket "what the 1905 All Blacks had done for their game, it raised New Zealand's status in the world of cricket" (p. 39).

Rugby instilled a peak level of national fervour in the 1950s. After World War Two there was near full employment and a 40-hour work week was established. This meant New Zealanders had the time, and the means, to centre their Saturdays on the local sports clubs. The centring of leisure time around rugby meant that rugby was becoming a critical part of New Zealand's cultural identity. Palenski (2015) describes the 1956 Springboks tour of New Zealand as capturing the heart of the nation, memorialising how "everyone seemed to have a passionate interest in the tour; every small boy, and some not so small, seemed to know the name of every South African player" (p. 289). People slept outside the game venues to get tickets, audiences gathered around radios for commentary, and stadiums crammed in dangerously large crowds despite people pushing and fainting on-site. The population was just over two million during the 1950s, and approximately 686,760 people attended at least one game of the tour (Richards, 1999).

Women's sport also expanded during the post-World War Two era. By 1951 there were 2,180 netball teams spread over 25 provinces, however, they struggled to find the financial support required to tour internationally (Nauright & Broomhall, 1994). By the 1960s, most provinces secured netball venues, which gave considerable impetus to developing a community identity around the sport. It is likely that netball has historically brought together more New Zealand women in a group activity than any other social endeavour (Nauright & Broomhall, 1994). Netball was not just important to the community and the national identity of women, it was also one of the only public ventures they were able to administer and control (Nauright & Broomhall, 1994). As middle-class women also gained employment and were no longer relegated to the domestic sphere, married women were under less pressure to give up their sport for the sake of domestic responsibility. Although middle-class Pākehā women made up the majority of netball's numbers, Māori were well represented in national and inter-provincial squads (Nauright & Broomhall, 1994).

During the 1960s, television was becoming an important part of sports media and, for New Zealand, the BBC in the UK was the benchmark for coverage. In 1962, the New Zealand Broadcasting Corporation (NZBC) was launched and offered televisual

broadcasting. In its first year, the most significant sporting event it broadcast was the Commonwealth Games in Perth (Day, 2000). Initially, live coverage was taken up by rugby league, hockey, and soccer, so as to raise the profile of their sports. Rugby, on the other hand, was slow to accept live coverage, delaying coverage of afternoon games until after 7pm so that ticket sales would not be hindered (Day, 1994). Although minor sports were achieving greater coverage through the advent of television, the viewership for rugby matches, even if delayed, demonstrated that it remained the dominant sport (Henley, 2012).

In the 1960s there was growing political pressure for New Zealand to boycott South Africa in sporting events in response to South Africa's apartheid regime. A "No Māoris (sic) No Tour" protest was formed by the Citizens All Black Tour Association (CABTA). By 1967, opposition to the All Blacks tour to South Africa grew and the press expressed editorial disapproval of the tour (Macdonald, 1996). Prime Minister Keith Holyoake indicated that an all Pākehā team being sent to South Africa would not be truly representative of New Zealand (Macdonald, 1996). The tour was then cancelled due to the exclusion of Māori players and instead went to Britain. In 1966 South African Prime Minister Hendrik Verwoerd was assassinated and Johannes Vorster came into power, which allowed for Māori to be included in the tour as 'honorary whites' providing there were not too many of them and they were not "too black" (Macdonald, 1996). This only inflamed opposition to the tour and international pressure to boycott South Africa was mounting, with the U.N. making an international appeal to boycott sporting interactions with South Africa in 1968. Meanwhile, the activist group Halt All Racist Tours (HART) was founded. Nevertheless, in 1970, the All Blacks, with their 'honorary whites', departed for South Africa amidst confrontations with protesters. Bryan Williams, a Samoan winger who was included as an 'honorary white', became a star of the series. He later said that the 'honorary' status was nonsense and that he was glad he could show the South Africans that the 'honorary' players were as capable as anyone else on the field (Hinton, 2017).

New Zealanders were able to transcend their geographical isolation when satellite television was introduced in the 1970s. The first live satellite broadcast of an All Blacks international was against Wales in Cardiff in December 1972, this was only the second All Blacks test match to be televised live. However, when live overseas matches became more commonplace, the NZRFU acceded to public demand and softened its stance on live games within New Zealand. Furthermore, in 1974 the NZBC took its "great leap forward" by televising the Christchurch Commonwealth Games in colour. It was the biggest undertaking in New Zealand's broadcasting history at the time with 330 staff sent to Christchurch (Boyd-Bell, 1985). The Bank of New Zealand offered a quarter of a million dollars to screen the

games, pioneering the corporate sponsorship of sport within New Zealand (Yska, 2011). Colour television had only been launched 10 weeks prior to the games and there was a rush to purchase a colour TV. Those that could not afford, or did not want new sets, stood outside department stores in main centres to see Dick Tayler win gold in the 10,000-metre race before a stadium of 34,000 people. Not only did colour give a new sense of realism to the footage, the scope of the production was larger than ever before. The use of multi-cameras and the addition of interviews with athletes created a sense of intimacy between audiences and the stars of the Games (Henley, 2012). Moreover, the 1970s was also a time in which New Zealand sought to establish its own independent identity. As the British had joined the European Union, New Zealand matured to the extent that it could develop its own separate consciousness and was ready to diminish the importance of its colonial ties. Norman Kirk, the prime minister from 1972-1974, was keen to implement a more independent foreign relations stance, stating “from now on, when we have to deal with a new situation, we shall not say, what do the British think about it?, or what would the Americans want us to do? (...) Our starting point will be, What do we think about it?” (Yska, 2011, p. 12).

Kirk’s election fostered, for some, the high expectation that he would oppose the proposed 1973 Springbok tour. Initially, Kirk had promised not to interfere, but changed his mind when he considered estimates of the policing cost that anti-tour protests would incur, the potential damage to New Zealand’s international standing, and the likely loss of the bid for the 1974 Commonwealth Games. Kirk died in 1974 and Robert Muldoon’s National Party took power in 1975, benefiting from the votes of disgruntled rugby fans. Muldoon was adamant that he would not cancel the next tour, and that sports and politics should not mix, despite international outrage (Macdonald, 1996). As a result, twenty-one African nations boycotted the 1976 Montreal Olympics because of New Zealand’s participation, the chance of a lifetime, for New Zealand runners and athletes, was squandered by second-rate fields in many events. In 1977, Muldoon realised that New Zealand needed to show solidarity with international efforts against the apartheid regime and signed the Gleneagles Agreement. This acknowledged that Commonwealth countries needed to discourage sporting liaisons with South Africa (Macdonald, 1996).

Growing racial consciousness, and the controversy of playing South Africa, opened up a critique of New Zealand’s not-so-egalitarian, race-relations at home. In 1975, Whina Cooper had led a march from Northland to Wellington to protest against the confiscation of Māori land, which was supported by Māori elders and a petition of 60,000 signatures. In 1977, the Bastion Point protest over land being unjustly taken from Māori, and sold for a private housing development in Auckland, saw 222 Māori arrested. The myth of equality in

New Zealand was showing cracks and standard conceptions of citizenship were questioned when it became obvious that some citizens were enjoying more privileges than others. Rugby player and activist Syd Jackson captured the myth of egalitarianism, he stated that when someone wanted to rile him on the sports field, “they would always talk to me and abuse me in racist and offensive terms. So I was always a black bastard and that would be one of the most kind terms that I would have directed at me” (Macdonald, 1996, p. 98). In acknowledgment that the Crown had ignored Māori interests, a Waitangi Tribunal was set up in 1975 to assess the Crown’s compliance to its treaty obligations and provide a permanent commission to investigate Māori grievances against the Crown from 1940 onwards (Fleras & Spoonley, 1999).

The second wave feminist movement also established itself in New Zealand during the 1970s. Although it primarily focused on issues such as abortion, fair pay, workers’ rights, and childcare, the second wave feminist discourse also critiqued rugby as a site for the reproduction of patriarchy (Thompson, 1988). Women had long performed the domestic labour at rugby clubs, providing players with transport, food, catering, laundry services, and the tending of injuries. Meanwhile, the sports that women played were never celebrated or publicised at the same level as men’s sport.

Although netball was dominated by women, it was never particularly involved in the women’s liberation movement and, at an administrative level, it had social ties to the rugby establishment (Henley, 2012). However, the women’s liberation movement opened up an opportunity for Netball New Zealand to bid for the role of host for the 1975 Netball World Tournament (Henley, 2012). Margaret Leslie, the newly appointed production secretary for NZBC’s outside broadcast sports, pushed for producer Harold Anderson to cover the tournament. He was hesitant as he had a low opinion of women’s sport, and it was difficult to shoot netball outside when the weather was not conducive to filming (Henley, 2012). However, the Ministry of Recreation and Sport gave a milestone NZ\$20,000 loan to the tournament, and tobacco company Rothman’s were willing to be the sponsor. The tournament was not designed for television and was a round-robin event without the quarter, semi-final, final, knockout structure. Luckily, however, it culminated in an exciting New Zealand vs Australia final which rated highly. Anderson was surprised by the level of support for women’s sport and Leslie was vindicated in her efforts (Henley, 2012). Rob Crabtree, head of NZBC Radio Sport and long-term advocate of the game, gave full radio commentary to the final, which became its first radio broadcast of a full netball game (Henley, 2012). The tournament saw the beginning of a long-term relationship between netball, television, and sponsorship.

After signing the Gleneagles agreement, Muldoon was put in a tight spot. He did not want to interfere with the 1981 Springbok tour of New Zealand but faced mounting international pressure to boycott South Africa. Muldoon pressured the NZRFU to reconsider the tour but stopped short of vetoing it; it was election year and Muldoon would not risk losing the election over the tour (Macdonald, 1996). What occurred next makes for the most fractious sporting memory in the history of New Zealand; of the 14 provincial matches, three tests, and one cancellation during the 1981 Springbok tour, it is the protesting and not the rugby which is remembered. The anti-tour movement had become about more than the racial politics of South Africa, as the protests were also highlighting the centrality of rugby to New Zealand's identity. It was about rugby being so important that it dictated foreign policy. Thus, rugby was challenged as a marker of citizenship and criticised as an all-consuming relic of Pākehā male culture. The mythology of rugby as a national unifier was under siege. However, those that were pro-tour did not see why the racial politics of South Africa should deny them the enjoyment of rugby matches, nor were they certain that sports boycotts were an effective measure to take (Kirk, 1997). The tour caused rifts between friends and within families, and generally split New Zealand along the lines of urban vs rural, female vs male, Māori vs Pākehā, and baby boomers vs war veterans. The Waikato game was cancelled when protesters invaded the pitch, clashing with police and upsetting spectators who had paid to see a rugby match. The event was televised as camera crews had set up for the game and, consequently, South Africans who had gotten up through the night to watch the game were confronted with images of police armed with batons, trying to control a rioting crowd. The protest reflected a shift in New Zealand's political culture. The anti-tour movement had been active for decades, but the feminist and anti-colonial movements of the 1970s, combined with discontent with Muldoon's National government, added impetus to the protests. After the events of 1981, rugby had a temporary fall from grace. It was no longer the 'cultural freight' of New Zealand's identity and would need to remake itself to fit into the society surrounding it (Macdonald, 1996).

The relationship between sports, media, and sponsorship matured in the 1980s. Sport began to accommodate media presence, whether that meant scheduling games to fit the leisure time of television audiences or changing the rules to heighten competitiveness, drama, and the pace of the sport (Henley, 2012). There were significant technical advances in both production and post-production which made for higher quality television. Sport could be shot from a multi-camera perspective with zooms, close-ups, cutaways, and replays (Henley, 2012). In 1984, TVNZ was also able to use its new technological investments to

provide reputable coverage of the 1984 Olympics in Los Angeles, which was purchased by over 20 countries (Boyd-Bell, 1985).

The growth of the sports economy put strain on the amateur ethos internationally, and this trend was reflected in New Zealand. Australian media mogul Kerry Packer revolutionised cricket when he formed a breakaway, professional World Series to be aired exclusively on his Channel 9 network from 1977-1979. World Series Cricket was initially contentious in New Zealand because it disrupted tradition, but it came to significantly influence the game. Conventions of the made-for-TV format were later adopted by New Zealand cricket (NZC) for one day games. For example, “day-night matches, the coloured clothing, more cameras and microphones, the white balls and black sightscreen were all innovations which gave the one-day game a new look” (Hadlee & Romanos, 1993, p. 204). These innovations brought in money to support domestic cricket as well as 4 or 5-day test matches. To gauge the influence of Packer’s television ready format, between 1981-1985 there was a 211% increase in social cricket players across New Zealand (Ryan, 2005a).

Cricket’s increasing popularity was also likely due to the performance of the New Zealand team throughout the 1980s. From 1979-1992, New Zealand did not lose a test series at home. Over this period an increasing show-business element was added to the schedule (Neely, 2013). The period saw many talented players achieve national fame and success, including Richard Hadlee, who proved himself a formidable bowler and all-rounder, and Martin Crowe, who became regarded as New Zealand’s finest batsman. During this time the game was still primarily amateur but some of the players were professional. For example, Richard Hadlee played professionally for Nottinghamshire but was still able to represent New Zealand. By the end of the 1980s, it was well understood in major sports that even amateur athletes were being paid in travel or equipment, and that amateurism in New Zealand was largely a pretence (Henley, 2012).

The post-Springbok tour rugby slump and advances in New Zealand’s media-sport production opened up an opportunity for netball to carve out a broadcasting niche. Political pressure to redress gender bias in sport provided a backdrop for netball’s strategy of re-positioning itself as a commercial media sport and the premier national sport for women. New Zealand Netball executive Anne Taylor was able to create strategic commercial media alliances; furthermore, coach Lois Muir understood how to cater to the television audience. In a 1988 interview she stated, “We’ve got to entertain- it’s just like a business, we’re marketing a product” (Stratford, 1988, as cited by Henley, 2012, p. 194). Muir not only surpassed all other New Zealand netball coaches with her winning record, she also gave

insightful, analytical commentary and interviews (Henley, 2012). The old guard of the 1970s, who were sceptical of media and commercial influence on netball, made way for a modern commercial era of governance. In 1984, TVNZ named netball as one of their four top-tier sports (along with rugby union, rugby league, and cricket). This meant that netball no longer had to pay for outside broadcast production and would receive a royalty, although not nearly as much as men's sport (Henley, 2012).

Economic Sovereignty, Sport and Corporate Nationalism in New Zealand

As outlined in the previous chapter, the emergence of global capitalism and the adoption of neoliberal policies by governments worldwide, profoundly affected New Zealand. By the late 1970s there was a growing consensus among most politicians and civil servants that New Zealand needed more market driven policies. Robert Muldoon resisted the impending push of global capitalism by maintaining policies of protectionism. He tried to boost certain industries such as wool, meat, and dairy through subsidies and incentives. Muldoon invested heavily in a "Think Big" strategy which focused on building energy infrastructure and stimulating jobs, but this project caused the government to go into further debt. In 1982, New Zealand was experiencing high inflation, so Muldoon issued a freeze on wages and prices in a bid to control it.

While Muldoon was issuing protectionist policies, libertarian thought, from the Chicago School of Economics, was becoming prominent and influencing key New Zealand Treasury officials who had spent time at universities where this economic thinking was influential. Society was becoming re-oriented towards the liberal philosophy in which individual rights were prioritised and the importance of society was diminished. After Labour lost the 1981 election, Roger Douglas, the MP for Manurewa, became heavily influenced by libertarian economic thought and this informed Labour's economic policy. Along with Douglas's newfound economic interest, Treasury wrote a large report for the incoming Labour government of 1984 called *Economic Management*. This report suggested minimising the role of government and commercializing the state sector, which was criticized for inefficiency. Labour's economic policies were not outlined to the public before their 1984 election. However, once elected, Douglas became Minister of Finance and rapidly implemented free-market policies which were in accordance with Treasury's report. Douglas's plan was to reduce the role of the state in the economy and create an economic

climate favourable to the international market-place (Kelsey, 1993). Notably, the neoliberal understanding of cultural citizenship is different from a socially democratic conception. Under neoliberalism, social citizenship is superseded (although not entirely) with a consumer identity, many of the public services afforded to the public as social rights were commercialised and privatised. Instead of positioning a citizen as a national subject, Miller (2007) argues that neoliberalism addresses a “rational subject” for whom politics are rendered artificial and consumption natural. A consumer can be anyone, they exist with a “multitude of discourses and institutions, animated by the drive to realize individual desires” (Miller, 2007, p. 30).

The Labour government corporatised government departments. Under the State Owned Enterprises Act of 1986, nine government corporations covering “Land, Forestry, Electricity, Telecommunications, Coal, Airways, Post Office, Bank, and Government Property Services” (Kelsey, 1993, p. 30), became state-owned enterprises (SOEs). These would operate like private businesses, pursuing profit objectives and answering to boards of directors. However, social responsibility was also important for them as they were critical to the organisation of society (Kelsey, 1993). The SOE’s bought their assets from the government at an agreed price and needed to repay the debt to the government over three years, at market interest. The sale of these assets contributed to Douglas’s budget surplus of the 1987-1988 year. The SOE model was then extended to other state activities including radio and television. However, the inherent contradiction in the objectives of SOE’s, to make profits while performing a social function, held back their ‘efficiency’ in some cases. This inefficiency was used by government to justify privatising the SOE’s.

From 1984-1990, the fourth Labour government argued that foreign investment was essential to New Zealand’s economic growth. Foreign investment was pitched as both beneficial to investors and to New Zealanders, who would theoretically experience job creation and business growth. To facilitate the flow of foreign capital into New Zealand, Labour relaxed financial regulations (Kelsey, 1993). National then used the loss of economic sovereignty that New Zealand was experiencing to attack Labour. Labour dismissed this as xenophobic. However, when National was elected in 1990 it also pursued the capital of foreign investors, specifically prioritising closer relations with Asian countries. New Zealand corporations also invested heavily overseas, and many manufacturing jobs moved overseas as they were not able to survive without the tariff protections they previously had. New Zealand, a settler colony, always had a dependent economy, but now as an export driven deregulated economy it became dependent on “access to foreign investment, technology and markets” (Kelsey, 1993, p. 125).

Horrocks (2004) describes New Zealand's broadcasting model from 1961-1988, as going through a 'public service diluted with commercialism phase'. New Zealand's television developed through the state sector and this was exemplified by the NZBC. Although New Zealand looked up to the BBC, the absence of advertising on New Zealand television lasted only ten months. New Zealanders paid a licence fee, but the government saw television as an expensive medium and, therefore, expected the fee to be supplemented by advertising revenue. However, the NZBC did try to provide programming for everyone and a balance between educating and entertaining. During the fourth Labour government's two terms of office (1984-1990) the broadcasting industry was deregulated and TVNZ restructured to operate as a commercial company. The 1989 Broadcasting Act restructured TVNZ as a SOE. According to Horrocks (2004), "the champions of Rogernomics denied that broadcasting had any special cultural importance" (p. 29) and treated it as any other business. Horrocks (2004) writes that "'culture' was a word seldom used, and in practice the only culture they promoted was that of commerce (seen as a kind of super-culture that encompassed all other values and activities)" (p. 29). The new model meant that TVNZ increased its advertising, sponsorship, and 'populist' programming. There was more branding of channels, and an expansion of audience ratings research (Horrocks, 2004). In 1989, TV3 was launched as New Zealand's first commercial free-to-air channel to compete with TVNZ. It quickly went into receivership, having spent too much obtaining a broadcasting warrant. Then, to keep the broadcasting market competitive, the government removed restrictions on foreign ownership in New Zealand's broadcasting market in 1991, and consequently Canadian Canwest acquired a 20% stake in TV3 before purchasing it completely (Horrocks, 2004).

The changing political economy had profound ramifications for major sporting codes and the mediation of sports. There was an increase in marketing and sponsorship, and the commercial logic of television infiltrated sports as media began to focus on sport to expand their audiences and have a competitive advantage (Henley, 2012; Martin, 2005). Internationally, Rupert Murdoch's pay-TV entrance into broadcasting markets raised the amount of money going into sports such as soccer and rugby league. When New Zealand opened to foreign ownership and drew interest from global media conglomerates, televised sport was not funded through the Public Broadcasting Fee. Henley (2012) argues:

This effectively prevented issues of gender balance and limited diversity of televised sport from being directly addressed. Sport, albeit predominantly male sport was placed alongside news and current affairs and as such was expected to flourish

without NZOA [New Zealand on Air] subsidies. However, it left the genre fully exposed to the increasing pressures of commercialism. In New Zealand second tier sports were finding it increasingly hard to gain a presence on free-to-air television. (p. 241)

While New Zealand's economy was opened to global capitalism, New Zealand rugby sought to reclaim its importance to national culture after the fallout from the 1981 Springbok tour. In 1987 New Zealand and Australia hosted the Rugby World Cup, which New Zealand won, with a talented team including Michael Jones, John Kirwan, Grant Fox, and David Kirk. The new All Blacks team was oriented towards the media-sport complex and the newly deregulated economy. Sponsors sought images of them as part of their marketing campaigns, and when Steinlager became the All Blacks sponsor in 1987 they got a place on the All Blacks jersey and a TV advert featured the team. In the Steinlager advertisement the All Blacks were also presented in a sexually ambiguous way. Perry (1994) argues that the 'male gaze', usually reserved for women's bodies, was cast over the All Blacks in an attempt to make the team attractive to women and gay men (Perry, 2004). Expanding the reach of the All Blacks to non-traditional audiences was likely spurred by the need for rugby to maximise its audience reach for advertisers. The soundtrack to the All Blacks ad for the World Cup was *Stand By Me*, which Kirk (1997) believes was a plea for New Zealanders to back the team after the post-1981 fallout.

Invented practices help to reorganise communities, legitimise authorities, and socialise people within new value systems. New Zealand's challenge for the America's Cup in 1987 provides an obvious example of invented practices at a time when neoliberal reforms led to sweeping social changes. Merchant bankers Michael Fay and David Richwhite backed New Zealand's America's Cup 1987 challenge.

Fay and Richwhite, were able to make money in the protectionist Muldoon era through 'smart-money' schemes and investments (Evans, 2004). For example, to avoid the top income tax bracket of 66% under Muldoon, Fay and Richwhite's merchant bank facilitated investments which would run at a loss and allow investors to then claim a tax write-off. Furthermore, when the fourth Labour Government came to power, Fay and Richwhite capitalised by "clipping the ticket" on foreign exchange deals. With rocketing interest rates, foreign investment poured into New Zealand while New Zealand corporations looked overseas to borrow capital (Evans, 2004). The pair also played a large role in facilitating the sale of SOE's. Their firm, Fay Richwhite, exemplified the emergence of an elite financial class in New Zealand who lived a glamorous life driving fast cars, taking first-

class flights, and throwing lavish parties (Evans, 2004). This was a far cry from the humble, stoic, farmer archetype which New Zealand men had modelled themselves on.

Entrepreneurs sold to the public the idea that money could be made through investing as making money from farming and manufacturing became increasingly precarious.

Yacht racing in New Zealand had been growing in popularity since the 1960s. However, unlike rugby, which has been linked to the pioneering culture of New Zealand and had parochial significance, yachting had an elite, high tech, and entrepreneurial heritage (Evans, 2004). In 1983, *Australia II* won the Americas Cup and the competition was relocated to Perth. This gave New Zealand some hope that a smaller, less financed team could win the coveted Cup, but it was assumed that a challenge was not yet feasible. However, when Fay Richwhite were asked if they could contribute to the campaign for a 1987 Americas Cup challenge in Fremantle, they decided to underwrite the KZ7 campaign. Fay did a detailed cost-benefit analysis concerning his involvement and saw the event as a marketing vehicle which would provide his business with a chance to gain access to world banking circles (Evans, 2004). In the 12 months surrounding the KZ7 campaign, Fay Richwhite shares rocketed and their personal wealth increased by more than NZ\$300 million (Evans, 2004). Moreover, the Americas Cup challenge had a three-tier sponsorship structure. The major sponsor for the campaign was the Bank of New Zealand, which had naming rights. But the campaign also had many other additional sponsors including Freightways, Lion Corporation, ICL, Jepsens Line, and Air New Zealand (Evans, 2004).

The promotional campaign for the race used the New Zealand folk song written and sung in Māori *Pokarekare Ana*, as the tune for the song *Sailing Away* written for the challenge. The promotional campaign was intended to generate the belief that national unity was vital to team success (Perry, 2004). This narrative was peddled to the New Zealand public by backers of the America's Cup challenge. Notably, Michael Fay explained that this was not about himself, but the public; "this is a people thing, for the people of New Zealand and nobody else" (Gray, 1986, p. 1). The public relations department of Fay Richwhite inundated the media with press releases (Evans, 2004). Fay made himself, and the prototype yachts, readily available to the media, and understood the importance of building a positive rapport with them. When journalists covered the America's Cup in Fremantle, they were fully or partly subsidised by Fay, Richwhite, or the sponsors. Their media liaison, Peter Debreceeny, released a set of rules for the media which included not interviewing the crew, going through syndicate channels to arrange interviews, and sending stories to Fay to be checked before they were published (Evans, 2004). Some did not adhere to these rules, but overall, media articles reflected the Fay, Richwhite conception of the America's Cup being

for the benefit of the New Zealand public. In this regard, the economic benefits of the challenge were stressed (Evans, 2004). Through the promotional campaign it became clear that a new set of values appeared to embody New Zealand-ness. Entrepreneurial nationalism, characterised by technological innovation, competitiveness, and self-sufficiency were the ideals to suit the neoliberal age (Evans, 2004). This narrative was in clear contrast with the economic reality that New Zealand was facing. Neoliberal reform had damaged New Zealand's productive sector, foreign debt had increased and New Zealand companies were investing overseas, limiting the growth of the domestic economy.

In 1992, the Americas Cup was held in San Diego and Fay was once again responsible for the campaign. Due to changes in the challenge specifications, the campaign had doubled in cost since 1987 clearly the new campaign needed a major boost from sponsors (Evans, 2004). TVNZ, knowing that the challenge would boost audience numbers and advertising revenue, became a major sponsor, along with Steinlager, Telecom, Japanese car manufacturer Toyota, and New Zealand apple and pear marketer Enza. Promoters believed that a nation-building focus would be commercially successful, and this appealed to TVNZ who wished to meet their public service responsibilities and minimise complaints that the money spent on the challenge would be better spent elsewhere (Evans, 2004). The 200 hours of coverage TVNZ gave was more than any other broadcaster, including ESPN (Evans, 2004). Brand logos appeared on the sails and hulls of the *NZL 20* boat, and the "this week in San Diego" segment on TVNZ was styled as a documentary but featured advertising on behalf of sponsors. Toyota, since the 1980s, had used a series of ads featuring New Zealand rural icons Barry Crump and Lloyd Scott. These ads featured the two taking utility vehicles through rural New Zealand whose landscape featured lakes, bushes, creeks, and farms, with a heavy dose of Kiwi humour. During the America's Cup campaign, the two of them also appeared in an America's Cup themed ad for Toyota in which they sang *Side-by-Side*, which was also released as a single (Evans, 2004). Through the appropriation of "New Zealand-ness" Toyota sought to interweave itself into New Zealand culture. New Zealand made it into the 1992 Louis Vuitton final but beaten by *Il Moro di Venezia*. The 1992 America's Cup challenge signalled New Zealand's entrance to the global sports economy. International sponsorship and the appropriation of national identity via corporate media would soon become essential to major New Zealand sports.

The 1995 "Black Magic" campaign centred on the Head of Team New Zealand Peter Blake, and repeated the same sponsorship structure as the 1992 challenge. New Zealand beat the American Stars and Stripes syndicate 5-0 in San Diego - causing huge media hype in New Zealand (Evans, 2004). It was heralded as bringing in an economic renaissance, with

commentators using it to vindicate New Zealand's neoliberal economic policies and the rise of the private sector over the public sector (Evans, 2004). However, this was not entirely accurate. The government boosted the challenge by NZ\$500,000 and three of the sponsors, TVNZ, ENZA, and Lotto, were linked to the public sector (Evans, 2004). The campaign also launched a hugely successful 'red socks' marketing campaign based on the 'lucky red socks' Peter Blake wore whilst racing. All of New Zealand was encouraged to buy a pair of red socks and wear them on race days. Evans (2004) argues that, by 1995, there was no longer a need to articulate that participating in the America's Cup was good for New Zealand. Emphasis moved to participating in the Cup via consumption (Evans, 2004).

In 2000, the America's Cup defence was held in Auckland and was marketed as "New Zealand taking on the world" (John & Jackson, 2011). A campaign was constructed to make the America's Cup a national event again. This time the feature advertisement showed Team New Zealand unable to sail due to a lack of wind. In this ad a little boy runs out to his backyard to blow into the air, and the rest of the country joins in, flapping sheets, blowing leaf blowers, and fanning placards, then, the wind picks up to get Team New Zealand sailing again. The montage also features the sponsors and their branding. In the challenge, Team New Zealand beat Prada 5-0 with Russell Coutts as Skipper. After the win, the team members were treated as heroes and a huge parade was put on for them. One article, in *The Dominion Post*, titled "Arise, Sir Coutts" (2000, March 02) even speculated that he would get a knighthood (McConnell, 2000). To New Zealanders, the victories of the 1995 and 2000 campaigns were proof that New Zealand "punched above its weight" in sport. It also elevated the place of the America's Cup within New Zealand's cultural identity (John & Jackson, 2011). However, the public was soon to turn on Russell Coutts when it discovered he was going to leave Team New Zealand.

After the 2000 success, many of the Team New Zealand team went to sail for rival syndicates. They included New Zealand's previous skipper, Russel Coutts, who joined the Swiss Alinghi team. Some of the media's narrative, and a section of the public, saw this as a betrayal and the sailors as traitors. A Black Heart campaign was then formed by some well-established public figures: David Walden (ad-man), Bill Ralston (journalist and broadcaster), Barry Everard (cinema owner), and Bruce Whillans (real estate owner) ("BlackHeart sailed off course," 2003). It was also supported by well-known sports broadcaster Murray Deaker. However, the purpose of the campaign was not clear to the public ("BlackHeart sailed off course," 2003). Walden said it was to "was to create a home ground advantage for Team New Zealand" (Blackheart sailed off course, 2003). Yet they attacked Coutts and Brad Butterworth, who left Team New Zealand for Swiss syndicate Alinghi, so it was perceived, by

some, to be a negative campaign. The slogan was "country before money", and they produced promotional material and put on a dinner at an Auckland restaurant with prominent celebrities, politicians, and businesspeople. The campaign was criticised as not offering anything to participate in apart from hating Coutts and Butterworth. However, Walden said that this was not the intent, stating "we were trying to stir up some issues. We never meant to polarise the nation" ("BlackHeart sailed off course," 2003, para. 9). What the campaign represented was frustration that the America's Cup was now about who could secure the most funding and afford the best team. It evidenced a disconnection between the global capitalist rationality of elite athletes traveling for sport and the feelings that citizens have around national culture and national loyalty.

The Team New Zealand marketing campaign launched in 2002 centred on loyalty, with Dave Dobbyn's "Call me Loyal" song used as a key promotional tool for the campaign. In 2002, the Loyal television commercial produced by Saatchi and Saatchi aired, it was shot in black and white and included Dobbyn's song as the soundtrack. This advertisement was a montage of New Zealanders putting their fists over their hearts in support of Team New Zealand. It included a mix of ordinary citizens and public figures such as well-known politicians Tim Shadbolt and John Banks. There was a deliberate effort made to represent diverse New Zealand identities, especially due to the America's Cup having a perceived image of elitism (John & Jackson, 2011). The commercial ended with a voiceover which said, "It's their billions against our team of 3.9 million". Thus, in presenting the challenge as global money vs *our team*, this campaign attempted to strengthen New Zealand's sense of belonging and cultural citizenship against the power of global capitalism. International sponsors, however, used the campaign to gain a stronger market presence in New Zealand. The 2003 Cup had five major sponsors: Lotto, Steinlager breweries, SAP (software company), Telecom, and Toyota. The logos of this group of SOE's and TNC's, blanketed the sails and hull of the Team New Zealand boat. With Lotto and Telecom being government owned, there was indirect public money funding Team New Zealand, as well as direct investment of 8.6 million from the government (John & Jackson, 2011). The America's Cup is an example of how the state and TNC's work together to facilitate the flow of global capital through sports, while using marketing which draws heavily on nationalism and, in this case, the evocation of loyalty to one's nation.

Conclusion

British colonialists brought sport to New Zealand during the 19th Century, believing that physical games were essential to developing muscular Christians and strong masculine identities. However, settler life in New Zealand posed challenges to the diffusion of sport. The disparate settlements were geographically spread out across an untamed terrain which made inter-provincial transport and communication a challenge. As populations grew, rugby union rapidly expanded in popularity and became New Zealand's national sport. In 1905, New Zealand's representative team 'the Originals' toured Britain and were dubbed the All Blacks. This tour has a mythic presence in New Zealand history, but its place at the pinnacle of rugby's historical narrative has been contested on the grounds that counter-narratives have been diminished (Daley, 2005; Ryan, 1993). Furthermore, British migrants also brought Victorian gender roles to New Zealand which initially prohibited women from participating in competitive sport. In spite of the prescribed gender roles, settler women made attempts to establish their own teams and tours despite the ridicule or belittlement they faced. During the interwar years, radio arrived in New Zealand; sport was no longer confined to the stadium and entered the family home. Live broadcasts conveyed the excitement of games in real time, turning athletes and sports commentators into public figures.

Through the 1960's and 1970's, "feminists, Māori activists and revisionist historians openly challenged prevailing constructions of New Zealand national identity" (Hope, 2002, p. 236). Consequently, in 1981, "the traditional culture of rugby became a focus of public debate and political conflict" (Hope, 2002, p. 236). While enthusiasm for rugby lapsed after the fractious South Africa tour, New Zealand's television production advanced and national attention was diverted to other sporting endeavours. These included the Commonwealth Games of 1984, broadcast on colour TV, the All Whites campaign to the World Cup Finals in Spain, the growing profile of New Zealand cricket, and netball (as it moved indoors and secured prime-time coverage on TVNZ).

By the late 1980's the relationship between sponsors, television, and sport was maturing and, internationally, media-sport had become a lucrative commodity. However, the rugby establishment of New Zealand was resistant to professionalisation, despite the fact that the ideal of amateurism was not fully carried out in practice. Concurrently, new neoliberal policies reshaped the country with sport contributing to the burgeoning commercial logic of advertising and profit-driven media systems. The pioneering ideologies, which sustained New Zealand as a nation when it had an agricultural and manufacturing economy, became outdated, and new traditions were created to inculcate the emerging value system of commercialism and individualism. The America's Cup, backed by the government, sponsors, and entrepreneurs, became the face of a newly fashioned national

identity apposite for the neoliberal era. Corporate capitalism requires cultural institutions to naturalize materialism, consumerism, and individual self-interest. Thus, corporate nationalism emerged as a promotional strategy which could harness the cohesive, unifying function of sport, while allowing TNC's and entrepreneurs to profit from this process. The commercialism which emerged sets the scene for Chapter Four. This details the story of New Zealand's pay-TV company, Sky, founded in the late 1980s when New Zealand was undergoing its neoliberal transformation.

Chapter Four: Political Economy of Sky: A Brief History

This chapter maps the growth, development and moderate decline of New Zealand's most prominent sports broadcaster, Sky. Grounded in a political economy approach, this analysis engages with broad economic, political, historical, and social themes to gain insights into Sky's influence on New Zealand's sports broadcasting landscape. Drawing on archived documentation, including newspapers, magazines, annual reports, academic reports, and academic journal articles, this chapter traces the history of Sky over the last three decades. This brief chapter will cover Sky's corporate strategy, its relationship to potential rivals, the development of relevant technologies, media regulation, political lobbying, and its relationships with sports bodies.

Four distinct periods in Sky's corporate performance history coincide with major ownership changes. The first period ranges from the founding of Sky Media Limited (as it was then registered) in 1987 up until the launch of its ultra-high frequency (UHF) service in 1990. Secondly, Sky initially experienced poor financial performance and problems despite positive initial estimates and the success of pay-TV overseas. Debt quickly mounted and Sky sought US investors to back the venture and influence strategy. However, by the late 1990's Sky came to dominate exclusive live sports rights, which drove up subscription numbers and so the company became a lucrative investment for those involved. Thirdly, there was a boom period which coincided with Independent News Limited's (INL) ownership of Sky. NewsCorp had a large shareholding in INL as part of a wider strategy of global acquisition. Furthermore, during this time Sky significantly increased its sports offerings, and purchased the Prime channel, which meant exclusive rights to live, exclusive sport and delayed free-to-air sport. This time period Sky had a near monopoly of sports coverage, facilitated by New Zealand's deregulated media environment which Sky lobbied to maintain. Fourth, from 2014, Sky lost subscribers and profits fell. INL had sold its shares in Sky in 2013, after which the company took on a financialised ownership model. Following this change in ownership, Sky faced greater competition, not only for sports rights but for other content such as movies and television programming. At the end of 2019, Sky appointed a new CEO Martin Stewart, who reconfigured its business strategy to maintain competitiveness in the digital era. He resigned in January 2021 and, at the time of writing, new CEO, Sophie Moloney, planned to continue with the strategy forged under Stewart.

1987-1990: Founding Sky

In 1987, when former NZ cricketer Terry Jarvis visited Australia, he watched horse-racing live via satellite television in pubs and clubs. This gave him the idea to bring such coverage to New Zealand with the help of Brian Green, an engineer with telecommunications experience (Black, 2018). However, the pair did not have the capital needed to set up broadcasting infrastructure (Black, 2018). In late 1987, Jarvis requested a meeting with Craig Heatley, a young but established New Zealand entrepreneur who took to the idea with enthusiasm. As the trio researched media markets overseas, their focus went from live horse-racing to pay-TV more generally (Black, 2018). Heatley believed that New Zealanders wanted more choice than was currently on offer through state-owned TVNZ. TVNZ which limited funds for buying international content rights and offered just two channels (Black, 2018).

The government also owned Telecom, which had a monopoly over telecommunications. To set up satellite dishes, Sky would require a licence from Telecom, which was estimated to cost approximately NZ\$10,000. Furthermore, a unique license would be required for each of the 1000 locations requested. Outraged by this estimate, Heatley met with the Minister of SOE's Richard Prebble in the late 1980's to push for the deregulation of telecommunications and broadcasting sectors (Black, 2018). Prebble, who was a fervent neoliberal, gave no fixed details but assured Heatley that "the government intended to make changes that would bring significant deregulation" (Black, 2018, p. 134). These discussions continued into 1988, with Prebble confirming that he would deregulate broadcasting and telecommunications and that new frequencies would become available for auction - including UHF, which would eventually be Sky's medium of transmission. Thus, initial plans to use satellite technology were abandoned as Sky did not have the technological capability to send signals out to the small rooftop dishes that would become commonplace (Black, 2018).

Before launching, Sky bought content from overseas media organisations as it did not yet have the skills or infrastructure to produce its own. The planned offerings were news, movies, and sport - the major drawcard. Heatley and Jarvis approached Sam Chisholm, a New Zealander who was CEO at Australia's Channel 9, to provide it with the opportunity to negotiate international content rights; it cost them NZ\$350,000 to simply broker introductions with content owners (Black, 2018). The negotiations were lengthy- securing content rights from CNN, for example, took more than a year to negotiate. Furthermore, the movie industry did not see much worth in the small New Zealand company which was yet to launch (Black, 2018). For Sky, securing content from ESPN was vital as it could provide a high volume of live sport, even if U.S. sports were not particularly compelling for New Zealanders. After a year of negotiations, Sky signed a contract which would give "ESPN a minimum of US\$1.75

million per annum, paid quarterly in advance with an additional fee of 40c per subscriber per week once subscriptions reached more than 150,000” (Black, 2018). ESPN also demanded a seat on the Sky board and obtained 5% of the company (Black, 2018). As McChesney (1999) shows, by the 1990's, national media markets had been reconfigured within global commercial media markets. Thus, large media firms came to “share major shareholders, own pieces of each other, or have interlocking boards of directors” (McChesney, 1999, p. 90). For the media giants, this reduced competition and risk, and increased their profitability (McChesney, 1999). Similarly, by owning 5% of Sky, ESPN may have seen some potential for making a gain off its investment (however small) and exercising some control over the supply of their core product (sports content).

As Sky was negotiating contracts for its upcoming launch, TVNZ was undergoing a major reform; Julian Mounter came from the pay-TV industry in Britain to be CEO. Mounter believed, after talking to Heatley, that TVNZ could work with Sky “to defend airwaves from external ventures” (Allison, 1989, p. 112). Black (2018) claimed that these ‘external ventures’ extended to New Zealand’s first commercial free-to-air channel TV3, who Mounter saw as TVNZ’s major competition (Allison, 1989). TVNZ, thus, bought a 25% stake in Sky, it could then advertise on TVNZ and use its outside broadcast vans to produce local sports content. Although there was market logic to the deal, with the two companies saving on infrastructure, they would often experience disharmony as Sky’s strategy was to secure exclusive sports away from TVNZ. The two organisations could not agree on how to negotiate outcomes when they wanted the same content, so “they signed a joint programme acquisition agreement that outlined general protocols but did not specify what was included or excluded” (Black, 2018, p. 155). Content negotiations would, therefore, be managed on a case-by-case basis, causing constant tension.

Initially, Jarvis and Heatley had estimated that Sky would need to spend NZ\$5 million before generating a profit. However, “midway through 1989, when Sky had originally hoped to launch, more than NZ\$20 million had been spent or committed on rights, engineering and set-up costs and wages, and still the UHF frequencies would need to be paid for” (Black, 2018, p. 149). When they found an appropriate studio in Mount Wellington, Auckland capable of running Sky’s 3 channels, setting up hardware and technology for operations cost NZ\$12 million. Once TVNZ entered the shareholding agreement, Jarvis and Heatley each had 35% ownership, TVNZ had 25%, and ESPN had 5% (Black, 2018). By May 1989, Sky was ready to launch but had to wait for the UHF frequencies to be auctioned by the government, as costs were rising. Heatley recruited Alan Gibbs and Trevor Farmer from

Tappenden Construction to invest in Sky, estimating that the investment would break even within two years.

New Zealand's Radiocommunications Bill was passed in December 1989, and in early 1990 the auction for UHF frequencies took place with Sky spending nearly NZ\$2 million on rights for 20 years of frequency use. Sky then became a multi-channel terrestrial operator. Then, on the 18th of May 1990, three original channels were launched and 200 staff were paid from shareholder funds. By this time Heatley's shareholding was 40% and Jarvis' had fallen to 14%, Tappenden Construction owned 18%, and ESPN now only had 1%. Sky cost subscribers NZ\$11.25 per week and the decoders which customers needed to purchase themselves cost NZ\$400. The initial offering on Sky was 24-hour news, 12 hours of sport, and 5 movies per week on rotation which went from midday to midnight (Black, 2018).

To transmit the UHF signals, transmission towers were set up at high altitude sites. They would emit a scrambled output signal which would then be converted to UHF frequencies. Concurrently, decoders were set up by subscribers to unscramble the transmission, meaning only those with the decoder would receive the signal. Sky partnered with TVNZ subsidiary Broadcast Communications Limited to use its transmitters rather than establishing its own (Black, 2018). Transmission first began in Auckland, Waikato, and the Bay of Plenty, and needed to be phased into other areas when transmission locations became available (Black, 2018). The use of UHF initially caused hurdles for Sky as New Zealanders were not accustomed to it. Furthermore, they had to buy their own decoders, and when technical difficulties arose very few people had the technical capability to troubleshoot problems (Black, 2018).

1990-1997: From National Player to Transnational Corporate Entity

Sky estimated that it would attract 100,000 subscribers in the first year, but found that after the first 10,000 signed up it was difficult to entice more. As a result, after the first year, Sky still had only 18,000 subscribers (Black, 2018). For customers, there was a considerable set up cost to getting a decoder, and with TV3 going into receivership soon after its launch, customers worried that a decoder would be a waste of money if Sky was not a successful venture (Black, 2018). To attract subscribers Sky launched a door-to-door campaign, in which "a Sky representative would offer a decoder for free, which they would personally hook up then and there, plus a free subscription for three months" (Black, 2018, p. 163). This did get new subscribers, but many left once their free three months were over. The

expensive operating costs, the big advertising spend, and a lack of interest from New Zealanders, meant that Sky had a tumultuous first 18 months. During these months they went through “five chief executives, four marketing directors and five new shareholders” (Black, 2018, p. 166), and in early 1991, Sky was losing approximately NZ\$1 million a week (Black, 2018).

Tappenden Construction left as a stakeholder, and Todd Corporation took a 15% stake in September 1990. Soon after, TVNZ and Todd Corporation requested a share dilution which would have reduced Heatley’s shareholding considerably (Black, 2018). Heatley did not favour this proposition and looked for new investors instead. Fortunately for Sky, during this time period, New Zealand media was beginning to assume a transnational configuration. Hirst et al. (2016) show that the transnational configuration was initiated by four pivotal events, “the deregulation of broadcasting (1989), the entry of TV3 and pay television (1989), the sale of Telecom (1990), and the lifting of restrictions on foreign media ownership (1991)” (p. 356). The lifting of restrictions on foreign ownership meant that TV3, which had gone into receivership, could be bought by Canadian company CanWest, and Sky could be foreign owned too.

Gibbs and Heatley brought together Time Warner, TCI, Bell Atlantic, and Ameritech in what was termed the HK partnership, named after the Halekulani Hotel in Honolulu where the deal was negotiated. Each company bought 12.75% of Sky, giving them 51% overall. They settled on NZ\$108 million for this share and after Sky had paid off its debts, Sky had NZ\$25 million for further investment. The HK deal, signed in May 1991, allowed for Heatley’s resignation as Chairman in August (he kept an office in Sky’s headquarters as a director). Following this, Nate Smith from Time Warner became CEO and John Fellet from TCI became Chief Operating Officer. The HK partnership decided to give Sky subscribers decoders at the company’s expense, and soon after subscribers increased and debt became manageable (Black, 2018).

In the early 1990’s News Corporation had paved the way for growing subscriber-based pay-TV through exclusive sports rights deals. When Heatley read about how British BSkyB boosted subscriber numbers through exclusive rights to the Cricket World Cup in 1992, he became intent on doing the same, even if it were to cause tensions with TVNZ (Black, 2018). That year, TVNZ was negotiating rights with the South African Rugby Union to allow both TVNZ and Sky to jointly host the All Blacks tour of Australia and South Africa. TVNZ was, allegedly, likely to secure the bid for US\$350,000 (Black, 2018). However, knowing that TVNZ was bidding at this price; Sky overbid and secured exclusive rights for

US\$1.1 million. Clearly, it was serious about dominating sports coverage in New Zealand and TVNZ warned Sky that there would be political repercussions from their move on live sport (Black, 2018). Furthermore, angry that Sky overbid them in the tour rights, TVNZ “sought a High Court injunction to prevent Sky’s deal with the South African Rugby Board going ahead” (Black, 2018, p. 190). The TVNZ CEO Brent Harman resigned from the Sky Board. Sky was also unhappy with TVNZ over the screening of Australia’s Winfield Cup, as Sky had live rights to the games and TVNZ had delayed coverage. However, Sky felt that TVNZ’s replay period (only one or two hours after the live game) devalued the live product (Norquay, 1992).

By the mid-1990’s New Zealand rugby was struggling to maintain amateur status. Two external factors meant that the development of professional rugby happened rapidly. Firstly, the development of the Super League competition by News Corporation was designed to rival the Winfield Cup which was contracted to Kerry Packer’s Channel 9 in Australia. As a result, some rugby union players were offered lucrative contracts to switch codes and play for the newly formed Super League competition. Secondly, a group of Australian businessmen (including Kerry Packer) had formed the World Rugby Corporation (WRC) and were organising a professional global rugby union competition paid for by broadcasting rights to global media, as well as advertisers and sponsors. Under the WRC, players would not be linked to their national unions and there was no provision to support the grass-roots level of the game (Martin, 2005). The professional structure of rugby league, and the escalation of players’ salaries arising from the Australia Super League vs Australian Rugby League saga, meant that player earnings were lavish compared to compensations for amateur rugby (Martin, 2005). The NZRFU, South Africa, and Australia decided to re-structure and professionalise rugby union using broadcasting rights to pay for salaries. Forming the governing body South Africa New Zealand Australia Rugby (SANZAR), they developed a new tournament structure with the anticipated support of Rupert Murdoch’s News Corporation (News Corp). This two-tier system included the Super 12 tournament (12 provincial teams from the three countries playing a round robin competition) and the tri-nations competition (the three nations play each other in a points system). Negotiations between SANZAR and News Corp began in May 1995 and News Corp paid US\$555 million for a 10-year contract (Martin, 2005).

There was public outrage over Sky getting exclusive coverage to All Blacks tests at a time when many New Zealanders, in outlying areas, could not get coverage in their regions. *The New Zealand Listener* reported that “Sky had transgressed the unwritten law that every New Zealander has the right to free, live coverage of All Blacks games” (Norquay, 1992, p.

56). So, to avoid bad publicity, Sky offered TVNZ delayed coverage in areas where people could not watch Sky or TV3. Sky would not compromise on its exclusive ownership or live rights though as subscriber numbers were paramount. Norquay (1992) reported that in the six days following the 1996 announcement, Sky signed 2600 new subscribers. Moreover, one month after the deal was signed, Sky had increased its subscriber numbers to 64,463. Sky feared that the public backlash might warrant political intervention in the form of anti-siphoning regulations, which had been introduced in Australia (Black, 2018).

Before Sky announced its deal with SANZAR in 1996, Heatley sought a meeting with Labour opposition leader Helen Clark, fearing that her party would favour anti-siphoning regulations. However, Clark, not a big rugby fan, thought that there was already too much televised sport and was more interested in funding the arts. The National Party leader and Prime Minister, Jim Bolger, on the other hand, was furious that rugby would be shown exclusively on Sky. His electorate, the rural King Country, could not yet receive the signal and he said that Sky needed to do a deal with TVNZ or TV3, otherwise the government would legislate on the issue (Black, 2018). Sky then offered to provide delayed coverage to the free-to-air broadcasters, TV3 did not have the money to pay and TVNZ did not seem to realise the strength of its negotiating position (Black, 2018). The deal was commercially successful for Sky and from February to April subscriber numbers went from 205,000 to 224,000. Sky was then able to extend its coverage by offering a satellite service which commenced in April 1997. With the set-up of a home satellite dish, almost all of New Zealand was able to receive the Sky signal (Sky Network Television Limited, 1997).

Securing exclusive sports to build subscriber numbers was a successful strategy as had already been demonstrated overseas. Sky's corporate performance finally improved and in 1997, Sky recorded its first annual profit of NZ\$0.5 million on the back of growing subscriber numbers from the previous year. Of households within reach of Sky's network, 21% had a subscription (Sky Network Television, 1998). However, once again, there were major changes underway in Sky's ownership structure. The HK Partnership stake (consisting of Time Warner, TCI, Bell Atlantic, and Ameritech) was bought out by INL for NZ\$309 million in August 1997 (Black, 2018). Furthermore, Nate Smith resigned as CEO and John Fellet took the position. Shortly after the INL sale, Sky was listed on the New Zealand stock exchange and the Nasdaq. An initial public share offering closed on the 5th of December 1997 for NZ\$150 million, of which 30% went to New Zealand investors. TVNZ also sold its shares, a move which Heatley describes as "the craziest commercial decision in the history of television" (Black, 2018, p. 229). This delighted Sky as TVNZ had held them back from

further purchases of exclusive sports. At this stage Heatley also sold his shares and invested them in INL, anticipating that it merge with Sky.

1997-2013: Siphoning and Commodification of Sports Rights

After selling its holding in Sky, TVNZ greatly reduced the amount of sport it replayed; a move which Scherer and Sam (2012) attribute to its retreat from its role of public broadcaster. Now that TVNZ was Sky's open competitor, Sky on-sold more sports rights to TV3. In 1998 TVNZ did not renew its international cricket contract, which went to Sky (Henley, 2012). The resulting lack of sport available on TVNZ was unpopular with the public. Thus, in an effort to improve public sentiment, TVNZ put a double page advertisement in the New Zealand Herald headlined: "Who's a good sport?" which listed the sports rights TVNZ used to have crossed out. It also stated: "These were 'all free on TVNZ". On the other page all the sports events listed under Sky had the explanation: "Sorry you'll have to pay to view this" (Henley, 2012, p. 242).

These pay-TV contracts reflected the newly open professionalisation of male sports codes. Some of the public angst surrounding the siphoning of sport onto Sky was inseparable from the feeling that something essential to grassroots sport was lost with the commercialisation of these major codes (Henley, 2012).

Figure 1 and Figure 2 map Sky TV's subscriber numbers and profits starting in 2000. From 2000, Sky changed its account year, making previous figures not directly comparable. Figure 2 shows the gradual and steady increase in subscriber numbers from 2000 to 2013. Figure 1 shows a dip in profits from 2000 to 2001, then a rapid increase from 2001 to 2005. At the end of Sky's 2000 financial year the company reported a loss of NZ\$27 million (Love, 2000b). Although revenue was at an all-time high, the programming costs increased because the New Zealand dollar was weak relative to the US dollar. Sky was also investing in satellite and digital expansion, which affected operating costs, as did the purchase of international cricket rights. But these were long-term investments; the cricket rights meant that Sky could retain or acquire customers over the summer which countered the usual drop off of rugby fans through those summer months (Love, 2000). However, this downward trend in 2000 continued into 2001, when Sky reported a loss of NZ\$42.6 million despite growing its subscriber numbers (Fox, 2001). However, at this stage overall revenue, subscriber numbers, and the share price indicated that Sky was set for growth (Fox, 2001). In 2002, results showed some improvement for Sky, with a reported loss of NZ\$ 30.2 million, but by

this stage Sky was connected to 36% of the households within its reach (Talbot, 2002). In 2003, Sky recorded its first profit since 1999 with NZ\$671,000 to the year in June (Chan, 2003b), and in 2004 Sky showed strong growth recording a profit of NZ\$35.3 million. Sky had increased its offerings by including more channels, such as the Disney channel, UKTV, the History channel, and the Arts channel on Sky Digital (Sky Network Television Limited, 2004). Other reasons for this jump in profit was that the cost of decoders significantly decreased, and the New Zealand dollar had improved against the United States dollar. In 2005, Sky tripled its profit, which jumped to NZ\$103.4 million which was attributed to “subscriber growth, higher revenue per subscriber, and a tight rein on expenses” (Vaughan, 2005, p. C3). The cost of programming had fallen from 40% to 36% of overall revenue because of New Zealand’s strong dollar. Nevertheless, CEO John Fellet believed that balance between currencies was unsustainable and that costs would rise again. However, he remained optimistic that there was further room for Sky growth.

Figure 1

Sky TV’s Profits (in Millions) From 2000-2013

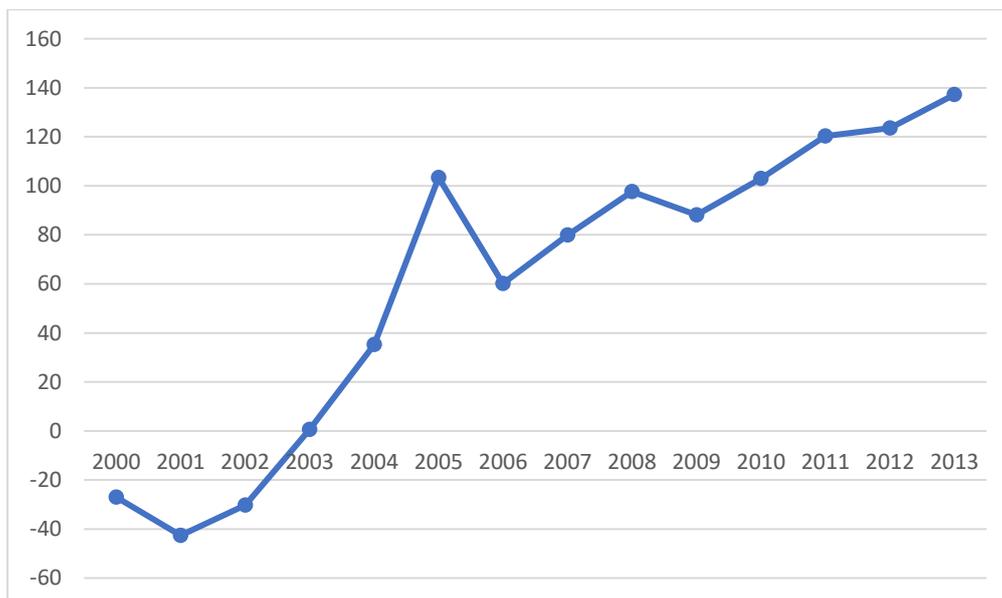
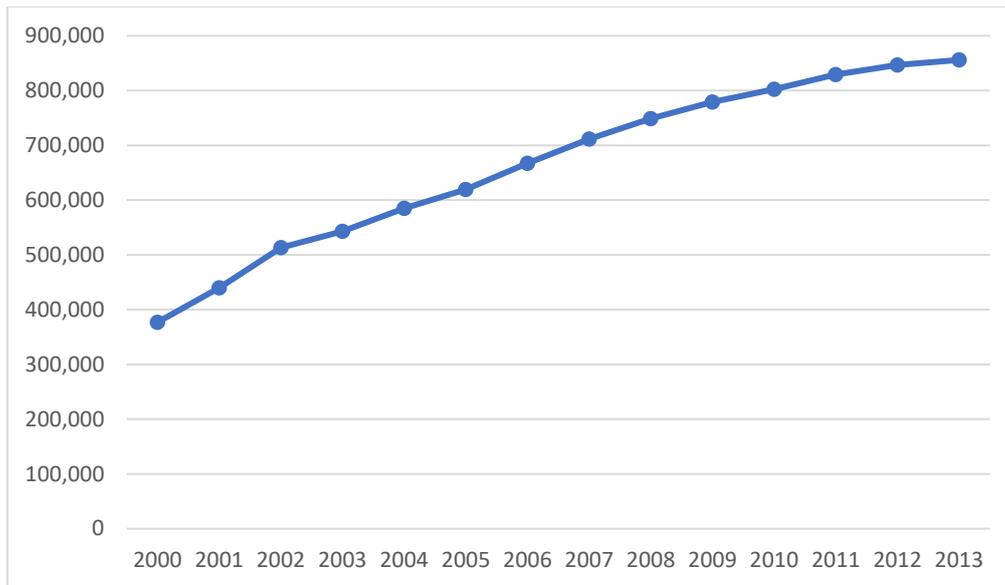


Figure 2

Sky TV’s Subscriber Numbers From 2000-2013



Note: Data for these graphs taken from Sky’s annual reports.

Craig Heatley had anticipated a merger between Sky and INL as early as 1997. However, this did not go ahead as early as he had hoped, probably because INL did not want to merge while Sky was incurring losses from setting up satellite infrastructure (Love, 2000a). But by 2002, INL had increased its stake in Sky to 66% ("INL-Sky TV" 2002), and in 2003 INL made a takeover offer for Sky of NZ\$1.8 billion. However, a report to shareholders written by the company Deloitte, determined that this offer was below fair value (Chan, 2003a). INL would need to make another offer to please the then shareholders. Thus, in 2005 a higher offer was made, and the merger was approved by shareholders of both INL and Sky. From the 1st of July, Sky would be renamed Sky Network Television.

Before the merger in 2005, News Limited (a subsidiary of News Corp) owned 45% of INL, so indirectly News Limited owned 35.2% of Sky (Hickey, 2005). After the merger, the ownership of Sky by News Limited was more direct; News Corp effectively owned 40% (Hickey, 2005). The merger had been part of Rupert Murdoch’s global acquisition plan, which saw News Corporation’s global network of sports broadcasters extend to Britain’s BSkyB, Australia’s Foxtel, Asia’s Star group, Brazil’s Sky Brasil Servicos, and beyond. This meant that sports content rights owned by Murdoch’s News Corporation could now contribute to Sky’s commercial returns (Hirst et al., 2017). Satellite TV was a defining feature of Murdoch’s global push, and by 1975 he “claimed to have TV networks and systems that reached more than 75% of the world’s population” (McChesney, 1999, p. 98). Sport was a key product in this expansion.

In 2000, Telecom purchased a 5.7% stake in INL, then this was subsequently increased to 10% while in 2001 Telecom spent NZ\$192.6 million on a 12.12% stake in Sky purchased from Tappenden Holdings. The motives behind this move were uncertain but commentators suggested that Telecom wanted some strategic influence over Sky (Steeman, 2001). However, John Fellet was adamant that Sky would not restrict itself to an exclusive partnership with Telecom, stating that New Zealand's market was too small for such a deal (Howie, 2001). Moreover, Sky had deals with other telecommunication companies such as Vodafone, Mercury, and Telstra Saturn. In 2003, Telecom signed a 5-year bundle deal with Sky to offer television entertainment as well as phone services. The stake was sold when INL's bid to merge with Sky failed due to disagreement over the price of shares. In 2004, Telecom then sold its 12% stake in INL and by 2006 the relationship between Sky and Telecom had cooled. Sky then announced that it would team up with Vodafone to launch Sky Mobile TV, which would also bundle Sky channels in a package to include sport highlights for an extra NZ\$2.50 a week (Schwarz, 2006).

The loss of major national sporting events to Sky, which occurred in the late 1990's, continued to cause dissatisfaction. In 2000, Deputy Prime-Minister Jim Anderton expressed annoyance with the lack of premier sport on free-to-air television. However, others saw it as inevitable in the professional era of sport. In 2001, however, there was some threat to Sky's monopoly of sport when telecommunications company Telstra Saturn bought the rights to the All Blacks tour of Ireland, Scotland, and Argentina for a reported NZ\$3 million (Howie, 2001). However, due to its limited service it ended up sharing the rights with Sky for \$500,000 and arguably solidified Sky's position as the premier broadcaster of sports events (Howie, 2001). The free-to-air viewing public got some relief because short tournament events, such as the Rugby World Cup, were still shown by free-to-air broadcasters. Pay-TV providers look for long-term subscribers and tournament events may attract customers who briefly sign up but then unsubscribe. Furthermore, organisers of major sports events also wish to maximise their audience's exposure to sponsors and free-to-air TV can be a better promotional vehicle during a tournament than pay-TV.

Even after most live major sporting events were siphoned to Sky, many sports rights contracts required delayed rights or highlights packages to be on-sold to free-to-air providers. In 2005, Sky made a strategic decision to find its own channel to broadcast free-to-air sports instead of on-selling rights to TVNZ or Mediaworks (TV3). Sky then attempted to buy the Australian Based free-to-air channel Prime Television Limited (Prime). It had UHF coverage for 91% of New Zealand and around 5% of total television viewing (Sky Network Television Limited, 2006). Prime had incurred a NZ\$70 million loss, but Sky believed that

with a change in programming it would break even. TVNZ claimed that the purchase of Prime would lessen competition and took a case to the Commerce Commission. However, the Commission cleared the deal and in February 2006 Sky purchased Prime for NZ\$29.5 million (Sky Network Television Limited, 2006). All free-to-air sports rights deals which went through Sky were now shown on Prime. Sky also used Prime to repackage its highlights in shows such as 'Crowd Goes Wild' and 'BP Ultimate Sports Sunday' (Sky Network Television Limited, 2006).

In 2005, Sky launched a digital video recorder called My Sky, which allowed viewers to pause, rewind, record shows, and gain access to an online TV guide. During the year, Sky also spent NZ\$50 million on upgrading technology so that content could be received and stored via computer instead of tape. Although costly, this made for improved quality and consistency with programming (Pullar-Strecker, 2005), in 2007 a digital platform for free-to-air channels, Freeview, was launched. This destabilised Sky's hold on digital TV in New Zealand. However, Sky did not see this product as competitive with its programming as Freeview had limited sport and, technologically, its set-up box did not have the same features as the My Sky box (Daniels, 2007). The My Sky box was replaced, in 2008 with My Sky HDi. This allowed for more storage, was compatible with high-definition (HD) channels and could be rented for NZ\$15 a month or paid for with an upfront fee of NZ\$599. After only one year, over 85,000 My Sky HDi boxes had been installed and approximately 13% of Sky subscribers had My Sky HDi (Sky Network Television Limited, 2009). By 2009, Sky also had 7 HD channels which could be purchased for an extra \$10 a month. Investing in HD was costly, with the HD capable trucks needed to shoot sports games costing NZ\$10 million each (Infotech, 2008). This technology set Sky ahead of its competitors within the New Zealand broadcasting market and increased its average revenue per subscriber.

The lack of regulation in the broadcasting sector led to the Labour Party initiating a review of broadcasting regulations in 2006 which included open submissions from citizens, media organisations, and sports associations. TVNZ's submission argued that Sky did not serve the public with its near monopoly on live sports coverage, and complained that the free-to-air offerings on Prime were selective and delayed (Pullar-Strecker & Chalmers, 2008). According to TVNZ, Sky had 80% of New Zealand produced sports content (Pullar-Strecker & Chalmers, 2008). Mediaworks (TV3) further suggested that the cross ownership of Prime was anti-competitive and a threat to free-to-air television. It also suggested that Sky divest Prime and that the government either introduce anti-siphoning legislation or unbundle sports packages. After reviewing the submissions, Labour signalled that there was national interest in providing more free-to-air sports. However, the National Party came into power in

2008 and commissioned a separate analysis which did not include public submissions. From this analysis they concluded that the broadcasting environment was workably competitive and no further intervention was to be imposed (Scherer & Sam, 2012). During this time, Sky employed lobbyist Tony O'Brien to stave off regulation in its sector. O'Brien was well known around parliament, even having an access card to the parliamentary building. Furthermore, he contributed to the costs of the parliamentary rugby team's away games which allowed Sky to spend time with MP's and cabinet ministers ("Lobbyist is Murdoch's man about the House," 2009). Although O'Brien is credited for working across the house, the New Zealand Herald suggests that he was "on firm philosophical turf with National" ("Lobbyist is Murdoch's man about the House" 2009). This review of broadcasting regulations is covered in more detail in Chapter Five.

Political pressure further mounted on Sky for not making Prime part of Freeview. Critics believed that Sky refused to show Prime on Freeview to delay the uptake of a free-to-air service which could potentially curb Sky's growth (Drinnan, 2007). Although Sky stated that it supported the Freeview venture, it would cost Sky NZ\$2.5 million to include Prime. Consequently, Sky would only do so when it made economic sense and according to its estimates, this would happen when Freeview reached 10% market penetration (Drinnan, 2007). In 2009, this issue required government intervention, with Broadcasting Minister Jonathan Coleman calling for an industry summit to discuss the fact that, although Freeview was at 13% penetration, Sky was still stating that it could not afford to put Prime on the free-to-air service (Drinnan, 2009b). In August 2009, a deal was struck for Freeview to carry Prime. Although the government stated that this deal was made between broadcasters, the quick turnaround in position suggests that political pressure may have been applied.

In 2009, the government announced that NZ\$1.5 billion would be spent on creating an ultra-fast broadband (UFB) network. Partnered with the private sector, it expected that 75% of New Zealand would get UFB within 10 years, but there were soon concerns that this new infrastructure would primarily benefit home entertainment systems. The broadband spend might not benefit the economy if it was not well utilised ("Inquiry crucial to clarify fast broadband use ", 2011). The UFB roll out was good for Sky and telecommunications services. Thus, both Telecom and Vodafone launched bundle deals with Sky; Vodafone made uncapped data available along with Sky's internet service iSky. These contracts were cause for a 2011 Commerce Commission investigation into whether such deals were anti-competitive. Then in 2013, the investigation found that data caps were used in an anti-competitive way and could have blocked new entrants into the market (Winseck, 2014b). However, it only issued a warning to the companies involved. The media landscape was

quickly changing, and new entrant Coliseum had made its way into the sports broadcasting market with rights to the EPL.

In 2012, the *Sunday Star-Times* published a report claiming that national sports organisations were unhappy with Sky's position of monopoly, which allowed it to demand a broadcast fee from second-tier sports of up to \$200,000 per event (Napier, 2012). Sky TV then rejected these claims, saying that in 2012 it was producing 300 sports events- more than ever before. It also claimed to invest heavily in New Zealand sport and rejected assertions that it charged a fee to niche sports. The official line was that it might ask for a contribution to production costs, but would never demand it ("Sky TV rejects monopoly and charging claims" 2012). However, some sporting bodies began to consider options outside of Sky. The Oceania Football Confederation, announced plans to launch a free-to-air channel. Furthermore, fifteen sports bodies were engaged with the channel's proposal including New Zealand Rugby League, NZC, and New Zealand Netball ("Sports looking at TV channel" 2012). Although this venture did not eventuate it demonstrates that the loyalty of national sports organisations, to Sky, came into conflict with their desire to be accessible to fans.

Although some sports bodies may have been discontented with Sky and customers were disappointed that it could no longer watch sport on free-to-air television, its corporate performance continued to improve from 2006 to 2013. In 2006, Sky made a profit of NZ\$60.1 million. This was a drop from its 2005 profit of NZ\$103.4 million, which Sky attributed to interest incurred by the debt raised from the INL-Sky merger and the NZ\$4.9 million cost of purchasing Prime (Sky Network Television Limited, 2006). Nevertheless, during this time Sky grew its subscriber base further and expanded its channels. By 2007, Sky was able to increase its profit again and in 2008 subscriber numbers were still increasing despite an overall economic downturn (Sky Network Television Limited, 2008a). In 2009 the falling New Zealand dollar resulted in higher operating costs for Sky, its profit was NZ\$88.1 million (Sky Network Television Limited, 2009). Sky had now captured a 28.6% share of overall television viewing in New Zealand (Sky Network Television Limited, 2009). In 2011, it expanded its channels and by then had three HD channels and growing numbers of MySky HDi subscribers. During recessionary times advertising revenue had decreased, but it grew again from 2011 (but not to the peak it had during 2007/2008). Furthermore, in 2011, Sky was almost back to its peak, with a profit of NZ\$103 million (Sky Network Television Limited, 2011) and, in 2012, Sky made NZ\$122.3 million in profit. There was also large growth in MySKY HDi subscriptions, and the launch of the Soho channel provided popular HBO series' such as *Girls*, and *Game of Thrones*, which boosted overall revenue (Sky Network

Television Limited, 2012). In 2013, Sky achieved another record net profit of NZ\$137.2 million, it reported that the advertising market was flat (Sky Network Television Limited, 2013).

While Sky made record profits throughout 2012 and 2013, the organisation was undergoing major changes in ownership. In 2012, Todd Communications sold its 11% stake in Sky, worth NZ\$218 million, to investment bank Credit Suisse. The Todd family had been involved from 1990 but, according to its equity manager, it was concerned that Sky was underperforming and had limited future growth prospects (Myllylahti, 2012). The following year, News Limited sold its 44% stake in Sky to financial institutions for NZ\$815 million. As of October 2013, “the three biggest shareholders in Sky TV were Hyperion Asset Management, Cooper Investors and BNP Paribas” (Myllylahti, 2013, p. 10). Collectively they then owned 19.6% of the company’s shares. Drinnan (2013a), writing for *The New Zealand Herald*, reasons that News Limited sold out because analogue pay-TV had reached its profit limit and would need to converge with internet TV services to stay relevant. The pay-TV model was built around satellite technology, digital technology has allowed for greater competition as new entrant streaming companies have entered the broadcasting market. Furthermore, in the digital era, advertising became a less lucrative avenue of funding for pay-TV as online advertising became more valuable. News Limited had the foresight to see Sky had reached a high-water mark for the industry.

In 2012, Sky and TVNZ launched Igloo as a joint venture, with Sky owning 51% of the shares and TVNZ 49%. It offered a mixture of free-to-air and pay-TV channels at a lower price point than Sky and on a prepaid basis. It was hoped that Igloo would pick up subscribers as the government shut off its analogue broadcasting services in 2013. However, the date of launch for Igloo was pushed back because of the Commerce Commission’s investigation into whether the pay-TV market was less competitive (due to Sky owning half of its pay-TV competition by having a 51% share in Igloo). The Commission found that, although the deal showed Sky’s dominance in the market, there was still a chance for new entrants to enter it (Myllylahti, 2012). It was forecast that Igloo would pick up 50,000 subscribers in the first year but it struggled to get 10,000, and the revenue for the service did not cover costs (Pullar-Strecker, 2016a). In 2013, TVNZ sold its shares back to Sky and exited the venture in 2014. In 2016 it was announced that Igloo would end transmission (Pullar-Strecker, 2016).

In 2013, Sky lost its EPL rights to Coliseum, when the deal was announced the company was unknown to New Zealanders. Coliseum was set up by Tim Martin, his wife

Kate Martin and Simon Chesterman, and was backed by Peter Cooper (former director of Lion Nathan) and Matthew Cockram. Coliseum allowed users to subscribe and watch games through the internet and, unlike Sky, it did not intend to broadcast local sports, but rather to act as a distributor (*EPL rights: Who is Coliseum*, 2013). When Sky announced that it had lost EPL rights, its share price dropped 26 cents (Walters, 2013b). Thus, public discussion around the potential demise of Sky became more prominent despite its positive profit and subscriber figures. Headlines read “Sky Beware, sunset may be coming” (O'Donnell, 2013) and “EPL deal has Sky falling” (Walters, 2013b). As it became clear that sports content could be delivered via internet platforms, as opposed to pay-TV, Sky's annual reports sought to define Sky not as a pay-TV company, but a company which delivers entertainment across multiple platforms.

Sky's influence was not just over sports but other areas of culture too. By 1999 it had expanded to 18 channels covering movies, sports, news, documentaries, and the Cartoon Network (which had programming from Warner Brothers, Hanna Barbera, and Metro-Goldwyn-Mayer). These channels kept expanding in number year by year, and by 2013, Sky had 41 channels in its basic package as well as seven sports channels, six movie channels, and three interactive channels available. The majority of this content was American (i.e. Fox News, E!, MTV, and Disney Junior), but it also had BBC channels (World News and UKTV), and some international channels such as Star Plus, Chinese World TV (WTC), France 24 and China Central Television (CCTV) (Sky Network Television Limited, 2013).

McChesney argues that the global media system is part of, and to an extent promotes, a “largely vacuous political culture” (McChesney, 1999, p. 110) which is a necessary by-product of neoliberalism. This was the case in New Zealand. Sky increased consumer choice through its extensive array of channels, and also connected New Zealand to global content encouraged rampant consumerism. For example, in the early 2000's it was common for middle-class teenagers in New Zealand to watch MTV and 'E!'; channels that focused heavily on celebrities and consumer culture. Shows such as MTV cribs showed celebrities doing tours of their houses and promoting various goods. The E! show, Keeping up with the Kardashians, influenced local media culture, with TV3 launching a short-lived spinoff in 2012 titled The Ridges, which covered a minor celebrity family (Sally Ridge and daughter Jaime Ridge). While it is difficult to quantitatively show how Americanised content affected New Zealand's culture, it is undeniable that it has infused New Zealand's local culture with the values of consumerism and material aspiration. Some commentators have even argued that Sky became a status symbol itself (Grieve, 2020).

2013-2021: Market Fragmentation

Following Coliseum's arrival in 2014, after securing the EPL and soon after the US Professional Golfers Association (PGA) tour, Sky initiated its strategy of pursuing local sports content aggressively through gaining the rights to the New Zealand Golf Open, and increasing its coverage of domestic tennis (Plumb, 2014b). In 2015, Sky struggled to secure the rights to two Black Caps T20 matches and one one-day international in South Africa (Johnstone, 2015). Social media users then complained that Sky had recently recorded a large profit but was not buying the sports rights which, as customers, they felt entitled to (Johnstone, 2015). For Sky, the issue was that it did not agree with South African sports body Supersport on the price of games that would be shown in the middle of the night in New Zealand, to a limited audience. There remained a perceived disconnect between Sky's share price, profit, and spending on sports rights. Thus, in 2015, to ease customer dissatisfaction, Sky tried to offer unbundled sports packages through its streaming service Fanpass, but two years after the unbundled packages were announced, Sky discontinued them. At the time, Grieve (2017) argued that the "move suggests that too many of its customers were cutting the satellite TV cord and buying sports event-by-event for the company to bear" (para. 3).

In the era of UFB, it has become increasingly easy for users to illegally stream media content. In 2015, Sky noted their concern with piracy when it became apparent that viewtvabroad.com was offering pirated coverage of the 2015 Rugby World Cup for approximately NZ\$16 a month. This was significantly cheaper than Sky's offering. Sky left it to the International Rugby Board (IRB) to take legal action over such websites ("Cheap online service for rugby fans rattles Sky TV," 2015). However, this issue has remained a constant problem for pay-TV. Then, in 2016, Sky took down a large number of illegal streams during the Parker vs Ruiz boxing match, but the issue arose once again in the Parker vs Haumono boxing match and seven people were taken to court over pirating ("Sky TV hits back over illegal fight views" 2016). Following this, in 2017 Sky sued internet TV box company Kodi which not only allowed customers to watch pirated content, but advertised the Kodi box as allowing customers to watch pay-TV for free (Pullar-Strecker, 2017).

In 2014, Telecom underwent a major rebrand to form Spark NZ, and launched an online on-demand content service ShowmeTV, which was soon rebranded as Lightbox. In 2015, Spark gave customers free subscriptions to Lightbox for a year in order to familiarise customers with internet TV (Meadows, 2015). Then, in 2018, Spark announced that it was

venturing into sports broadcasting. Firstly, it announced that they had secured the rights for the 2019 Rugby World Cup. These rights were negotiated to be primarily digital, but Spark stated it would be teaming with TVNZ to broadcast some games free-to-air on linear TV. They also secured three years of EPL coverage (from 2019-2021) and announced that they would be producing local sports content (international field hockey) using NEP (full name of the company), an international outdoor broadcast specialist which had recently launched in New Zealand (Pullar-Strecker, 2018d). This was a significant development because, although hockey is a minor sport in New Zealand, if the venture proved successful Spark would be able to bid for larger local events. This in turn would challenge Sky's long-held stronghold over local sports content, which is at the centre of Sky's offerings.

By 2017, Sky's main shareholders were financial institutions and, in particular, fund management firms. Generally, the change from corporate to financial ownership for media firms has meant that greater emphasis is put on short-term profitability as opposed to long-term strategy (Thompson, 2017). As media ownership has financialised, shareholders are no longer media specialists who understand the complexities of local media markets. Rather, they are focused on financial performance (Thompson, 2017).

In 2016, Sky announced its merger plans with Vodafone. Thompson (2017) attributed the attempted merger to the pressures of structuring a business under the financialised ownership model. The merger it proposed meant that "Vodafone Europe would control 51% of the combined company's shares" (Myllylahti, 2016, p. 22). In its 2016 annual report, Sky stated that its reasons for seeking the merger were the innovative offerings that would be made available, cross-marketing opportunities, and the chance to respond to market changes. Sky noted that it was facing greater competition due to digital streaming companies and was subsequently under pressure to lower its prices. Meanwhile, the entrance of streaming companies was increasing the cost of premium rights. The proposed Vodafone-Sky merged company would have had substantial market power (Myllylahti, 2017).

Sky's shareholders voted, near unanimously, in favour of the merger, which would position Sky-Vodafone as both a leading mobile company and a leading pay-TV provider. In June 2016, Sky "delivered their merger clearance application to the Commerce Commission" (Myllylahti, 2016, p. 47). Sky believed that as it operated in a different market from Vodafone, there would be no reduction in competition. In defence of the merger it claimed that Spark was offering TV content through its Lightbox service, therefore, Spark was also operating in both the TV content and mobile services market. The Commerce Commission

took 60 submissions, including those of Vodafone, Sky, TVNZ, Spark, Freeview, NGO's, commissioned legal firms, and commissioned economic analysis firms (Thompson, 2017). Many of these submissions argued against the merger, with sports rights arising as a key issue. In February 2017, the Commission denied the merger, stating that its main concern was that Sky would become "too dominant in the premium sports content market and in customer acquisition" (Myllylahti, 2017, p. 56). Sky then abandoned the merger in June 2017, deciding not to appeal against the decision.

After INL had sold its stake in Sky, profits rose from NZ\$137.2 million in 2013 to NZ\$165.8 million in 2014. Sky also picked up close to 10,000 new subscribers, bringing their numbers up to 865,055 (Sky Network Television Limited, 2014). Controversially, Sky then increased its pricing to NZ\$48.07 for its basic package, thereby increasing the average monthly cost for subscribers by 2% to NZ\$77.52. This price lift was investigated by the Commerce Commission as the cost of programming had decreased, but the investigation was quickly called off due to "uncertainties' and 'competing priorities'" ("Sky TV probe off", 2014). John Fellet said that over the next 3 years, Sky would need to spend NZ\$100 million on replacing old decoders (Pullar-Strecker, 2014). As shown in Figure 3, in 2015, profits continued to increase, reaching NZ\$172 million, and the average monthly revenue from subscribers increased to NZ\$79.54. However, Figure 4 shows that subscriber numbers began to drop. Furthermore, Netflix was introduced to New Zealand in March 2015 in direct competition with Sky for movie and TV series audiences. Sky then further increased its prices for both the basic package and the sports package, attributing this to the cost of programming (Sky Network Television Limited, 2015). Sky's 2016 annual report shows a very minor growth in subscribers, from 851,561 in 2015 to 852,678 in 2016, as profits dropped to NZ\$ 147.1 million (Sky Network Television Limited, 2016). Fellet argued that this was because the growing competition from Internet TV companies increased the cost of programming (Sky Network Television Limited, 2016) and, for the first time in 10 years, Sky spent more than a third of its money on programming (Pullar-Strecker, 2016b). There seemed to be a growing customer dissatisfaction with Sky and the NZ Corporate Reputation Index showed it close to the bottom (Edmunds, 2016). Sky customers did not believe they were getting value for money. Rivals of Sky such as Lightbox and Netflix cost NZ\$10-15 a month for subscriptions, meanwhile Sky customers were spending nearly NZ\$80 a month on average (Edmunds, 2016).

2017 proved to be another challenging year for Sky with subscribers dropping to 824,782, and profits by 20.9% from the previous financial year, to NZ\$ 116.3 million. Sky had spent considerable time and money planning the merger with Vodafone Group which, as

noted, did not go ahead (Sky Network Television Limited, 2017). Furthermore, Sky also made some significant changes to its online sports subscription service Fanpass. It dropped daily and weekly subscriptions and nearly doubled the price, from NZ\$59.99 per month to NZ\$99.99 per month. This caused customer outrage (Ryan, 2017) and by December 2017, Netflix had 1,066,000 subscribers, and Lightbox had 630,000 (many of whom received the service in a Spark bundle) (Thompson, 2017). Sky's 2018 Annual Report shows a slightly better profit result, at NZ\$119.3 million. However, Sky suffered a 57,055 drop in subscribers. In response, Sky then dropped the price of its packages and sports channels to NZ\$54.81 a month (they were previously available at NZ\$79.81 a month minimum) (Pullar-Strecker, 2018c). Figure 3 and Figure 4 show the general downturn in Sky's corporate performance, and its limited potential for growth from 2014.

Figure 3

Sky TV's Profits (in Millions) From 2014-2020

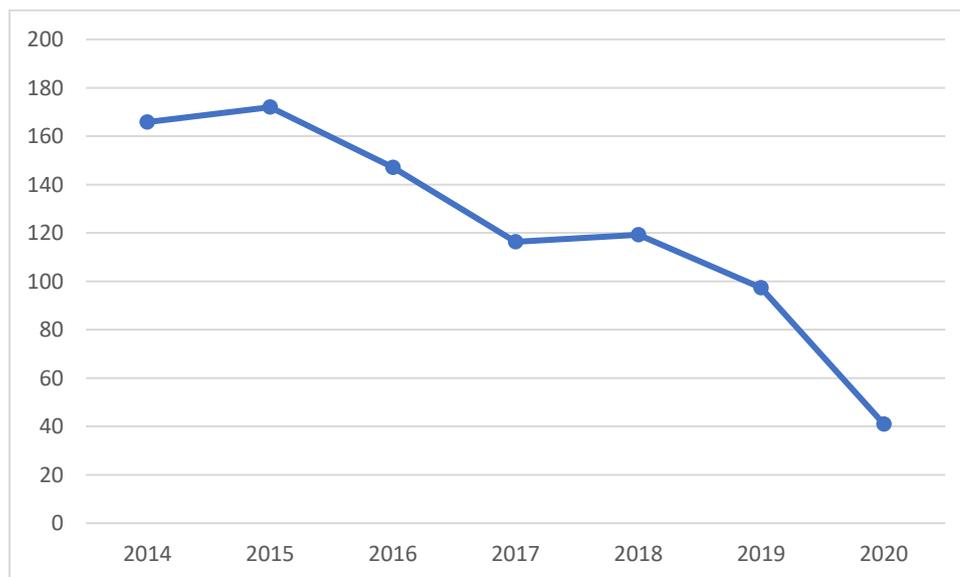
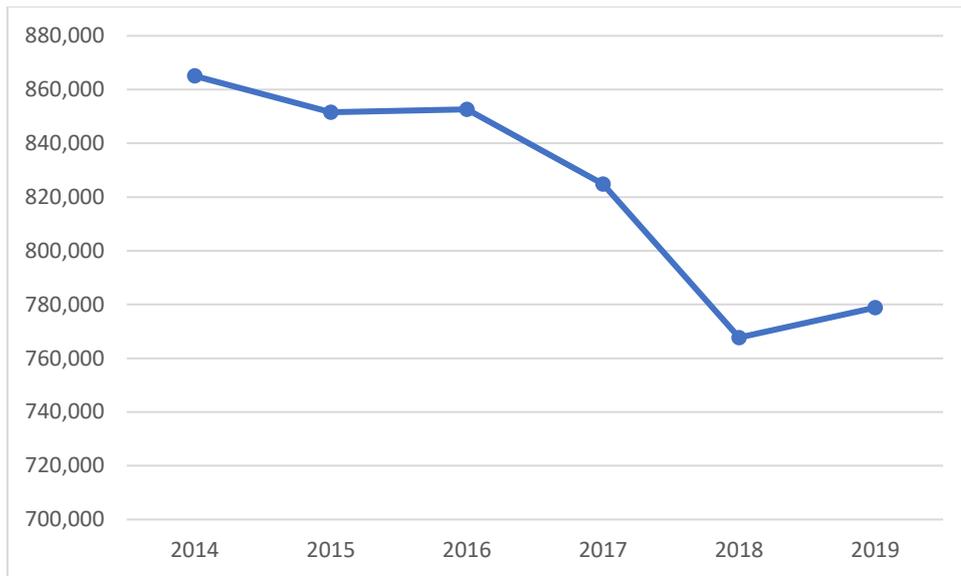


Figure 4

Sky TV's Subscriber Numbers from 2014-2019



In April 2018 it was announced that Spark had won the rights the Rugby World Cup 2019 in Japan and would be sharing them with TVNZ. In the digital era, telecommunication firms have increasingly been using sports as a “battering ram strategy” to sell “bundled voice and data services” (Evens et al., 2013, p. 49). In November 2018, Sky appointed a new CEO, Martin Stewart, once CEO John Fellet stepped down after nearly two decades as CEO. Stewart came from Britain and had international media experience. He had headed OSN, a Middle Eastern pay-TV organisation, and was the Chief Financial Officer for Sky Britain “when it launched its digital platform in a move that doubled its subscriber base in four years” (Pullar-Strecker, 2018b). His experience, launching a digital platform secured his position at Sky, as growing the company would mean responding to the challenges of the digital era and attracting subscribers through its digital offerings. Stewart had the task of trying to improve public sentiment toward the brand. This was summed up well in a Spinoff piece in which journalist Duncan Grieve states, “slowly but surely I joined the growing crowd who both paid the bill every month and cheered its losses as a strange kind of consumer sport” (Grieve, 2018, para. 48)

In 2019, Sky made an adjusted net profit of NZ\$97.4 million and recorded subscriber numbers of 778,740, including those that used the streaming services Neon and Fan pass (which was re-branded as Sky Sport Now). The profit was adjusted after allowing some write-offs such as the cancellation of the decoder upgrade, planned by Fellet, and a NZ\$6 million write-off of shows no long desirable to the company given the shift to streaming (Keall, 2019b). Furthermore, shares sunk to a record low of NZ\$1.13 and Sky announced that it would not be paying a dividend for the foreseeable future (Keall, 2019). Sky, however,

did increase its subscriber numbers for the first time since 2016, but this was because of an uptake in people using streaming services which were cheaper than the satellite service. Sky argued that not paying a dividend would help it to make the investment needed to provide a more digital focus.

In 2020, streaming use went up by 35%, due to the Lightbox and Rugby Pass acquisition, and the impact of the COVID-19 pandemic, which also created uncertainty for Sky. Advertising was hit hard and the future of rugby also looked uncertain as South Africa pulled out from SANZAAR. In 2020, Sky was reported to have 990,000 customers and moved away from the word 'subscriber'. This change in wording is ideologically important as it shows a more detached style of watching content characteristic of the streaming era. While 'customer' numbers were up through streaming, satellite subscribers continued to decrease. A satellite subscriber spent on average NZ\$82.08 per month, whereas streaming customers spent on average NZ\$19.80 per month (Keall, 2020). This is because the business model for streaming means lower margins and high costs for content. Notably, digital broadcasting has opened up opportunities for new entrants into the market which has escalated the price of sports rights (Evens et al., 2013).

After 21 months, Sky CEO Martin Stewart unexpectedly quit, citing his inability to travel back to the UK to visit his family, due to coronavirus restrictions. Stewart was looked at favourably by analysts. He had rebranded the company, significantly reshuffled its management, and led it in a new direction by increasing its focus on digital streaming. However, he had been unable to lift its share price and expressed frustration about the low share price (Jennings, 2020). The company's COO, Sophie Moloney, took over as CEO, this being part of an accelerated succession plan. Moloney indicated that she would be moving ahead with the company's focus on streaming while also looking to push into the competitive broadband market, as noted above (Keall, 2020). Keall (2020) has outlined the challenges that Moloney would face, including direct-to-customer streaming for sports and other content, international entertainment companies wanting to cover local sports, generating profit from streaming, keeping the cost of content down, and rolling out its broadband package (with Chorus).

In its initial half-year report for 2021, Sky was reported as having a "234% jump in net profit to NZ\$39.6 million for the six months to December 30" (Keall, 2021b, para. 1). Furthermore, total customers increased by 17% to 927,000, Sky's operating expenses fell 18%, and NZ\$50m was generated from selling its outside broadcast unit to NEP Broadcasting Services (an overseas owned production company). An issue that Sky

watched closely, at the time of writing, was NZ Rugby potentially selling a 15% stake to investment fund Silver Lake. It is unclear what this will mean for Sky, but there is a chance Silver Lake could introduce its own streaming service for rugby, or wish to renegotiate the current tournament structure and rugby rights deals (Keall, 2021). Notably, Covid-19 was a threat to the sports calendar, yet Sky still increased its subscriber numbers to its streaming services (Keall, 2021).

Conclusion

When Terry Jarvis, Craig Heatley, and Brian Green founded Sky, their initial estimates about how popular it would be, and how much content and infrastructure would cost, were mostly inaccurate. Consequently, Sky's launch was marred by debt as it struggled to find subscribers. The changing of regulations to allow for foreign investment meant that U.S. investors were able to buy shares in Sky and change the company's strategy. Sky then issued decoders to subscribers at its own expense and secured the rights to exclusive sports. Then, after years of hurdles, Sky began to make a profit in the late 1990's. From 1997 to 2014, its corporate performance revealed major growth and a steady climb in subscriptions but, from 2014, results were not so promising. With the roll out of UFB, New Zealanders had access to internet TV, giving them more choice in how they could consume media content. In previous times, Sky was at the forefront of technological change as the first New Zealand company to use satellites for television coverage with digital capability. However, the arrival of internet TV has disturbed Sky's monopoly over live sport, even it has retained the majority of premium sports rights in New Zealand.

The evolving ownership of Sky reflected the surrounding influence of global capitalism and global media markets. Sky was first owned by local entrepreneurs and businessmen (gendered due to accuracy), but soon needed offshore capital to cover the cost of building the business. This capital came from major U.S.-based media and telecommunications companies. This trans-nationalization, a feature of New Zealand's media market in the late 80's and early 90's, was brought about by the deregulatory political agenda of the Fourth Labour Government. By 1997, INL had bought shares in Sky and then later it merged with News Limited, owned by News Corp. Additionally, in 1997 founder Craig Heatley also sold his shares to INL, anticipating a merger between the Sky and INL. Sky also became part of Rupert Murdoch's global network of sports broadcasters, within which satellite technology was a defining feature. The general strategy was for TNC's to become shareholders in smaller local companies to reduce competition and risk. This also allowed

for them to cross-promote their content. Over the period in which INL, or News Limited, had shares in Sky (1997-2013), Sky had a strong corporate performance, growing in subscriber numbers and in profits. It did this through buying the exclusive rights to the majority of New Zealand's premium sports content as well as through expanding on its news, entertainment, movies, kids programming, and documentary channels.

However, News Corp sold its shares in 2013, just before Sky would start experiencing the impact of streaming services in the premium content market. This was because News Corp saw limited future growth in the company. Moreover, the dominance of Sky would be put under pressure as streaming allowed for more market competition and, since then, the ownership structure of Sky has been financialised. Financialization of the media has been a growing trend in New Zealand since the 2010s (Hope & Myllylahti, 2013). It varies significantly from standard TNC ownership, as it tends to be more focused on short-term objectives and maximising efficiency within a company (Hope & Myllylahti, 2013). In the digital era, telecommunications have sought to access media content markets, and Vodafone had pursued a merger with Sky. This merger may have secured Sky's corporate performance but the Commerce Commission ruled against the merger as Vodafone-Sky would have been too dominant in the local sports rights market.

Sky's influence on New Zealand's sporting culture cannot be analysed in isolation from a changing economy, political environment, and culture. The professionalisation of amateur sports, in which Sky has provided the funds, has meant that live sport has become less of a public good and is now largely inaccessible to many New Zealanders who cannot afford to pay the Sky subscription. Although sports organisations and Sky have mutually benefited from their relationship, the former have, at times, expressed dissatisfaction with Sky's strategies and coverage. Sports organisations have an interest in growing their codes popularity through premium coverage, forming strong connections with local fans. However, the same organizations seek to develop elite professional competitions. This tension in strategy for sports organisations is explored in Chapter 5, which considers the movement of sport from free-to-air to pay-tv and the repercussions that this has had on sport as an expression of cultural citizenship.

Chapter Five: Siphoning, Anti-siphoning and Sky

As New Zealand's media landscape became increasingly commercial and global, the siphoning of sports from free-to-air to a subscription pay-TV model became an international trend. Sports moved from being a cultural good to a private commodity which was not accessible to groups that couldn't afford to pay. In response to the modern inaccessibility of live televised sports events, some governments intervened with regulations to ensure that major events were free for all citizens with access to a television. Evens et al. (2013) argue that in the spirit of fairness, citizens, wealthy or poor, should be given at least some access to the sporting and cultural events that they contribute to (because of the public funds being spent on sports organisations and events). Furthermore, public access to sport is beneficial for society in terms of its 'positive network externalities', an argument advocated for by Boardman and Hargreaves-Heap (1999) to explain how sport and cultural events create conversations which enhance comradeship. However, everyone must be able to access sport for this to exist, and popular engagement adds value to the social network surrounding the event and to society overall. Furthermore, Evens et al. (2013) suggest that watching sport can offer a nation a sense of socio-cultural identity and social inclusion (particularly if it is provided by free-to-air broadcasting). Sport watching mitigates stress and anxiety, increases public and social engagement, and crosses linguistic and cultural barriers (Evens et al., 2013). Nevertheless, it needs to be acknowledged that sport is a contested space where struggles of power relations are played out. It can be a site of racism, sexism, classism, ableism, and homophobia, and is an area where hegemonic masculinity is valued and demonstrated (Evens et al., 2013). Furthermore, there is greater economic potential in sports which have mass appeal, therefore commercialised media sport will tend to value male team sports more than amateur sports or women's sport. Evens et al. (2013) make the argument that "the role of free-to-air broadcasting, particularly public service broadcasting, is crucial here since it has potential to limit some of the negatives associated with overly commercialised sport and anchor sport to its more idealistic 'roots'" (Evens et al., 2013, p. 65).

This chapter uses four case studies to discuss the trend of siphoning free-to-air sport onto pay-TV in New Zealand, and the attempts to regulate against it. The first case study covers the 1996 siphoning of live rugby test matches, which was hugely controversial at the time. The primary focus is the clash of narratives, with Sky justifying the deal while the public, and some politicians, expressed disappointment. The next case study covers a similar issue in which cricket was siphoned onto Sky in 1998. This section continues to track some of the key perspectives about the importance of free-to-air sports broadcasting and

shows the diminishing role of TVNZ in the sports media landscape. The third case study focuses on the Review of Regulation for Digital Broadcasting. This review was an opportunity to regulate New Zealand's broadcasting industry and ensure that sports broadcasting was more accessible. However, this opportunity was squandered despite considerable public support for the regulation, including anti-siphoning. The two ministries which undertook the review, the Ministry of Culture and Heritage (MCH) and the Ministry for Economic Development (MED), did not reach the same conclusions in their analyses. Lastly, the fourth case study investigates the siphoning of netball onto Sky in 2011. This section shows some similar perspectives to the ones expressed in the rugby and cricket case studies, but a notable lack of outrage around the deal in comparison to the previous controversies.

Each case study focuses on the discourses of available texts, such as news media, advertising material, and government documents. Through discourse analysis, I identify perspectives which are used to support Sky and subscription TV in general and those which support sports on free-to-air TV. I then discuss the clashes of perspective, and how these contesting narratives reveal the different ideological understandings of sport expressed by various stakeholders and citizens. The discussion of regulations in this chapter mainly concerns anti-siphoning.

Internationally, anti-siphoning regulations first emerged in the U.S. in 1975. This was in response to the growing threat of cable TV providers siphoning network programming onto subscription funded TV (Cox, 1995). Similarly, when pay-TV entered the broadcasting markets of other nations, including Australia, India, Britain, and member states of the European Union, they responded by establishing anti-siphoning regulations. The extent and effect of these regulations varied according to the political economy of sports broadcasting at a given time and place. The key consideration here is the importance of access to sport broadcasting as an expression of cultural citizenship versus global media-sport as a lucrative commodity. The roles played by the media, TNC's, and governments, in developing the cultural relevance of sport, have dramatically changed in the context of globalisation, media commercialisation, and the professionalisation of sports. The general result was increasing tension between citizen interests and commercial interests and the purpose of anti-siphoning regulations was to counter the commodification of lived mediated sport.

The siphoning of free-to-air to pay-TV sport in New Zealand can also be situated within New Zealand's neoliberal policy agenda. As explained in Chapter Three, from the late 1980's New Zealand entered a period of deregulation and privatisation under the Fourth

Labour Government. This facilitated the flow of foreign capital into New Zealand. The National government, elected in 1990, then continued to pursue the capital of foreign investors at the expense of domestic manufacturing and economic sovereignty. Sky was founded against this backdrop of deregulation and foreign investment. Moreover, Craig Heatley, the founder of Sky TV lobbied the Minister of SOE's, Richard Prebble, to deregulate New Zealand's broadcasting and telecommunications sectors (see previous chapter) (Black, 2018). Once the sectors were deregulated Sky was able to buy new frequencies for UHF transmission. Sky was then able to slowly build its audience in the early 1990's but needed exclusive access to sport to maximise returns from their business model.

During the time that Sky was becoming established in New Zealand's media landscape, TVNZ was re-orientating itself from state broadcaster to SOE. It needed to prepare for the arrival of the free-to-air competitor TV3, which launched in 1989. In the early 1990's, TVNZ was restructured under CEO Julian Mounter. This restructure is described by Horrocks (2004) as very ambitious and commercially impressive, but with a narrow focus culturally. The incentive to maximise profit came at the expense of cultural development and public service responsibilities. Key to TVNZ's commercial strategy was the acquisition of sport (particularly the major codes) as a means of winning over audiences (Henley, 2012). TVNZ was still receiving a license fee, but its primary funding source was advertising (Evans, 2004).

The 1989 launch of TV3 was backed by American shareholder, NBC. The new entity quickly went into receivership in 1990, losing NZ\$50 million (Evans, 2004). The government then liberalised restrictions around overseas ownership so that Canwest could take a 20% stake, and Westpac (Australia) could increase its shareholding to 48%. TV3 was restructured and CanWest had full control of operations. It then grew the TV3 audience, increased advertising revenue, and expanded their coverage to include another channel, TV4. By 1998, almost all of New Zealand could receive TV3 and, over time, Canwest expanded its asset portfolio and purchased the popular radio channel, More FM. Then, in 2004, Mediaworks was created by CanWest; the company which oversaw TV3, C4 (a music-orientated channel subsequently shut down in 2014), and various radio channels. Canwest later sold its stake in Media Works to Ironbridge Capital.

In 1995, SANZAR signed a 10-year multi-million-dollar contract with News Corporation, sealing the coverage of the new tournaments' rugby union games on Sky. This foreshadowed the diminishing role that TVNZ would play in broadcasting live sport (Scherer & Sam, 2012). Following this deal, after New Zealand Rugby entered the professional era,

the NZRFU gave Sky exclusive coverage of live Super 12² and international rugby. The move to take matches which were previously available on free-to-air to a pay-TV model, was not without detractors. New Zealand First MP Tau Henare proposed an Act to protect the viewing rights of New Zealanders. This was dismissed by Parliament on the grounds that it represented state interference in the broadcasting market. Other MP's, such as Maurice Williamson from the National Party, felt that commercial changes were simply the new reality in the era of sports professionalism (Scherer & Sam, 2012). In 1996, however, National formed a coalition with New Zealand First, and the coalition agreement stated that the government should investigate the possibility of free-to-air coverage when sports contracts came up for renewal (Laxon, 1998). Yet, in 1998 when Sky won exclusive rights to live national and international cricket, no investigation was undertaken.

1996 Rugby Rights Go to Sky

In 1987, the New Zealand All Blacks won the first Rugby World Cup hosted in Australia and New Zealand. Following this, some of the major backline players signed contracts to play rugby league, which had long been professional. Rugby union was still an amateur game and promising young sportsmen were enticed by lucrative rugby league contracts. The All Blacks could no longer secure the top talent they required, and by 1995, New Zealand rugby players were demanding professional compensation for their efforts. As discussed in Chapter Three, the development of the Super League competition by Newscorp in Australia and the development of the World Rugby Corporation, organised by Australian businessmen, but pressure rugby union's amateur ideal. While the World Rugby Corporation was being organised, the New Zealand, Australian, and South African rugby unions formed SANZAR and developed a two-tier competition (Tri-nations and Super 12) to be broadcast through News Corporation. However, by the time SANZAR was ready to contract players, many had already signed with the WRC. As a result, News Corporation, which had bought the rights to the SANZAR tournaments, threatened unions with legal action to repurchase their squads (Hope, 2002). Players were put under union pressure to sign with SANZAR, with union officials appealing to national identity and national heritage to convince the players and the public that SANZAR was the best option for New Zealand rugby. The WRC did not develop as seamlessly as initially anticipated, and in the end,

² A professional tournament labelled 'international domestic' featuring the top franchises – across New Zealand, South Africa and Australia.

players abandoned WRC contracts for SANZAR. The NZRFU then became the monopoly employer for New Zealand rugby players (Hope, 2002).

On February 12, 1996, Sky announced that it had secured exclusive rights to live rugby test matches through a deal with News Corporation. All test matches played in New Zealand, Australia and South Africa would be screened live on Sky and then delayed coverage would be given to TVNZ. New Zealand rugby fans would have to pay NZ\$9.99 per week to see the live games through Sky and there was also a cost for installation. This matter was so significant that it was on the front page of *The New Zealand Herald* and *The Press* the following day, and many letters to the editor were published in the following weeks.

The following section identifies contrasting and conflicting perspectives, on the events outlined above, from the news media items. I selected as many pieces of text on this topic as were available from library archives. The data sample, thus, includes: two recordings on Radio New Zealand's *Morning Report*; one interview each with Sky CEO Nate Smith and Labour Party Broadcasting Spokesperson Steve Maharey on the *Holmes* show; one segment from *One Network News*; one advertisement taken out by Sky in *The New Zealand Herald*; two columns from *The New Zealand Herald* and one from *The Press*; one editorial from *The New Zealand Herald*; and one from *The Dominion Post*; five news articles taken from *The Press* and *New Zealand Herald*; ten letters to the editor taken from *The New Zealand Herald*, *The Press* and *The Dominion Post*; one editorial from *The Listener*; and one feature article from *The Listener*. These media outlets are described in Table 1.

The selection of current affairs material captures a wide range of opinions and influences. All of the source material is from significant New Zealand media outlets which gives an indication as to public sentiment on the relevant issues. Listed below is a brief description of each outlet, and for each text I identified various perspectives and grouped them into two categories: pro- Sky and pro- free-to-air broadcasting. From here I identified how these perspectives were positioned within wider discourses relating to trends such as the globalisation of capital and the narratives of corporate nationalism.

Table 1

Media Outlets Included in the Rugby Rights Go to Sky Case Study

Media Outlet	Media Outlet Description
<i>Morning Report</i>	Radio New Zealand's most popular segment, which airs from 6am-9am on weekdays, and sets the daily agenda for political and current affairs discourse in New Zealand.
<i>Holmes</i>	A current affairs show which aired at 7pm on weekdays after <i>One News</i> from 1989-2004. This was an iconic New Zealand program which featured Paul Holmes interviewing politicians, public figures, and covered stories of national interest.
<i>One Network News</i>	TVNZ's flagship nightly news show at 6pm (later changed to <i>One News</i>).
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>The Press</i>	A widely circulated daily newspaper in Christchurch.
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington.
<i>The Listener</i>	A popular national current affairs magazine which has featured some of New Zealand's most prominent writers.

Pro Sky Perspectives

The Inevitability of Professionalism

The perspective that the deal between Sky and News Corporation for exclusive rugby rights is justified because the professionalization of rugby was inevitable, appears strongly across the audio-visual content (*Holmes- Pay-TV*, 1996; *Morning Report*, 1996a; *Morning Report*, 1996b; *One Midevening News - Sky Reaction*, 1996), newspaper commentary ("Money had to come from somewhere" 1996; Strongman, 1996; "Whose right to rugby" 1996), and in the *New Zealand Listener* magazine features (Chapple, 1996; Welch, 1996). It came from a variety of different sources such as politicians, for example Maurice Williamson (*Morning Report*, 1996b), the Chairman of the Rugby Union Richie Guy (*Morning Report*, 1996b), Sky CEO Nate Smith (*Holmes- Pay-TV*, 1996), and journalists and opinion leaders (Chapple, 1996; Strongman, 1996; Welch, 1996). Justifications of the Sky deal involve three assumptions and in examples these will be outlined. The first assumption is that, for athletes to be paid, audiences need to pay for televised sport. Secondly, professionalization of the

sport overseas is deemed to be a threat to New Zealand Rugby. Thirdly, Sky is positioned as the saviour of New Zealand rugby because it was to fund All Blacks' salaries.

The first assumption, that the deal is justified because players need to be paid, is evident across a number of news media texts (DDB, 1996; "Money had to come from somewhere" 1996; Strongman, 1996; Welch, 1996; "Whose right to rugby" 1996).³ For example, feature article "A whole new ball game" in *The New Zealand Listener* (1996, March 2) states this point quite explicitly in a tongue-in-cheek question and answer piece:

Well why should I have to pay? Because last year the whole nature of rugby changed forever. The game turned professional, which means that players have to be properly paid- and paid huge sums in some cases. (Welch, 1996, p. 20)

This piece states that because players are to be "*properly paid*", the reader, who is positioned as asking questions throughout the article, will have to "*pay*" too. Richie Guy, the chairman of the NZRFU, got this point across very directly by emphasising that the "*consumer will pay*" on Radio New Zealand's *Morning Report* (1996, February 13):

[00:12:30] And I mean, we are now in an era where the sport has gone professional and had to go professional. It wasn't an option. And at the end of the day, the consumer will pay, whether they pay in one form or another. It makes no difference that the consumer will still pay.⁴ (*Morning Report*, 1996a)

Here Guy puts forward the idea that professionalism of sport was inevitable (it "*had to go professional*"). He also describes the audience as "*consumers*" who will have to "*pay*". While Guy suggests that these commercial realities of rugby are inevitable, this way of thinking starkly contrasts with how many fans understood their relationship to rugby. By describing the audience as a generic "*consumer*", Guy accords priority to the buying and selling relationship while obfuscating the fact that the audience's watching of sport is more than a consumption practice (viewers of televised rugby are also fans and national citizens).

³ Strongman (1996) writes for *The Press*, "the players have to be given contracts with enough money to keep them here. The NZRFU has to get the money from somewhere and Sky made the best offer so..." (para. 14), other examples included in text.

⁴ The sentiment is echoed by politician Maurice Williamson in the same segment "[00:06:44] Most New Zealanders missed what happened. They were all caught up in the euphoria of people like Jonah Lomu, with lots of other rugby players being paid, hundreds of thousands of dollars, wages and even the sort of coaches and managers and assistant orange boys are now starting to get paid. And the big question has to be asked where does the money come from? (*Morning report*, 1996a).

The language used here is highly ideological because it normalises the inevitability of professionalism. Ideology in this sense reflects the interests of the powerful and operates in language to form a common-sense understanding of the world (Machin & Mayr, 2012). In the preceding extract, the inevitability of professionalism is articulated in a way that appears as common-sense. The phrase “*at the end of the day*”, for example, highlights and supports what the speaker sees as the only sensible perspective. Here, the fact that the “*consumer will pay*” seems unassailable. This reinforces a key ideological tenet of capitalism and neoliberalism- the user must pay.

Other Inter-related Sports Markets Threaten New Zealand Rugby

As sport globalised and became commercialised, an international market for sporting labour developed. This meant that there was international competition between sports organisations to retain players and became central to the logic of running sports associations as businesses and put pressure on nationally configured sports bodies to increase revenue. The point that athletes need to be paid is connected to the assumption that international sports markets (including rugby league) are a threat to New Zealand Rugby, and this was articulated as such (DDB, 1996; Dearnaley, 1996; “Whose right to rugby” 1996). For example, the “A whole new ball game” article in *The Listener* (1996, March 2) includes the following extract (attributed to Richie Guy):

When all is said and done, though, did rugby really have to sell out this way? Yes, says NZRFU chairman Richie Guy- in order to survive as a major sport. To counter what he says would have been an “inevitable slide into obscurity.” Rugby desperately needed a well-financed way of meeting the marketing challenge thrown out by rugby league and, in particular, the enormous TV appeal of the breakaway Super League.⁵ (Welch, 1996, p. 21)

Here the writer, Chapple, uses the term “*sell out*” which connotes that something of value is being lost in the deal. In this way, the writer acknowledges the criticism being made of Sky. Guy states the deal was necessary in order for rugby “*to survive as a major sport*”. In this quote, the writer also describes the growing prominence of rugby league in New Zealand as a “*marketing challenge*”. This highlights the growing importance of promotional cultures within the sports media nexus. As Davis (2013) shows, “promotional practices have spread

⁵ Further examples: “It needs to extract a maximum value to hold its audience and players against competing countries and codes” Whose right to rugby, 1996, para. 6); “Save rugby from an inevitable slide into obscurity” (DDB, 1996); “The network chairman, Mr Barrie Downie, called it an extension of a deal between the Rugby Union and Rupert Murdoch’s News Corporation which would ‘save rugby from an inevitable slide into obscurity” (Dearnaley, 1996, para. 10)

to a number of occupations and settings which once had little or no promotional function”; this includes popular culture and media which have “adapted to promotional needs and practices” (p. 14). Additionally, Scherer and Jackson (2013) observed that the All Blacks franchise has used promotional practices to incorporate the team into an expansive global cultural economy.

Sky is the Saviour of New Zealand Rugby

The last assumption of this perspective is that Sky is the saviour of New Zealand Rugby. This perspective was articulated by Sky representatives and NZFRU Chairman Richie Guy, and also infiltrated the general media landscape.⁶ On the 13th of February 1996, Sky took out a full-page advertisement produced by Doyle Dane Bernbach (DDB) in *The New Zealand Herald* (See Figure 5). This was not designed to sell Sky subscriptions, but rather to put forward a positive narrative for Sky as a company. The advertisement was written to look like a newspaper headline with the title “Sky halts export of prime N.Z. beef”. This description of the All Blacks aligns the team with New Zealand’s agricultural sector, which is highly significant to New Zealand’s economy, history, and traditional farming culture. Thus, here Sky aligns itself with New Zealand’s national identity, a process which can be described as corporate nationalism.

The image used depicts the All Blacks, in what looks to be a post-try celebration, and includes two players lifting their hands towards each other while other players smile and move into a huddle. The players with their arms up take the most prominent position in the image as the other players face them. Overall, the composition and subject matter of the image sets a tone of celebration and unity. The viewer is thus positioned to celebrate Sky’s exclusive rights to live rugby as it is depicted as a win for New Zealand.

Unity is also reflected in the textual semantics. There is a use of the first person pronoun “Thanks to SKY, we can all breathe a sigh of relief”. Fairclough (2000) suggests that there is always a vagueness about who an inclusive ‘we’ stands for. Politically, it can be used to conceal disharmony by speaking for ‘everyone’. This *we*, however, refers to New Zealanders but conceals the fact that some do not have access to Sky, some are unable to

⁶ Richie Guy on *Morning Report* states: “[00:11:26] We have a mandate to make the necessary arrangements. If we hadn’t made the arrangements we’d made, you wouldn’t be seeing All Blacks, people wouldn’t be sitting around arguing about whether or not they can watch rugby on television. They wouldn’t be watching it at all. There wouldn’t be an All Blacks team.” (*Morning Report*, 1996a); Nate Smith on *Holmes* states: “[00:03:39] Rugby was saved because, the point being, Paul, that if it hadn’t, there wouldn’t have been any All Black tests to save in future years (Holmes, 1996). Dearnaley (1996) describes Sky as “portraying its coup as the salvation of New Zealand rugby” (para. 9).

afford it, and some do not follow rugby. Sky positions itself as acting for national interest and saving New Zealand rugby from the global pull of more lucrative contracts which hides their objective of making a profit from securing exclusive live sports coverage (ie., they have purchased the rights from global conglomerate News Limited). According to Davis (2013), advertising can use appeals to human values and narratives to disguise corporate activities, “companies such as McDonald’s and Kodak explicitly link their products to the maintenance of ‘family integrity’, or ‘continuity’ with idealised ‘community’ or history. The irony is that large corporations are also implicated in the erosion of such social relations” (p. 54). This contradiction is evident in the advertisement (see Figure 5 below). Sky positions itself as saving New Zealand rugby and protecting national sovereignty while it removes the free-to-air access to sport previously held by New Zealanders.

Figure 5

Sky Advertisement

SKY HALTS EXPORT OF PRIME N.Z. BEEF.



There's only one thing more frightening than the All Blacks running towards you, and that's the thought of them running away.

But thanks to SKY, we can all breathe a sigh of relief.

Our top rugby stars are no longer easy pickings for the Super League, the WRC or even Japanese clubs. What's more, in 1996 SKY will bring you full coverage of over 100 games.

Now when you combine this with our 24 hour a day coverage of all the other premier sporting events, you could say ...

'SKY Television. It's got it all!'

And you'd be right.



IT'S GOT IT ALL

DPB 1081 NZH

Note. Sky advertisement published in *The New Zealand Herald* (1996, February 13).

P. 3. Copyright 1996 by DDB.

Live Sport as a Market

Another key claim used to justify the deal was that pay-TV was part of the free-market and that New Zealand was now a user pays society. In 1996, New Zealand had recently experienced a neoliberal restructuring of society. For example, in an article titled “Sky grabs possession” in the *New Zealand Listener* (1996, March 2), Geoff Chapple writes about the deal: “You wanted market forces- and the Great Helmsman and his government have wanted nothing less- you got market forces” (p. 7). The Great Helmsman he refers to here is Jim Bolger, the then Prime Minister of New Zealand. Similarly, Ken Strongman of *The New Zealand Herald* argues that the deal is a result of New Zealand having a “market-forces, user pays economy” (Strongman, 1996, p. 14). This language is found throughout articles, radio, and letters to the editor in mainstream media (Chapple, 1996; *Morning Report*, 1996a; *Morning Report*, 1996b; Sabine, 1996; Strongman, 1996).⁷ It also permeates the discourse of Nate Smith when he appears on the *Holmes* show just before the official announcement was made:

Paul Holmes: [00:04:37] It is my understanding that the Prime Minister will be furious if the rugby goes to pay-TV. He says New Zealanders are entitled to see a New Zealand icon free-to-air, live. You might have problems there.

Nate Smith: Well, we already have rugby on pay-TV.

Paul Holmes: Live, big games, the test against South Africa, the Bledisloe Cup, the works.

Nate Smith: I see. Well, as I say, I think when it comes to all sports and even including rugby, it's a very competitive market and on an ongoing basis, we end up with some cricket, TVNZ ends up with some cricket and TV3 ends up with some cricket. So I think it's more the marketplace is going to determine how much ends up where. (*Holmes- Pay-TV*, 1996)

Smith gives the “*marketplace*” agency by assigning it the role of ‘determining’ what will happen with sports broadcasting rights.⁸ This framing allows Sky to evade the argument that the public ought to have live free-to-air access. Smith also describes the market as “*very competitive*”, thus reinforcing an important assumption of neoliberalism; that deregulated markets are competitive and work best without state interference. However, as has been

⁷For example, “In the end, although a lot of New Zealanders don’t like it, the *market* rules- the hog is in the tunnel, and all notions about rugby as the mysterious underbond of Kiwi character will be burst asunder” (Chapple, 1996, p. 7). “Live telecasts are only a phenomenon of the past 25 years and, like virtually everything else these days, have become a negotiable commodity. You want birthright; you pay for it. This is a worldwide trend” (Welch, 1996, p. 20).

⁸ A similar point is made by NZRU Chairman Richie Guy, when asked on *Morning Report* if he thought free-to-air access would be an issue, he answers “[00:09:25] Well if we looked at the market forces, prevailing at the time, we had got to a position, in terms of television in New Zealand, where a mix of about 50/50 was on Sky and TVNZ and market forces that would, we felt, ensure that the matches were on free-to-air” (*Morning Report*, 1996a)

documented, sports broadcasting markets have a tendency towards monopolies (Evens et al, 2013).

The agency given to *the market* is central to the ideology of neoliberalism, a philosophy which believes that the 'free' market is an important principle for structuring society. Neoliberalism is a philosophy and public policy objective which has also colonised language, which means that business language has moved into previously unrelated fields. When a *market* is given agency, it is worth asking which specific social agents are being erased. Holborow (2015) writes that "financial markets are transformed into powerful super-beings, while appearing to act independently of humans, and yet which govern people's lives" (p. 40). When Nate Smith claims that the marketplace will decide what sport is played where, he is evading any responsibility on behalf of Sky to be accountable to the New Zealand public. He is aware that gaining exclusive rights to sport is important to the business model of pay-TV, but claims that it is the *market* which is determining where those rights end up.

Pro Free-to-Air Perspectives

Fairness, Accessibility and Inequality

When the siphoning of rugby was announced, Sky's coverage was limited and 400,000 people in New Zealand were not able to pick up the Sky signal (Hope, 2002). They included people from Taranaki, Marlborough, Stewart Island, South Canterbury, and Northland. Furthermore, many people were not able to afford a Sky subscription. The fact that many fans were outraged by this was well covered in the news media- for example, the day after the announcement, the first headline on the front page of *The Press* read "Sky's TV rugby deal under attack" (1996, February 13). The next day it published an article titled "Rugby anger signals trend" (1996, February 14). The outrage expressed about the Sky deal focused on a key perspective; that the deal was unfair and the rugby inaccessible. This perspective was represented in letters to the editor and in the 'vox pop' of audio-visual news material, but was not well represented by reporters or writers of editorial pieces. An example of this discourse can be found on Radio New Zealand's *Morning Report* (1996, February 13), which included a segment consisting of statements from attendees at Wellington's Prince of Wales hotel:

Speaker 1: [00:05:51] I reckon the guys who can't afford it should be able to watch it on live TV themselves.

Speaker 2: We've got Sky ourselves, in that respect it doesn't really bother me, but I feel sorry for a lot of people out there who haven't actually got access to Sky, I don't think it's fair really.

Speaker 3: It's important for all New Zealanders to see the game because it brings the country together. It's not a game for the rich only, there's a lot of poor people who can't afford Sky but they are the ones who just as much enjoy the game, I wonder about how TVNZ's revenue source couldn't compete with Sky. (*Morning Report*, 1996a)⁹

These responses from the public focus on the unfairness of live rugby not being accessible to all. *Speaker 3* characterises unfairness in the economic terms of “rich” and “poor”. Similarly, *Speaker 1* talks about those who are not able to “afford it”. The speakers represent the argument that the deal was unfair in an informal manner, for example, *Speaker 1* uses the word “reckon” in the first person. Furthermore, these views on Radio New Zealand's *Morning Report* are represented but are not given much time or space. They have less status than the expert opinions of politicians; NZRFU chairman Richie Guy and Sky CEO Nate Smith (*Holmes- Pay-TV*, 1996; *Morning Report*, 1996b). Fairclough (1995) suggests that ‘ordinary people’ typically are represented in the news media as having reactions to news, but not as news sources. Interestingly, when the discourse of fairness, accessibility, and equality is mentioned by the establishment news media, it is dismissed rather than developed. For example, in The *New Zealand Listener* article “A whole new ball game” (1996, March 2), Welch hypothetically raises this concern about fairness with the question, “doesn't this mean, then, that anyone who can't afford Sky- and therefore can't watch the All Blacks live- is reduced to the status of a second class-viewer?” He then gives the tongue-in-cheek answer, “Look on the bright side. Winter Saturday afternoons have just opened up for you” (Welch, 1996, p. 21).

In the article “Rugby anger signals trend” (1996, February 14) published in *The Press*, University of Canterbury Lecturer Denis Dutton is quoted as saying, “Rugby was a great democratic icon in New Zealand life and its loss from free television coverage struck at the heart of the egalitarian kiwi myth” (p. 3). From the early days of colonialism, New Zealanders had a belief that New Zealand was an egalitarian country. Evans (2004) shows that in the 19th Century many considered New Zealand to be a “working man's paradise” as living conditions were good and there was not an established gentry. This myth, particularly

⁹ Similar points of view were included later in the segment when recorded calls from talkback radio were played to Rugby CEO Richie Guy for comment.

relevant to Pākehā men, overlooked racial and gender inequalities. However, by the time New Zealand shifted towards neoliberalism, this myth had been eroded due to its contrast with the reality of many people's everyday experiences, as well as their exposure to images of inequality from watching television. The discourse of the free-market and user-pays society is characterised by individualism. Macdonald (1996) argues that individualism has “spurned the underlying values of a socialist model of collective well-being, and that watching rugby became another option in the lifestyle supermarket- albeit a popular one” (Macdonald, 1996, p. 32). Through these examples it is evident that ‘fairness’ is important to New Zealanders, but is not prioritised by high profile figures in the sports media nexus, nor in the discourse of mainstream media.

Cultural Citizenship Rights

Once the Sky-All Blacks deal was announced, there was immediate reaction and speculation as to whether New Zealand could, and should, regulate the market so that New Zealanders received free-to-air live rugby. Leading this change was New Zealand First Deputy Leader Tau Henare. He sought leave to introduce ‘The Live Broadcast of All Black Test Matches Act’. Moreover, in an interview on Radio New Zealand’s *Morning Report* (1996, February 14), he described live rugby as a “*national cultural icon*” and a “*national treasure*” which should be accessible:

Tau Henare: [00:06:46] I'm just trying to protect what I believe is a national cultural icon in New Zealand. And that is All Blacks test match rugby. At the end of the day, what we're talking about is the national treasure. And that national treasure is that hundreds of thousands of young kids out there, and men and women, play rugby every Saturday. And that is our national treasure. It's who we are. (*Morning Report*, 1996b)

In the *New Zealand Herald* article “Sky deal spells end of era for live test rugby” (1996, February 13), Dearnaley writes, “New Zealand First Deputy Leader, Mr Tau Henare, said most New Zealanders would be denied their “birthright” without the financial or technical means to watch their national sport at its pinnacle”. The word “*birthright*” is then used to dispute the idea that New Zealanders have a right to access free-to-air rugby (Welch, 1996).¹⁰ It was not a point that was explained very effectively by Dearnaley or Henare. In the interview that Henare had on *Morning Report* (1996a), the journalist Mike Hosking accuses

¹⁰ Dennis Welch (1996) writes for *The Listener* “isn't that outrageous? Isn't it- as New Zealand First MP Tau Henare has said- my birthright to be able to watch nationally inspiring events such as All Black tests, as they happen, on a free-to-air channel? Get real. Time was, not so long ago, when you couldn't see live telecasts of All Black tests at all, or not in your region if the test was being played there. (p. 20)

Henare of using the argument for electioneering; an accusation that is furthered in a letter to the editor.¹¹ All in all, the anti-siphoning legislation proposed by Tau Henare was ruled out by Attorney General, Paul East, on the 14th of February 1996, who said “it was inappropriate for Parliament to legislate”. It was believed that “Parliament should not legislate in individual matters between private parties” (“East rules out support for free-to-air test match bill” 1996, para. 4).

National Heritage Lost

Claims that free-to-air sport was an important part of New Zealand’s national heritage were presented throughout the news media texts. They were articulated by politicians, members of the public, and some journalists (Chapple, 1996; Hunter, 1996; *Morning Report*, 1996a; *Morning Report*, 1996b).¹² The most high-profile person to make the counter-argument was then Prime-Minister, Jim Bolger, who opposed the deal but was not prepared to implement regulations. On Radio New Zealand’s *Morning Report* (1996a), the day after the announcement, host Mike Hosking presents Bolger with a free-market perspective, which Bolger counters by drawing on national heritage:

Mike Hosking: [00:15:37] If I've got the money to buy a product and I own it, what on earth am I doing wanting to help my competitors?

Jim Bolger: A very simple reason, from the rugby union perspective, they need to maintain their very high profile in the minds of New Zealanders to retain; workers at club level, new players coming in, and the schools and the clubs, so that they sustain their position as a dominant force in world rugby. I mean, the rugby union isn't some great gift to the rest of the nation. They organise rugby on behalf of these sports minded rugby playing New Zealanders. And there's thousands of mums and dads up and down the country who, every morning on a wet Saturday in the middle of winter,

¹¹ Fraser (1996) in a letter to the editor of *The Dominion Post* writes, “So next time you hear Labour MP Steve Maharey and New Zealand First MP Tau Henare advocating a State rescue of rugby, remember that their eye is not on the ball but the next election”.

¹²Chapple (1996) writes for *The Listener*, “For those who thought that the school, club and provincial games they had played, the teams they had coached, the raffles they had run, the jerseys they had washed and the exhortatory cries they had uttered over years had somehow earned them an inalienable right to watch All Black rugby, the expropriation was a shock. It seemed like the last rising of the free-to-air flame- it was almost quaint-as the Prime Minister spoke of “the unique place rugby has in the New Zealand psyche” (p. 7); Hunter (1996) writes in a letter to editor, published in *The Dominion Post*: “I Think it is outrageous that Sky TV has secured the rights to broadcast professional rugby. No more struggling out of a warm bed in the wee hours to sit wrapped in a blanket to stare bleary-eyed at a telecast from overseas. No more Saturday afternoons spent guiltily indoors while others have quality time with their families or mow lawns or complete DIY projects. My life may be fuller, and perhaps healthier, without live rugby to watch. However, I consider the ability to follow the exploits of our national representatives to be a right. Cricket has been professional for quite some time, yet most international games, and many I wish I had never seen, have been freely available to armchair spectators.

take their 6,7, 8, and 10 and 15-year-old out to rugby. And that's part of the Rugby Union. That's part of rugby folklore in New Zealand. And they like to go home and actually watch an All Blacks test in Auckland live. They can't be there themselves and they'd just like to watch it live. And an hour delay I think is a bit petty. (*Morning Report*, 1996a)

Mike Hosking describes rugby as a “*product*” that operates like any other “*product*” in the “*marketplace*”. Jim Bolger does not reply using market-based discourse, but rather, evokes a personalised image of everyday New Zealanders. He appeals to “*mums and dads*”, which is a common rhetorical device politicians use to appeal to the public. Machin and Mayr (2012) describe the discourse of family signifying something “safe, stable and common to all of us” (p. 32). Appealing to families, which are valued by society, can be used to generate moral force for one’s point of view (Machin & Mayr, 2012).

The claims that rugby is nationally significant were also contested in news texts, particularly in letters to the editor. For example, in *The Press*, two letters to the editor (1996, February 15) complained about the place that rugby holds in New Zealand society (Bliss, 1996; Buckley, 1996). One letter describes rugby as “the opiate of New Zealand society” (Buckley, 1996, para. 1). Another states, “why all this ridiculous fuss about Sky TV taking over the broadcasting of rugby matches in this country? Played in this land, the game, with its eye gouging, its ear-biting, and regular fisticuffs, has degenerated into a brutal and ugly spectacle” (Bliss, 1996, para. 1). This brings to the forefront the contentious use of ‘we’ throughout the discourse. Morrison and Love (1996) write that letters to the editor can be used to offer constructive criticism and counter hegemonic points of view, although they are selected by editors who may prefer letters based on their own ideological stance. They can also “function as a containment of criticism, defusing it by allowing it space for expression” (Morrison and Love, 1996, p. 47). In this case study, the letters to the editor show that the appeal to national significance, by rugby supporters, presumes a national cohesion and suppresses the contested nature of national identity. Hall (2017) suggests that the united identity of a nation fails to acknowledge the differences which exist and are imposed through cultural hegemony. This discourse is an example of cultural hegemony; with some New Zealanders contesting the place of rugby in New Zealand’s national identity.

The Clash of Perspectives: Conflicting Views of the National

The first perspective presented in this chapter is that New Zealand rugby needed to go professional to pay players so that they would not defect to other countries or codes. This perspective is expressed as being key to the survival of rugby. However, this perspective draws heavily on the discourse of neoliberalism and global capitalism, with keywords such as *market*, *marketplace*, *consumers*, and *product* being used to describe professionalised sport. It also draws on discourses of national identity. For example, the Sky advertisement featured earlier states that “*we can all breathe a sigh of relief*” that they have the broadcasting rights. It also refers to the All Blacks as ‘N.Z. Beef’, which they have “*saved*” from moving to professional teams offshore. However, this is the discourse of corporate nationalism. Sky is drawing on the national icon of the All Blacks but are, at the same time, making access to them more exclusive. From a pro-Sky perspective, the audience are “*consumers*” who need to pay for a “*product*”. The principles and strategies of global business are applied to rugby, and the competition between New Zealand rugby and rugby league is understood by the NZRFU as a “*marketing challenge*”. I also see the use of advertising as a key site for defining the narrative around New Zealand rugby broadcasting, as Sky is able to articulate itself as an important source of revenue for New Zealand sports. The pro-Sky perspective shows that the language and ideology of global capitalism had filtered into the area of sports broadcasting. Addressing national citizens as “*consumers*” and seeing the NZRFU as an organisation responsible for marketing rugby as a global commodified cultural product, both exemplify the seeping of “*promotional culture*” into all areas of society (Davis, 2013). Promotion has become ubiquitous and re-shapes organisational structures, as well as the norms and values of society. In this case study, the articulation of this more market friendly attitude within the NZRFU is quite stark. It comes into conflict with other perspectives on the role of the NZRFU which suggest that they should look after the ‘grassroots’ of the game (*Morning Report*, 1996b; “What others are saying” 1996; Wilson, 1996).

The pro free-to-air perspective argues that rugby is an important part of New Zealand’s heritage and that, for the sake of fairness, New Zealanders should be able to watch it without charge. Being able to watch free-to-air live sport was also expressed as a cultural right, but that discourse was more marginal. The narratives around national significance rely heavily on appeals to history, and to the routines of everyday New Zealanders. A focus on tradition is a key element of constructing the story of a modern nation, but such narratives smooth out “the discontinuities of a turbulent and contested history into the uninterrupted flow of a long, unbroken, organic evolution” (Hall, 2017, p. 139). While this perspective is found throughout the chosen texts, it did not translate into any regulatory action. This may have been because the Prime Minister at the time, while

opposed to the loss of rugby from free-to-air TV, was still committed to neoliberal policies. Certainly, anti-siphoning regulations were ruled out by Attorney General Paul East. The pro free-to-air perspective was only evident marginally across the texts. Furthermore, this discourse tends to be expressed largely through citizens and not through editorial voices, which often gave more weight to the pro-Sky perspective. Watching and participating in a 'national sport' can become part of the everyday experiences which construct, what Billig (1995) describes as, banal nationalism. This case study shows that watching rugby in New Zealand had an emotional and historical significance. This was considered by some, but not all, to be part of New Zealand identity. Moreover, citizenship is not only about rights and freedoms, but also, the discourse of identity and belonging (Stevenson, 1997). This case study demonstrates the undermining of the citizenry's ability to participate in watching sport—a process that was to continue further.

1998 Cricket Rights Go to Sky

On the 16th of April, 1998 it was announced that cricket would also go behind Sky's paywall in a five-year deal starting from 1999. It was important for Sky to acquire cricket rights as subscribers were abandoning it over summer, and with cricket more subscribers would stay on their subscription plans all year around (Love, 1998). Like the siphoning of rugby, this was met with disapproval from fans and some politicians. There was also discussion around the role of TVNZ and its relationship to the government. It was suggested that TVNZ should have told the government that it had lost the cricket rights, as it was a SOE. The National-New Zealand First government was formed during 1996. Furthermore, their coalition agreement granted the government the right to investigate free-to-air coverage of sport when broadcasting contracts next came up for renewal (Laxon, 1998). Free-to-air coverage was generally well supported by the public, with an opinion poll from the 1996 National Business Review showing that "about 70% of adults wanted a law to ensure major sports were shown live on free-to-air TV" (Espiner, 1998, p. 2).

It was noted in *The New Zealand Herald* that this deal did not cause as much outrage as the 1996 rugby deal ("TVNZ draws the stumps" 1998). The unknown author attributes the lack of outrage to cricket not being as nationally significant as rugby in New Zealand, as well as to "a greater awareness of the facts of life in professional sport" (para. 2). This point was furthered by New Zealand journalist Tim Watkins in the *NZ Listener*, who also stated that the outrage had diminished, possibly because "most New Zealand sports journalists can afford Sky" (Watkin, 1998, p. 22). Throughout these texts there was also much less discussion of

professionalism, as cricket had gone professional before the deal was made. This case study puts greater focus on the role of TVNZ in sports broadcasting. By this stage some areas of New Zealand were still not able to receive UHF coverage. Moreover, it was reported on One News that only 74% of New Zealanders had easy access to Sky, with areas north of Whangarei, Gisborne, West Coast, and Nelson missing out (*Breakfast- Cricket IV*, 1998). However, Sky CEO Nate Smith argued, on *Checkpoint*, that all New Zealanders could receive Sky via satellite (*Checkpoint*, 1998) even though, at the time, a satellite dish came with a costly up-front fee of NZ\$650 (Anderson, 1998).

This case study draws upon 25 texts. They comprise one television interview from TVNZ's *Breakfast*; one radio feature from Radio New Zealand's *Checkpoint*; one video segment from *One Network News*; 15 news articles from *The New Zealand Herald*, *The Dominion Post*, *The Press*, the *Sunday Star-Times*, the *Waikato Times*, the *Manawatu Standard*, and *Taranaki Daily News*; one letter to the editor from *The Dominion Post*; two editorial pieces from *The Dominion Post* and *The New Zealand Herald*; three columns from *Sunday Star Time* and *The New Zealand Herald*; and one feature article from the *New Zealand Listener*. Table 2 provides a brief description of each outlet examined:

Table 2

Media Outlets Included in the Cricket Rights Go to Sky Case Study

Media Outlet	Media Outlet Description
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>The Press</i>	A widely circulated daily newspaper in Christchurch.
<i>The New Zealand Listener</i>	A popular national current affairs magazine which has featured some of New Zealand's most prolific writers.
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington.
<i>Sunday Star-Times:</i>	A weekend paper covering national and international news
<i>Waikato Times</i>	The daily newspaper of the Waikato region.
<i>Manawatu Standard</i>	The daily newspaper of the Manawatu region.
<i>Taranaki Daily News</i>	A daily newspaper in Taranaki.

TVNZ <i>Breakfast</i>	TVNZ's morning news and talk show, covering news, weather, sport and features.
RNZ's <i>Checkpoint</i>	A 5pm radio news and current affairs programme, which covers national and international news with in-depth interviews.
<i>One Network News</i>	New Zealand's flagship TV news bulletin show, starting at 6pm

One related issue, which was also covered in some of these texts, is that TVNZ was no longer going to get delayed coverage of rugby from Sky, meaning that live and delayed games would only be accessible through Sky channels. This was reported as Sky 'toughening' their arrangement with TVNZ (Espiner, 1998c). Furthermore, Sky CEO Nate Smith framed the situation as "testing TVNZ's appetite as to how much rugby it wanted to screen and how much money it was prepared to pay" (Espiner, 1998c, para. 20). This provides further context to the concern that people had at the time around losing sport to Sky.

Pro Sky Perspectives

Sky is Investing in Cricket

Many of the news media texts focus on Sky's 'investment' in New Zealand cricket. For example, Richard Boock's article for *The New Zealand Herald*, titled "Future looking up with Sky" (1998, April 16), gives NZC's chair Chris Doig's comment on the deal:

NZC chief executive Chris Doig nonetheless said there would be increased resources for the game. Cricket development and improved payments for first-class players were high on NZC's priority list, as were the needs of cricketers at the opposite end of the competitive spectrum. (Boock, 1998. paras. 4-5)

Brockett's article for *The Dominion Post* titled "Pay-TV dominance is a sport 'positive'" (1998, May 21) quotes Hart, a former All Blacks coach who was a director on Sky's board. The article says, "Hart (...) said Sky's investment in cricket could boost the sport, as it had done rugby. I think rugby has grown from the sort of investment that Sky have been able to make in it. It is the reality of sport today" (para. 3). When the news was broken on TVNZ's One News in 1998 (April 15), this frame was also used:

Kate Heard: [00:00:18] Today's announcement ends 36 years of free-to-air coverage on TVNZ. From next year cricket viewers will have to pay. But New Zealand cricket claims the deal can only benefit the game.

Chris Doig: One of the focuses there will certainly be on the ability to improve and enhance payment to first class players and to retain people in the game longer.
(*Breakfast- Cricket IV*, 1998)

The New Zealand men's cricket team, the Black Caps, had been performing poorly in the late 1990s and this is referred to throughout many of the articles. Consequently, Sky was able to argue that greater investment in the game by pay-TV was necessary. For example, on Radio New Zealand's *Checkpoint* (1998, April 15) host Sean Plunket questions why Sky has bought the rights, despite the Blacks Caps poor performance:

Sean Plunket: [00:06:56] Given the state of New Zealand cricket, do you think it is going to be a ratings winner for you though?

Nate Smith: Oh, yeah. I mean, I think the one thing that's being missed on some of this is that if you look and see what's happened to premier soccer in the UK since BSkyB started putting a substantial amount of money into the rights, is that the product's got nothing but better. And I think that's very analogous to the potential for cricket. Obviously, we're much more optimistic about where the potential for New Zealand cricket is than our broadcast partners. (*Checkpoint*, 1998)

Here Smith draws on an international comparison to premier soccer in the UK going to BSkyB.¹³ He uses the word "*product*" to discuss cricket, as he did with rugby in the previous case study. Smith states that Sky is more "*optimistic*" about New Zealand cricket than TVNZ is. This is a convenient narrative for Sky and shows that it is managing its public perception through criticizing TVNZ (after TVNZ pulled out of the bidding on financial grounds). In this context, Sky's statement about being more optimistic about cricket aligns it with cricket fans, it can present itself as the saviour, as was the case with rugby.

This perspective is put forward by the NZC CEO, Chris Doig, and Sky CEO Nate Smith. For example, in an article titled "Doig paints positive picture of Sky cricket deal"

¹³ This comparison is also attributed to Nate Smith in the *Dominion Post* article "Deal is good for cricket" (Espiner, 1998b).

published in *The Press* (1998, April 14) by Shayne Currie, Doig advances the narrative that New Zealand cricket is in “*desperate need of additional funding*”:

In early September, Sky will offer its new satellite service with an additional 20 channels. A new sports channel will be offered with this, taking the overflow of any events from the main sport channel.

Meanwhile, the windfall for cricket from selling the screening rights will be poured back into the sport.

District associations were in desperate need of additional funding and New Zealand cricket would be able to pay more players professional fees at first class level, Doig said.

One of the greatest worries is there are very few people playing the game over the age of 30. That has to do with commitment to play at the highest level in terms of time and preparation (Currie, 1998, paras. 15-18).

The title of this article, which refers to Doig as “*painting a positive picture*”, shows an awareness that he is endeavouring to frame the deal in a “*positive*” light. Journalism and public relations share a symbiotic (but sometimes tense) relationship with journalists relying on crafted interviews and press releases from sports organisations to break stories. Here, journalists show the perspective of NZC but also show NZC has an interest in controlling its public perception through the selective framing of particular views.¹⁴ The description of the money from Sky as a “*windfall*” alludes to NZC receiving more money than they did with TVNZ. Sky used a strategy of paying much more than TVNZ in new rights deals, making it difficult for sports associations to turn away the money even if free-to-air was a preferred promotional vehicle (Parussini, 2021). These words highlight how the deal with Sky had financially improved NZC’s financial standing. The underfunding of district associations, emotively described as “*desperate*”, legitimises the need for NZC to take the highest bid, as opposed to striking a deal with free-to-air provider TVNZ.

¹⁴Also found in *The Dominion Post* article “Deal is good for cricket” is the following passage: “Asked to front up in the battle of the haves versus the have-nots, Sky boss Nate Smith comes back with a googly. The delivery he serves up spins the issue, in a pitch that says what Sky has done is good for the game” (Espiner, 1998b, para. 3)

Sport is a Business

Compared to the rugby case study, there was very little discussion on professionalism. This may be because cricket had already been professionalised or it may have been the case that New Zealanders were now accustomed to professional sport. The previously contested discourse around the professionalisation of rugby appears to have been naturalised by this stage, having taken the ground of common-sense. However, this case study does show the 'sport is a business' perspective used to justify the deal. In *The New Zealand Herald* column titled "No Underarm Agenda is Sky's Cricket Catch" (1998, April 16), Calder writes:

Top sportsmen don't have another job these days and they certainly don't tog up after morning milking and drive down to the park as they used to. In the professional era, they are stars; they command stellar fees and sport is big business. (Calder, 1998, para. 8-9)

Here Calder uses descriptive imagery to describe the history of amateur cricket and compares it to the "*professional era*". The imagery of "*morning milking*" taps into New Zealand's national identity as being a country built on the agricultural sector. This contrasts with professional cricket players as "*stars*" as in the spectacle of commodified televised sport, athletes are celebrities. His description of sport as "*big business*" in the "*professional era*", shows that the word "*professional*" has had a shift in meaning. Once it described simply paying athletes in return for their time and labour. Now it is associated with "*big business*" and "*stellar fees*" and the general spectacle of commercialised sport.

This perspective is usually expressed in quite a blunt, matter-of-fact way. An editorial in the *The Dominion Post* titled "Cricket's ball in Sky's court" (1998, April 18) reads "Business is business, and elite sport in New Zealand is still a voluptuous cash cow" ("Cricket's ball in Sky's court" 1998, para. 2). The phrasing, "*business is business*", suggests that there is no need to explain the deal, that the fact that sport is now a business is reason enough. Similarly, The *Sunday Star-Times* published a column by Marc Hinton (1998, April 19), titled "Pay up and shut up" which reads:

And oh how the wails have begun. Again. It might even be the same poor souls who cried about being denied the opportunity to watch their beloved All Blacks live. Why should we have to pay for Sky to see our national pastimes, they whinged.

Well they do. And it's a fact of life. Like power cuts, road rage, philandering politicians and stumbling economies it's here and there's sod all they can do about it.

Players demand pay these days, so sports must look for ways to fund the salaries. TV is the logical answer. (Hinton, 1998, paras. 7-9)

This piece dismisses concerns over the loss of sport from free-to-air as “*wails*”, and sarcastically describes those who are concerned as “*poor souls*”. This emotive language is then contrasted with a very blunt “*well we do*” and “*it's a fact of life*”. These phrases are ahistorical statements, but it drives home the writer's opinion; that those who complain about paying for sport need to: “move on” and accept it¹⁵.

The discourse outlined here has an everyday, conversational character. Its hegemonic power derives from the irony that elite interests are expressed in popular vernacular. The technical economic discourse used in the board rooms and offices, which decide on sports rights deals, is not deployed here, nor is there any substantial rationale for the decisions made. Telling the public to just accept the deal as a “*fact of life*” disavows the imposition of power, but there is an implicit aggression in denigrating any public dissatisfaction as “*wails*”. This discourse allows for no public dialogue or debate.

Blaming TVNZ

Throughout the news texts, there is a heavy focus on the role of TVNZ. At this time, TVNZ was a SOE, which needed to return a dividend to the government. As a SOE it had been commercially successful but sacrificed its public service obligations. TVNZ withdrew from negotiations with NZC, stating that it had made a loss from NZC in the past. This interview from *Checkpoint* on *Radio New Zealand* (1998, April 15) depicts this conflicted position of TVNZ:

Murray McCully (Sports Minister): [00:02:52] I think that state-owned broadcaster, Television New Zealand does have some residual obligation to maintain certain coverage of New Zealand's sport and culture. I am certainly going to be asking some questions to satisfy myself that those obligations have been given proper weight in their decision to withdraw.

¹⁵ This could be understood through Gramsci's (1971) concept of hegemony. The way that dominant groups can rule through consent but constructing hegemonic attitudes and beliefs through establishing viewpoints which are taken as 'common sense'.

Reporter: Former Test cricketer John Parker says the switch to Sky is sad but not unexpected. He calls it the last nail in the coffin of major sport on free-to-air TV.

John Parker: For me, it all started many years ago when Television New Zealand tried to sort of get out of their responsibilities, perhaps as being a government funded organisation to present entertainment to New Zealanders. They started the process many years ago by selecting their four or five sports that they were going to show free and everybody else had to pay. The Chief Executive of New Zealand Cricket, Christopher Doig, says they'd rather have kept cricket on free-to-air TV, but TVNZ pulled the plug.

Christopher Doig: We're delighted that we've been able to get a very good deal with Sky, but the board would certainly have wished to have had the opportunity of balancing the deal against a free-to-air arrangement and making a determination in the best interest of the sport. We were denied that opportunity. (*Checkpoint*, 1998)

Murray McCully states that he will 'ask questions' of TVNZ but gives a very non-specific answer as to how he will deal with the situation. This shows a lack of commitment to acting accountably. On the other hand, John Parker puts the blame on TVNZ for getting out of its responsibilities. As explored earlier, this process started when the Government decided to make TVNZ a SOE. TVNZ was trying to be a successful commercial operation, which came at a cost to its public service remit. Lastly, Doig does not mention TVNZ, but describes the situation for NZC as having been "*denied*" an "*opportunity*" to do a free-to-air deal. Here, TVNZ is accorded the blame for cricket going onto Sky. The term "*deny*" carries the implicit accusation that TVNZ is culpable.

In a TV One *Breakfast* (1998, April 15) television interview on TVNZ One, news presenter, Susan Wood, raises a question about the framing of the deal and the different narratives coming from NZC and TVNZ. She refers to their framing cynically as a "*spin*":

Susan Wood: [00:02:44] Interesting spins on this, TVNZ, of course, saying, look, it's just too expensive, we've lost \$15 million in the past, in the life of this contract, \$25 million since we've been associated with New Zealand Cricket. New Zealand Cricket is saying were very disappointed, surprised, TVNZ pulled out. Got any insight on it?

John Morrison (former cricketer): Not really. I think there's a bit of a PR game going on, which people say what suits them the best. (*Breakfast- Cricket IV*, 1998)

As Morrison points out, both organisations use the discourse which reflects their organisation's goals. The year earlier, TVNZ paid a NZ\$50 million dividend to the government (Watkin, 1998); furthermore as a SOE, TVNZ did not want to take a loss on cricket as it was driven to increase their profits. If the government had waited to keep cricket free-to-air, it could have forgone TVNZ's annual dividend payment. NZC framed the issue as though TVNZ did not put any effort into purchasing live cricket rights, but did not mention that it asked for a higher bid than TVNZ's initial offer. Nor did it say how much the cricket rights would have cost TVNZ.¹⁶

Pro Free-to-Air Perspectives

Fairness, Accessibility and Inequality

The perspective of fairness is included in some of the texts, but it is mostly ascribed to fans, the general public, and ex-cricketers. Radio New Zealand's *Checkpoint* (1998, April 18) aired interviews with young fans who expressed a sense of injustice. Their using the voices of children adds emotional weight to the topic of accessibility as vulnerable members of society who are not able to purchase Sky themselves:

Mark Anderson: [00:04:14] And some of the country's young cricket fans say they're sad because they haven't got Sky and they'll miss out.

Cricket fan 1: Pretty shocking hearing we have to pay quite a bit every month just to watch cricket.

Cricket fan 2: If it changed channel, I wouldn't be able to watch it.

Cricket fan 3: Most kids will lose interest in it and they won't be able to see their favourite players you know playing and copy their shots and stuff.

Cricket fan: I don't think it's very good 'cause some people don't have Sky. (Radio New Zealand, 1998)

These fans focus on the deal from a first-person point of view. Their comments represent a reaction not included in many press articles, and are marginal compared to the amount of time allocated to expert opinions; as was evident in the rugby case study. The

¹⁶ Politician Tau Henare from New Zealand First also put the blame on TVNZ. He is reported as suggesting that "TVNZ were bailing out of cricket coverage because they did not see any money in it. "They never cease to amaze me" (Laxon, 1996, para. 9). The NZC chairman, Sir John Anderson, also stated "that he had expected to sign a new agreement with the free-to-air channel. "We were surprised and disappointed by TVNZ's decision to withdraw," he said. "We have been in partnership since 1962 and fully expected them to be keen to secure the broadcasting rights into the future." (Boock, 1998, para. 11)

focus on the lack of access children may have to watching sport is linked to participation levels. For example, a *Taranaki Daily News* article titled “Sports deal may put many out of the picture” (1998, March 11) reported:

Opunake farmer and former Taranaki cricketer John Kensington said the disappearance of sports from free television could affect the popularity of the sports with children. “I do a lot of cricket coaching, and if the New Zealand team are doing well the kids are bubbling. Kids take so much from TV it will affect the interest in the sport if they can’t see it.”¹⁷ (“Sports deal may put many out of picture” 1998, para. 8)

Former cricket captain and NZC chairman Walter Hadlee was also quoted as suggesting that the deal was unfair in *The Press* article “Sky wins cricket” by Tim Dunbar (1998, April 15):

Former New Zealand captain and NZ Cricket chairman Walter Hadlee, who did subscribe to Sky, thought that the general public would be very disappointed.

A lot of people can’t afford to pay for television. This is depriving them of one of their pleasures, he said.

One cricket fan, Jeff Hampton, described himself as ‘in a state of shock’ with the prospect of the sport going to Sky.

“That’s terrible. What’s the world coming to. Crickets always been free”.

Mr Hampton said he might now have to join Sky – “under duress”.

Although another sports follower, Peter Gosset, subscribes to Sky, he thought the imminent announcement “sucks”. Mr Gosset said that cricket should be free to air. He said that rugby had been ‘the people’s game’ on TV. “Now they want to take cricket away and we will start paying for any sport that makes a name for itself.” (Dunbar, 1998, para. 15)

¹⁷A similar theme is expressed in a *Sunday Star-Times* column, “H-H-How about the k-k-kids” (1998, April 19) which asks, “Where will the future generations of young sportsmen come from?” (Potter, 1998)

At times, watching cricket is described as a 'privilege' (*Breakfast- Cricket IV*, 1998; Riordan, 1998). In contrast, Walter Hadlee describes it as a "pleasure" and that the deal is "depriving" the public. "Depriving" connotes that a basic cultural right is being withheld. Furthermore, this article provides emotive, reactive language, e.g., "Disappointing", "sucks", and "that's terrible". "Sucks" is very informal but captures colloquial New Zealand language. Fairclough (1995) suggests that blending slang with official discourse can give texts a populist voice. Gosset additionally expresses that cricket should be free-to-air by using an authoritative voice. He also uses a "we" versus "them" division. Here "we" is used to represent the fans, and "they" is presumably NZC. Like the rugby case study, there is a sense that the sports association in question is not answering to the supporters of its sport. This stance is represented by one 'expert' source, Walter Hadlee, who played during the amateur era.

International comparisons

By 1998, anti-siphoning regulations were established in Australia and Britain, which meant that New Zealand could look offshore to see how they were implemented. Comparisons with international media markets were made in two articles¹⁸. The *New Zealand Listener* contained a feature article titled "Hit for Six" (1998, May 2) which situated the discussion of the cricket broadcasting rights in the context of the global political economy of sport. The article opens with discussion of how New Zealand's lack of regulations was in contrast with the situation in Australia and the UK:

The Australians refused to let it happen and the British put a limit on it. In the US, it would not be contemplated. We New Zealanders, on the other hand, seem willing to let our most sacred sporting events go to pay-TV with barely a murmur. That's right, sport - New Zealand's other religion, our national passion. (Watkin, 1998, para. 1)

The article then goes on to detail the regulations of these two countries in more detail:

So, how can a country such as New Zealand react, given that this is simply one of the smaller arenas in which the world cup of TV rights is being played?

The answer may lie in the way Australia and the UK have fenced off certain events that have a "national resonance".

¹⁸ *The New Zealander Listener's* "Hit for Six" (1998, May 2) and *The Dominion Post's* "Cricket's ball in Sky's court" (1998, April 18) both compare New Zealand's lack of anti-siphoning legislation to regulations in Australia and Britain.

In Australia, anti-siphoning laws protect cricket, rugby test, State of Origin and league test matches, netball tests, their grand prix, World Cup soccer, the Olympic and Commonwealth Games and even the FA Cup from pay-TV. Britain has a similar list, but the government is considering taking protection away from home cricket test matches. (Watkin, 1998, paras. 9-10)

These comparisons were also raised by New Zealand First deputy Tau Henare, who argued that New Zealand should bring in regulations to protect sports of national significance. It was also supported, in theory, by Labour, with broadcasting spokeswoman Marion Hobbs saying that the government is “actually denying the New Zealand public, forcing them, in a monopoly way, to buy pay-TV”. Furthermore, she also stated that people “have the right to watch their sporting heroes on free-to-air TV” (Espiner, 1998, paras. 9-10). She also suggested that New Zealand adopt Australia's “Minister List” of guaranteed free-to-air games. The National-New Zealand First coalition government promised to investigate the possibility of free-to-air sport. New Zealand First deputy leader Tau Henare advocated it, and Labour supported the implementation of regulations. However, none of these initiatives was followed through. In the *New Zealand Listener* magazine, Tim Watkin (1998) notes that the sitting National government was not willing to get involved:

The government, with the exception of Tau Henare, is ducking for cover. Unlike in Australia or the UK, there has been no move to protect major events and neither Sports Minister Murray McCully nor Broadcasting Minister Maurice Williamson would comment on what it would take to make the government intervene. (Watkin, 1998, para. 17)

Watkin (1998) finishes his discussion of international regulations by showing how significant the issue is. He argues:

The issue, as it always has been, is not whether you buy a Sky subscription, it's about who owns a sport and how important an All Black test is, for example, as a living piece of New Zealand culture.

More than ever we are confronted by questions such as: what price for All Black tradition? And, are our national teams just promotional vehicles and rating pullers or a part of our national identity? Or is it a game, set and match, Messrs Turner and Murdoch? (Watkin, 1998, paras. 18-19)

This final sentence refers to the growing influence of Ted Turner, from Time-Warner, and Rupert Murdoch, from News Corporation, in the culture of sport. Watkin's standpoint draws the discussion away from the individual matter of who can and cannot afford Sky, and suggests that the changing significance of sports broadcasting is the primary focus. It asks if the All Blacks are positioned as part of New Zealand's "*national identity*" in contrast to being a "*promotional vehicle*" and "*rating pullers*". Names such as Turner and Murdoch signify global commercial media and the global capitalist class. This extract shows that areas of sports broadcasting can be exemplars of the tension between global capitalism and popular constructions of national identity.

The All Blacks are described as a "*living piece of New Zealand culture*". The team is depicted as a vital part of New Zealand's history and memory, making it part of New Zealand as an "imagined community". However, as promotional culture has crept into sport, the All Blacks have become an important vehicle of promotion for their sponsors, media rights holders, and the NZRFU (Jackson, 2004). The author contrasts being a "*promotional vehicle*" with being cultural icons. However, there is evidence that within promotional culture, national cultural icons are drawn upon as part of branding and marketing (Silk et al., 2005). In this process, local identities are not completely stripped, but are corporatised. Moreover, since the professionalisation of rugby, the All Blacks have retained some of their cultural potency, but this is largely represented through corporate advertising and commercial promotions (Jackson, 2004).

Clash of Perspectives: Sport as Business Vs Sport as Culture

Sky and NZC attempted to frame their deal as being good for cricket, which tapped into the disappointing performance of the Black Caps at the time. This narrative was somewhat contested by journalists who recognised it is a PR frame. The deal was also justified through a 'sport is a business' perspective which was given in a very matter-of-fact way, using blunt terminology ("*business is business*", "*it's a fact of life*", "*pay up and shut up*") which served to shut down other perspectives. This terminology diminishes public discourse on the deal and naturalises a worldview which aligns with powerful interests in the media sport industry. It was also in the interests of Sky and the NZC authorities to construct TVNZ as uninterested in cricket and to blame them for failing to secure the rights. This narrative overlooked the fact that, despite being a SOE, TVNZ had limited funding and needed to return a dividend. It also no longer had public service obligations. The Fourth National

Government was culpable here, as they could have forgone the dividend to release more resources for TVNZ.

On the other hand, the loss of cricket from TVNZ was regarded as unfair by some. In particular, this view was expressed by children. The perspective showed the effects that losing the cricket rights could have on more vulnerable members of society. From this perspective, future generations would lose interest in the game if they could not access free-to-air coverage. Thus, there was a fundamental unfairness about ending free-to-air coverage. There was also discussion about regulations in overseas countries which protected major events of national significance from being held exclusively by pay-TV companies. These international comparisons focused on Australia and England. All in all, arguments for this kind of regulation emphasised that sport was culturally important to New Zealand's national identity.

Review of Regulation for Digital Broadcasting 2006-2009

The Review of Regulation for Digital Broadcasting and the Future of Content was instigated in 2006 by the Labour Government. This was in response to the fact that digital technologies were dramatically changing the media, telecommunications, and internet industries. This review is situated within a wider debate around TV broadcasting. The Labour Party was in government from 1999-2008 and when it was elected in 1999, it released a broadcasting manifesto which proposed introducing a Public Service Charter for TVNZ. This Charter was implemented in 2004, but Treasury never provided substantial funding. Consequently, TVNZ had to try and meet its public service obligations while returning a dividend to the Government. Thompson (2011a) explains that “the contradictory dual remit coupled with relentless hostility from the political right and other commercial media meant that TVNZ was always fighting unrealistic expectations” (para. 21). When the National Government then came into power in 2008, its broadcasting policy was to axe TVNZ's charter along with NZ\$15 million of funding (Espiner, 2008). This would, controversially, make TVNZ a fully commercial operation (but still state-owned). The different ideological stances of Labour and National, in regard to the media industry, influenced how the Digital Broadcasting Review of Regulations was structured and implemented over a period in which both parties were in power.

The first step for the Digital Broadcasting Review of Regulations was to interview key industry stakeholders about their concerns over the regulation of digital broadcasting. Their

responses informed the discussion and the key questions identified in the 2008 Digital Broadcasting Review of Regulation Volumes 1 and 2. The review called for industry and public submissions in response to questions about the need for updating, restructuring, or reforming the current regulations. The review identified four future scenarios for digital broadcasting, but focused on the preferred scenario from a public policy perspective which was:

A market where there is substantial diversity of both content (including a significant volume of locally produced content across a wide variety of genres) and services delivered across a range of platforms by a mix of content providers and platform owners. Such content and services should be available to most or all New Zealanders on an affordable and accessible basis. (Ministry for Culture and Heritage, 2008b, p. 10)

Key threats to this scenario were identified in relation to issues of consideration within the review. These were categorised as cross-chain value, content, distribution, and network- furthermore relevant threats in each category were considered. It was found that the areas of content and distribution are most relevant to the discussion of sports broadcasting in New Zealand. In terms of distribution, the following question is put forward: “Should NZ consider regulating the acquisition and/or sale of content rights (e.g. consider an anti-siphoning regime)?” (Ministry for Culture and Heritage, 2008b, p. 11). This question is associated with two threats to the ideal media scenario. They were, “Lack of local content, in terms of range, quantity and quality” as well as “inequality of access to digital services for both rural areas and/or disadvantaged groups” (Ministry for Culture and Heritage, 2008b, p. 11)

The second volume of the 2008 Digital Broadcasting Review of Regulation (the discussion paper), gave more context to the issues of consideration. They also asked specific questions “which were designed to help identify and prioritise any market or social issues that cannot be adequately dealt with by the existing regulatory tools, and to gauge stakeholder views on the most appropriate form of intervention in response” (Ministry for Culture and Heritage, 2008a, p. 8).¹⁹ The discussion paper noted the anti-siphoning regulations in other countries and focused largely on their use in Europe and Australia. Further detail on their workings can be found in the Annex section of the document. For each area of discussion, the review identified four different outcomes which could be applied

¹⁹ There were two papers, Volume 1: *The implications for regulatory policy of the convergence between broadcasting, telecommunications and the internet* and Volume 2: *The discussion paper*.

these were: retain the status quo, update existing arrangements, restructure the regime, or reform the regime. For the distribution section, these options are outlined below in Figure 6. The introduction of a limited anti-siphoning regime is listed under Approach C, Reform.

Figure 6

Regulatory Options

Update Existing Arrangements (Approach A)

- Review whether the acquisition of exclusive rights has led or could lead to anti-competitive behaviour (by ‘crowding out’ competitors).
- Review whether major New Zealand rights vendors (especially sports) should face any regulations over the bundling of rights across platforms.

Restructure (Approach B)

- Facilitate brokered terms of trade or a code of practice to encourage access for, or carriage of, free-to-air services across platforms.
- Brokered terms of trade would ensure content rights are made available to content providers in a fair manner (e.g. “fair play” agreements for sports clips).

Reform (Approach C)

- Introduce licence conditions for platform operators and consider minimum obligations to carry a percentage of certain service types or genres.
- Introduce a limited anti-siphoning regime, in the form of:
 - requirement to offer rights in a non-discriminatory fashion, or
 - requirement to agree rights ‘packages’ with regulator (cf. UK)
 - requirement to offer a highlights package / extended highlights package / near-live offering to free-to-air, or
 - very limited / dual rights anti-siphoning list, where rights can be offered to both pay and free-to-air but neither can be exclusive.

Note: Reprinted from Digital Broadcasting Review of Regulation Vol. 2, by the Ministry from Culture and Heritage. Copyright 2008 by the Crown.

Sports organisations, media organisations, and members of the public made submissions, many of which were not accessible. However, some of the submissions were covered in the news media, as was a debate which featured different perspectives on the issue. These news media texts, along with the Departmental Analysis of Competition in Broadcasting and Sky’s cross submission, which is publicly available, will inform the analysis over the debate for regulatory reform. The analysis draws on 15 news text from *The New Zealand Herald*, *The Dominion Post*, and *The Press*; 3 columns from the aforementioned news outlets; one cross submission on behalf of Sky Network Television Limited; one audio-

visual clip from *Business Breakfast* (TVNZ); and the evaluations from the review by the Ministry of Culture and Heritage, and the Ministry of Economic Development.

The media outlets included in this analysis are listed in Table 3.

Table 3

Media Outlets Included in the Review of Regulation for Digital Broadcasting 2006-2009 Case Study

Media Outlet	Media Outlet Description
<i>Comments from Sky Network Television Limited</i>	A cross submission titled "Comments from Sky Network Television on submissions on the government's digital broadcasting review of regulation.
<i>Departmental Analysis of Competition in Broadcasting</i>	A paper which brings the Ministry of Culture and Heritage, and the Ministry of Economic Developments' views together and responds to the review submissions in relation to the discussion papers to make recommendations relating to regulations of digital broadcasting.
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington.
<i>The Press</i>	A widely circulated daily newspaper in Christchurch.
<i>Business Breakfast</i> (TVNZ)	A dedicated business programme, part of TV One's morning news programming. It covered business news and analysis.

Pro Sky Perspectives

Regulations are a Threat

From Sky's perspective, implementing new or further regulations threatened its business model. For example, in the review it was suggested that regulations could be imposed so that Sky must carry Freeview digital channels, or that Freeview must offer its channels to Sky.²⁰ In Sky's cross-submission, they stated that it was important to have a thorough analysis behind the issues of must-carry rules and anti-siphoning, because even consulting on these issues could affect listed share prices (Sky Network Television Limited,

²⁰ Freeview is a joint platform for all of New Zealand's free-to-air channels to be streamed digitally.

2008b). On TVNZ's *Business Breakfast* (2008, June 6), Sky's perspective is represented by Simon Botherway of Brook Asset Management, who states:

[00:01:37] Sky's business model is built on individual subscribers. They have several hundred thousand subscribers who are paying an average of sixty two dollars a month for their subscription service. If those subscribers were to churn off because they were able to receive those services elsewhere, then that would have a negative impact on Sky. (*Breakfast Business- Sky TV*, 2008)

This perspective is also represented in the *New Zealand Herald* in an article titled "Free-to-air sport looks remote" (2008, February 2). Here, John Drinnan writes: "There is no question that Sky relies on its sports channels to attract new customers and would suffer terribly if it lost rights" (Drinnan, 2008a, para. 7).

Sky framed regulations, not only as a threat to its business model but as a threat to consumers. *The New Zealand Herald* (2008, May 22), in an article titled "Sky's digital monopoly under fire", reported "Sky, for its part, admitted that it had flourished under the current light-handed broadcasting regulations, but said consumers had greatly benefited from the viewing choices offered, and it opposed any new heavy-handed regime" (Rowan, 2008, para. 5). This idea was also represented in Sky's cross-submission, where it suggested that forcing codes to unbundle their sports packages would be unfavourable for their consumers (Sky Network Television Limited, 2008b). The example they used in support came from the UK, where there was a compulsory split of Premier League rights. Audiences there may have had to purchase two different subscriptions to see all the games. Moreover, Sky also assumed that if subscription levels were to drop, such that the sports broadcaster received less revenue, then consumers would get less choice for content (Sky Network Television Limited, 2008b).

The perspective that regulation is a threat to business overlaps with the neoliberal discourses which run through the pro-Sky perspectives found earlier in this chapter. For example, in *The Dominion Post* editorial titled "Sour grapes over Sky's success" (2009, January 31), it is stated that free-to-air TV "has taken the opportunity of a new government review of broadcasting regulation, occasioned by the phasing out of the analogue platform, to get the Government to strip Sky of some of its attractiveness" (para. 6). This is later followed by the statement that: "Sky's success is the result of hard work and foresight. Losers who whinge and then seek a rules change look pathetic" ("Sour grapes over Sky's success," 2008, para. 9). Here, those that call for regulations are labelled "*losers*" and are

said to be “*whinging*”. This portrayal is used to dismiss their viewpoint. Moreover, the word *whinge* constructs the issue as one of “*losers*” having a bad attitude as opposed to a genuine concern. Furthermore, this idea that Sky’s success is due to “*hard work*”, aligns with capitalist narratives of meritocracy, and while not wrong, overlooks the “light-handed” approach to regulation in New Zealand that had favoured Sky’s position.

Sky is Investing in Sport

The fact that the regulations were deemed a threat is related to another perspective put forward; that a decrease in Sky’s revenue would amount to the defunding of New Zealand sport. This argument was raised in the submissions by Sky and some sports associations which were then covered by *The New Zealand Herald*. For example, in an article titled “Rugby Union fights move to make crucial matches free-to-air” (2008, May 31) it is argued, based on Sky’s original submission, that:

The reduced level of revenues under anti-siphoning would also affect the quality of sports as they struggle to retain top talent from moving to more lucrative contracts overseas (...) funding from pay television has allowed the creation of new sports competitions such as the Tri Nations and Super 14 series and the Trans-Tasman Netball Championships. (Cumming, 2008a, para. 6)

This piece then includes the perspective of the NZRU, who suggest “It is difficult to generate sufficient funds in the current market. Any regulation impacting on the NZFRU’s [sic] ability to best sell its property rights would potentially be dire” (Cumming, 2008a, para. 10). In this newspaper article, Sky and the NZFRU are united in opposing regulations and the writer seems to agree. He relays the appeal to sports fans, that the quality of their favourite sports will be affected and that “*top talent*” will move overseas. The benefits of the existing situation are also emphasised in that current competitions rely on Sky’s funding.

Sky’s perspective on anti-siphoning is also represented by CEO John Fellet, particularly in *The New Zealand Herald* article “All Blacks may return to free-to-air TV” (2007, June 9). Here, he is quoted as saying “What stops [regulation] in most countries is that it drives the sporting culture to bankruptcy. Sky viewers are the primary funding arm for sports” (Cheng, 2007, para. 10). This claim that anti-siphoning regulations leads to a bankruptcy of sporting cultures is not supported with evidence. Furthermore, the claim that Sky viewers are the “*primary funding arm*” for sport, a key discourse theme of this chapter, also lacks

supporting evidence.²¹ This quote also conflates sporting culture with the consumer culture of watching sport on commercial pay television. The fact that Sky was supported by sports organisations is also noted in *The New Zealand Herald* article “Free-to-air sport looks remote” (Drinnan, 2008a), in which Drinnan (2008) stated:

But Sky has some formidable back-up in the form of sports organisations who rely on Sky's fulsome bids for sports rights. The All Blacks could be expected to join the fray. They would be talking to Broadcasting Minister Trevor Mallard. A former sports minister, Mallard would no doubt have heard Sky's view as an active member of the Sky-backed parliamentary rugby team. Expect Sky TV to be knocking on politicians' doors in the run up to the elections. It will be a very active year for lobbying. (para. 12)

Sky's point of view aligned with that of National broadcasting spokesperson Jonathan Coleman, who expressed his reservations on reforming regulation in the same article. He states, “the Rugby Union is a global business and they're competing against European clubs to keep their players. If they can't get their revenue, they have to replace it somewhere. Any government, from whatever party, is going to be reluctant to regulate private businesses” (Cheng, 2007, para. 13). Although the review was in its early stages, during June of 2007 there was already a reluctance from the National Party to regulate on the issue before the submission process was complete. Coleman's description of the NZRU as a “*global business*” focuses on the commercial facet of rugby.

Pro Free-to-Air Perspectives

Fairness, Accessibility and Inequality

Fairness, accessibility, and the inequality of access to sports broadcasting is a theme of both the rugby and cricket case studies, but it is strongly under-represented in the discourse of officials or public figures. News media reportage of the review covered issues of fairness, accessibility, and inequality but only in relation to ‘expert’ opinions (*Breakfast Business- Sky TV*, 2008; Chalmers, 2008; Cumming, 2008b). For TVNZ these issues informed its criticism of Sky in *The New Zealand Herald* article (2008, May 31) “Sky Wars”

²¹ This perspective was also found in the Sky cross submission- which states that unbundling packages would be detrimental to consumers. (Sky Network Television Limited, 2008b, p. 22), and is also found in *The New Zealand Herald* article (2008, January 30), “Govt report calls for TV super watchdog” (Drinnan, 2008b).

by Geoff Cumming. Here, it was reported that, “TVNZ head of corporate affairs Peter Parussini plucked more emotive heartstrings. He stated that “there’s a generation of New Zealand kids who have never seen a [rugby] test match live on television” (Cumming, 2008b, para. 10). Notably, in the “Sky Wars” article, Parussini’s quote is presented as a lift-out pull quote (an excerpt taken from an article which includes a graphic element to entice readers into the article or highlight key points). This quote taps into the discourse of national significance. Furthermore, as with the cricket and rugby case studies, children are rhetorically used to heighten the sense of unfairness and inaccessibility around live sport broadcasting. In reality, there are also many adults who cannot access live sport through Sky, but the focus is put on “*New Zealand kids*”. In a later *The Dominion Post* article titled “Anderton backs free-to-air sport law’ (July 10, 2008), this idea is repeated by former MP Jim Anderton:

Mr Anderton told a Film Auckland event last night that a generation of young Kiwis was growing up without watching live cricket and rugby because they could not afford pay television.

All Blacks games and Black Caps cricket matches had lost viewers because they were screened live only on pay television, Mr Anderton said.

This was having a flow-on effect, with fewer children playing cricket and rugby...

Sky said it could not comment last night, but TVNZ spokesman Peter Perussini welcomed Mr Anderton’s move. More than one million viewers watched All Blacks tests when they were broadcast free-to-air, but that had now halved, he said.

(Chalmers, 2008, paras. 2-6)

Jim Anderton takes the unfairness argument, of people missing out on live sport, a step further by linking it to diminishing participation numbers across rugby and cricket. This article then moves back to Parussini, who also suggests that the siphoning of rugby to pay-TV means that viewership for the All Blacks has halved. One should acknowledge here that it is difficult to claim that there is a causal relationship between pay-TV, and drops in participation and viewership, as there could be other factors involved for example, lack of leisure time, lack of affordability and difficulties with the required travel.

Sky is too Dominant in the Market

The dominance of Sky is a key theme throughout the articles about the submissions, and of the review itself. The term ‘monopoly’ is frequently used. In *The New Zealand Herald*

article (2008, May 22) titled “Sky’s digital ‘monopoly’ under fire”, “*monopoly*” is used twice to describe Sky (Rowan, 2008).²² Another *The New Zealand Herald* article, “Digital dust up looming” (2008, May 21), repeats Media Works’ claim that Sky is a pay-TV “*monopoly*”, and also repeats the free-to-air perspective that greater regulations would “guard against monopoly behaviour” (“Digital dust-up looming,” 2008, para. 2). At other times, *monopoly* is used to refer to Sky’s domination of digital TV (Rowan, 2008). For example, in *The New Zealand Herald* article “Prime Time for Battle” (2008, November 24), the argument presented is that Sky is too dominant. This article states, “They argue [Mediaworks] that with New Zealand’s hands-off broadcasting regime, Sky and pay television have developed an astonishing dominance. Sky has bided its time and has not pushed too hard. But left untouched, Sky would dominate television in the way that Telecom did within telecommunications” (Drinnan, 2008c, paras. 13-14). This comparison with Telecom comes up in another article.²³ Furthermore, an article titled “Digital dust up looming” suggests that the issue with market dominance is that Sky is able to set an uncompetitive price; “the public is not well served by having a Pay-TV monopoly in New Zealand”. Additionally, MediaWorks is reported to have written in its submission, “As with any monopoly there are few controls on pricing and New Zealanders are charged fees in excess of what would be likely in a competitive situation” (“Digital dust-up looming,” 2008, para. 2). By attacking the dominance of Sky, free-to-air broadcasters were able to articulate that the government should regulate in order to achieve “its stated objectives for the broadcasting sector” (Rowan, 2008, para. 15).

International Comparisons

In the Review of Regulations Volume 1 there is a section which looks at global market trends, including a focus on anti-siphoning regulations for events of national importance (Ministry for Culture and Heritage, 2008b). There is a particular focus on Europe’s Television without Frontiers (TVWF) regulations, which puts limits on the acquisition of exclusive rights by pay-TV. This is referenced again in Volume 2, along with the anti-siphoning scheme which exists in Australia. In the Annex to Volume 2, there is a table that shows regulatory intervention concerning premium content used throughout various countries in Europe and in Australia. Furthermore, a case study is provided which

²² For example, Rowan (2008) writes: “Television companies and individuals have launched scathing attacks on Sky TV in the first major review of broadcasting regulations, urging the Government to end the firm’s digital broadcasting “monopoly” (para. 1). This is along with, “The rise of Sky as a natural and dominant monopoly, and the growth of digital media, mean that this laissez-faire approach is no longer possible if the Government is to achieve its stated objectives for the broadcasting sector” (para. 15). This comment Rowan (2008) attributes to Freeview’s perspective.

²³ In *The New Zealand Herald* column “Television drama defies belief” (2008, 29 June), Ralston (2008) writes “TVNZ wants the Government to do a telecom on Sky and split it up and effectively unbundle Sky’s lucrative TV rights to big sporting events” (para. 6).

shows how the EU broke up the Football Association Premier League rights into separate packages by not allowing one broadcaster to win them all. Sky CEO John Fellet was critical of the inclusion of international laws, stating that the discussion document read “like a laundry list that gives all of the laws that apply overseas and asks whether we need them here” (Drinnan, 2008b, para. 19). He suggested a better approach is identifying problems, and then looking for solutions (Drinnan, 2008b).

The argument for reforming New Zealand’s regulations according to international comparisons was also made across the news articles. The lack of regulation in comparison with other countries was something that TVNZ brought up in their submission. For example, in *The New Zealand Herald* article “Sky’s digital ‘monopoly’ under fire” (2008, May 22) it is reported that, “TVNZ said a lack of marketplace rules had allowed Sky the freedom to develop a business model not seen in other countries” (Rowan, 2008, para. 7). This sentiment was also expressed on TVNZ’s *Breakfast* (2008, June 6) by academic Wayne Hope who said; “ [00:02:06] I don’t know of another country where a pay television operator owns most of the lucrative sport in terms of live coverage and also owns the channel that does the delayed coverage” (*Breakfast Business- Sky TV*, 2008). Former politician, Mr Anderton, also said he supported moves to introduce “‘anti-siphoning laws’, which in Australia meant that free-to-air television networks must get first rights to big events” (Chalmers, 2008, para. 5). His perspective counters Sky’s perspective that regulations would lead to the bankruptcy of sporting organisations. It is also evident in the following passage from *The New Zealand Herald* article “The 'skulduggery' behind broadcasting's Sky wars” (2008, May 31) by Geoff Cumming:

Experience with European football shows revenue need not be lost. “A bit of clever packaging would ensure that the sports body continues to receive the revenue that helps sustain their sports, while meaning that all Kiwis can see the sporting heroes our children aspire to emulate” Freeview general manager Steve Browning wrote to the *Herald* this week. (Cumming, 2008b, para. 28)

Clashes of Perspectives in the Report

Steve Maharey was the broadcasting minister who initiated the review, but decided that he was not going to stand for Parliament again. Consequently, Prime Minister Helen Clark reshuffled her Cabinet and gave Trevor Mallard the portfolio in November 2007.

However, Mallard was not as committed to the review or regulating broadcasting in general (Parussini, 2021). Two thirds of the submissions for the review “agreed that change to regulations was necessary as broadcasters switched from analogue to digital TV” (Rowan, 2008, p. 21). However, with Mallard, the review process got slowed down (Parussini, 2021). It was also reported that “there are rumours the ministry was asked to rework some of its recommendations to ministers, and speculation that may mean it has been asked to water them down” (Pullar-Strecker & Chalmers, 2008, para. 5). Thus, in November 2008, when the National Party came into government, it re-directed the review to focus solely on market competition instead of issues such as regulations for sports broadcasting. In response to the submissions, the *Departmental analysis of competition in broadcasting* (April, 2009) found that many of the arguments put forward in the submissions were no longer relevant to a competition review and, therefore, would not be considered further. These were arguments relating to:

- Meeting social objectives in terms of ensuring free and universal access for all New Zealanders to particular sports events.
 - Whether or not regulatory interventions would be good for particular sports.
 - The effect of Sky’s acquisition of rights to live sports events on the ability of free-to-air broadcasters to meet public service broadcasting objectives.
- (Ministry for Culture and Heritage & Ministry of Economic Development, 2009, p. 29)

The analysis of the submissions states that access to premium content “was the most contested competition issue and is arguably the most important” (Ministry for Culture and Heritage & Ministry of Economic Development, 2009, p. 26). Premium content covered live sports, ‘blockbuster’ movies and first-run TV series. It was noted that the submissions from free-to-air broadcasters advocated for further regulations to enhance competition, and that the focus of these submissions was “almost solely on live sports” (Ministry for Culture and Heritage & Ministry of Economic Development, 2009, p. 27). The main argument of free-to-air broadcasters, as noted by the analysis, was that they were no longer in a competitive position with Sky and that the latter’s dominance had increased the cost of premium content to other free-to-air channels. It was also argued that Sky should not have been able to acquire free-to-air channel Prime as it meant that Sky could use Prime for delayed sports coverage or highlights, instead of a competitor being able to access this content. Also noted is TVNZ’s argument that the price of a Sky subscription has reduced the interest in New Zealand sport. On the other hand, it was noted that Sky rejected this criticism, its main response being that “free-to-air broadcasters are free to compete for sports rights and do so”

(Ministry for Culture and Heritage & Ministry of Economic Development, 2009, p. 29). The report also noted that:

Restricting the right of sports bodies to package and sell TV rights in the manner they want to would severely affect the revenues of those sports bodies. This perspective was strongly endorsed by the NZ Rugby Union and New Zealand Cricket in particular. (Ministry for Culture and Heritage & Ministry of Economic Development, 2009, p. 29)

Peter Thompson observed that there was “substantial disagreement between the analyses of the Ministry of Culture and Heritage and the Ministry of Economic Development” (Thompson, 2011b, para. 8). The latter found that it did not see a case for introducing regulation concerning access to premium content on the basis of market competition issues. Notably, the two departments differed “on the risks of problems emerging in the future and more particularly on whether or not preventative steps should be taken at this time” (Ministry for Culture and Heritage & Ministry of Economic Development, 2009, p. 31). The Ministry for Culture and Heritage also noted that the review did not address public service objectives. They showed concern that the price of premium content was increased because of Sky’s dominance and that this was, reducing “the funds available to free-to-air broadcasters for the production and purchase of local content. Furthermore, the ministry noted that there was only a limited number of important ‘premium content’ suppliers” (Ministry for Culture and Heritage & Ministry of Economic Development, 2009, p. 41). Consequently, they recommended that the market be kept under review by a regulatory body. The Ministry for Culture and Heritage also noted that the Commerce Act was inadequate for achieving social and cultural objectives, and that the weakening of free-to-air broadcasting was a concern. The Ministry of Economic Development found that this concern was beyond the review’s mandate (which now concerned market competition). Moreover, the two departments found that “the report cannot provide a definitive answer to the questions it was intended to address based only on the evidence of stakeholder submissions” (Thompson, 2011b, para. 18). The Ministry for Culture and Heritage thus called for the collection of more independent data, while the Ministry of Economic Development recommended the no action approach. In April 2009, the National Government announced that the market was ‘workably competitive’, and the review would not proceed. *The New Zealand Herald* article “Lobbyist is Murdoch’s man about the house” (August 17) states that “nobody was surprised when National killed the review; revamping broadcasting is not going to win votes” (para. 18). Furthermore, in an interview with Former TVNZ Corporate Affairs Chief, Peter Parussini, he also attributes the lack of action taken on the review to being “out lobbied”:

I'm pretty blunt about this, Sky out lobbied us. They started this back when Sky started in the early to mid-90s. When rugby went professional in '95, '96, they saw that the only way to get uptake of their product was to have rugby. Pretty obvious, but they knew. News Limited's experience was that you have to have a very strong lobbying campaign at government level, otherwise regulation comes in and they obviously learned their lesson in other jurisdictions around that. So, they always had a very strong lobbying presence in Wellington. (Parussini, 2021)

As mentioned, the government's statements to the public only acknowledged the Ministry of Economic Development's recommendations and declared the market workably competitive. Peter Thompson concludes, "One therefore has to ask why the government is being so selective in its willingness to listen to its own policy advisors?" (Thompson, 2011b, para. 7). Thompson outlines three potential reasons. Firstly, that "government policy could be driven by an unrepentant neoliberal agenda to remove any vestiges of the state in the broadcasting market and restore the free reign of market forces, a back to the 90's approach" (Thompson, 2011b, para. 26). Secondly, the relevant government department may have "realised the complexity of the policy issues facing them and are basically unwilling to commit the time, energy and resources required to deal with them" (Thompson, 2011b, para. 27). Thirdly, "National may be pursuing a broadcasting policy agenda which has somehow become strategically aligned to the business interests of Sky. Sky are primarily the 'winners' in the decision to 'do nothing'" (Thompson, 2011b, para. 28). Furthermore, Thompson suggests that the government's inaction may indicate that the government wants to maintain an investor-friendly profile and is reluctant to tarnish that reputation by prioritising civic interests over corporate profits" (Thompson, 2011b, para. 29). Scherer and Sam (2012) describe the decision that the market was "workably competitive" as "an ideological position that celebrates the role of deregulated markets and new forms of consumer sovereignty that are inimical to long-standing viewing rights of New Zealanders to watch the most important and nationally significant sporting events on free-to-air networks" (Scherer & Sam, 2012, p. 102).

2011 Netball Rights Go to Sky

On February 21st, 2011, Netball New Zealand announced that it had signed a four-year deal with Sky for exclusive international and domestic coverage. Delayed free-to-air coverage would also be shown through Sky's free-to-air channel, Prime. Geoff Cumming

from *The New Zealand Herald* reported that TVNZ bid NZ\$700,000 for the rights, and Sky outbid them with NZ\$2.3 million (Cumming, 2011). Furthermore, in the *New Zealand Herald* article “Lack of rules means Sky is a law unto itself” (2011, June 25) by Cumming, Peter Thompson suggested that the major bid from Sky may have been to dissuade TVNZ from competing in the next round of netball rights negotiations (Cumming, 2011).

The culture of sport is highly gendered and women’s sport is marginalised, including in its news media coverage; thus, there were limited texts covering this deal. To illustrate this point, on the day of the announcement (2011, February 21) a small article appeared in the *New Zealand Herald* on the fourth page of the sport section titled “New Zealand netball” (author unattributed). The entire article reads as follows:

Netball New Zealand has signed a four-year agreement with Sky Television to broadcast international and domestic netball matches. Netball NZ chief executive Raelene Castle would not disclose the value of the contract, but said it was the largest commercial deal in her organisation’s history. Under the terms of the deal Sky will screen internationals and domestic netball on its Sky Sports channels until 2015. (“Netball on Sky,” 2011)

Considering that this is the “*largest commercial deal*” in New Zealand netball’s history, the article is very sparse. Unlike the articles on rugby and cricket, there is no comment from Sky and no inclusion of fan opinion, nor political opinion. One factor that may have contributed further to the absence of texts on the deal is that it was announced the day before the 2011 Christchurch earthquake. However, even during major national events, news companies do continue with a sports news section, and the deal would have gotten more coverage if it was a male-dominated sport. This analysis draws on just three texts from *The New Zealand Herald* and a press release from New Zealand Netball. These media outlets are described in Table 4.

Table 4

Media Outlets Included in the Netball Rights Go to Sky Case Study

Media Outlet	Media Outlet Description
<i>The New Zealand Herald</i>	New Zealand’s most widely circulating daily newspaper.
<i>New Zealand Netball website</i>	The Netball New Zealand’s website has a section for news and press-releases

Fairness, Accessibility and Inequality

By 2011, 15 years after rugby was siphoned to Sky, New Zealanders had grown accustomed to sport being behind a paywall and there was less outrage when netball was siphoned to Sky than with rugby and cricket. In an interview with TVNZ's ex-Head of Sport Murray Needham, Needham states "Obviously, there were reasons why we couldn't be competitive with Sky. Netball knew it, and so did TVNZ and I think it got to the point where the writing was on the wall" (Needham, 2021). However, in the *New Zealand Herald* article "Pay-to-view may take netball offside with fans" (2021, February 27), journalist Michael Burgess suggests there was still an undercurrent of dissatisfaction with fans having to pay to see netball. In this article, Burgess describes the news of the deal as "hidden in a lightweight press release" (para. 2). He comments:

Diehard netball fans will have to pay the price this year ...

Sky was originally proposed as commercial-free but that has been exposed as a myth in recent years with regular ad breaks on their sports channels. It means the pay television operator earns subscription and commercial revenue while the punter will continue to pay.

It is hardly likely that rates will decrease any time soon. (Burgess, 2011)

Here, Burgess puts an emphasis on paying "*the price*" by describing how Sky has two streams of revenue before implying that the cost of subscription is high. Here Burgess is subtly including issues of fairness and accessibility into the framing.

Free-to-Air TV is Good for Promoting the Game

There was debate over whether free-to-air or pay-TV was better for promoting the sport. For example, Burgess postulated that free-to-air television was critical for the growth of netball in popularity:

The sport boomed in the 1990s and the past decade, mainly off the back of free-to-air coverage beamed into the nation's living rooms in prime time. Suddenly we all knew the Ferns - Irene, Temepara, Maria - who became arguably as recognisable as the All Blacks and Black Caps. (Burgess, 2011)

Over the 1990s and 2000s, as male sport moved to greater exclusivity on Sky, Burgess claims that the Silver Ferns became household names. He uses “we”, to build a connection with the reader and refers to the Silver Ferns informally as ‘Ferns’. He then uses the first names of the athletes to show his familiarity with the team. At this stage the ratings numbers for netball were higher than those of rugby which is what Parussini (2021), in an interview, attributes to “the power of free-to-air”.

On the other hand, Netball New Zealand emphasised the “new opportunities and flexibility in scheduling across a variety of our netball events” (“Netball on Sky” 2011, para. 3). Burgess (February 27, 2011) reports CEO Raelene Castle as saying “at least now we don't have to compete with *Desperate Housewives* or *Grey's Anatomy* [for scheduling time]” (Burgess, 2011, para. 6). Burgess also notes that Castle “talked up the significance of college netball on Sky, and its new magazine show *On Court*” (Burgess, 2011, para. 6). The level of coverage and the magazine show are also emphasised in an interview with Murray Needham regarding Netball's move to Sky:

Murray Needham: The offer from Sky was going to be much better than TVNZ's, for a variety of reasons really, not only money. Certainly, money was a factor, but so was the extent to which Sky could screen netball, multiple matches, whereas TVNZ was limited. Other forms of programming like magazine shows of netball, they could also do, which we couldn't, so the extent of the broadcasting would be a lot greater.

Interviewer: Sky offered something else in terms of the promotion that they could give?

Murray Needham: They offered certainly a broader scope of coverage to TVNZ. Keep in mind that both TV One and Two were multi genre channels and couldn't show a wholesale number of games per weekend of netball, nor the replays, nor the magazine shows. It's the breadth of coverage that was going to be a lot greater on Sky. (Needham, 2021)

Needham's statements shows that the ability of free-to-air television to promote the game to large audiences weighs up against the fact that pay-TV is able to offer more games to watch overall and connect with the fan base through more specialised coverage.

Netball is Nationally Significant

The discourse of national significance is found in the *New Zealand Herald* article “Free TV sport’s demise” (2011, March 27) with a section titled ‘Mene Memories’. In it, former netballer, Bernice Mene, describes her memories of watching free-to-air television:

The Silver Ferns captain particularly remembers the Netball World Championships in Sydney in 1991, when New Zealand lost by one goal.

I felt gutted for them and wondered what it felt like,” she said. “And then I knew what that felt like in 1999.”

She also has memories of curling up in her sleeping bag to watch rugby games in the middle of the night with her dad.

“It was quite an adventure.”

Pay-to-view television is now one of several ways people keep up with sports matches, says Mene, with new options such as iPhones and free-to-air replays.

“Most people I know who are sports lovers have Sky or MySky. (Gillies, 2011)

Mene’s memory of “*curling up in her sleeping bag*” recalls the national significance of sport in New Zealand, as was evident in the earlier case studies. The appeal of such stories is to draw readers into the shared collective heritage of watching sport. However, unlike earlier case studies, where history used this heritage to justify anti-siphoning regulations, Mene still advocates the deal with Sky. She makes an anecdotal claim that people who love sport have Sky. She also states that pay-TV is only one way to watch sport and that iPhones are another option, as are free-to-air replays. Her statement around the flexible way of watching was echoed by John Fellet in the Netball New Zealand’s press release:

We are excited to ensure quality netball coverage is available to the widest possible fan base through a range of broadcast options including iSKY our new broadband offering and on mobile. (Netball New Zealand, 2011)

By 2011, digital technologies did offer a new way to watch sport, however, Sky were still the gatekeepers to live sport via digital channels. The new options did not make watching sport more accessible to those who could not afford it. Rather, they were designed for an online audience.

Conclusion

In 1996, when Sky secured exclusive rights to live rugby in New Zealand, there was huge uproar as much of New Zealand was still unable to even receive the Sky signal. The deal was front-page news on *The New Zealand Herald* and *The Press* (Dearnaley, 1996; “Sky’s TV rugby deal under attack”, 1996), and fans felt that they were being deprived of what they described as a “national treasure”, a “national cultural icon”, and a “birthright”. Even the sitting Prime Minister, Jim Bolger, appeared on *Morning Report* (1996, February 13) to argue that rugby was an essential part of New Zealand’s heritage. However, this was just the beginning of the major shift of sport from free-to-air to pay-TV.

Sports associations, Sky, and some media commentators were united in arguing that pay-TV was an essential part of the developing political economy of professional sport. This view was most aptly summarised by Chairman of the NZRFU, Richie Guy’s, statement that “at the end of the day, the consumer will pay” (*Morning Report*, 1996a). Those that supported the deal argued that Sky was a *saviour* of New Zealand sport by generating money that could be used to retain New Zealand’s top athletes. This perspective saw the professionalism of sport as inevitable, addressed the audience as a “consumer”, and described sports broadcasting as a “product”. Nearly identical discourse was used in 1998 when exclusive live cricket rights were bought by Sky. However, by then, there was less outrage surrounding such a deal. At this point exclusive live sport behind a paywall was becoming naturalised, thus, much of the language supporting the Sky sports rights deals assumed that paying for sport was now “a fact of life”.

The Review of Regulation for Digital Broadcasting was the most significant opportunity for New Zealand to bring in anti-siphoning legislation. This would have allowed the opportunity for all New Zealanders to watch major sports events. However, such regulations were discussed in the review as a “threat” to Sky, as this would negatively affect their business model. Sky advocated a free-market approach and they were positioned as the “primary funding arm” of New Zealand sport and of New Zealand’s top athletes. This was Sky’s essential argument against regulatory action in New Zealand. On the other hand free-to-air sports rights advocates, including free-to-air channels, argued that the situation was fundamentally “unfair”. Furthermore they suggested that a generation of New Zealanders had not experienced live free-to-air sports; a reality that could reduce sports participation numbers.

However, the chance to legislate was lost for a variety of reasons. The change of minister handling the broadcasting portfolio in 2007, the change of government from Labour to National in 2008, and the constant lobbying efforts from Sky could all have been factors in

paring back the review to look solely at issues of market competition. When netball went with Sky as a broadcasting partner, in 2011, there was very little news coverage. This could partly be because such deals were seen as inevitable by the 2010s, but one must also acknowledge the gendered nature of sports coverage in mainstream media. It is also possible that the socio-cultural importance of sport was, at this point, waning.

These case studies show that New Zealanders attempted to make arguments that sports rights should have a free-to-air component to them. Anti-siphoning regulations did then have some popular support. However, they were up against corporate lobbying efforts to ward off regulations. Furthermore, they were also confronted by a capitalist hegemony which positioned pay-TV as a necessary element of professionalised media sport. Notably, alternative perspectives were not given an authoritative standpoint within media coverage.

In summary, from the 1990s to the 2010s, sports media became increasingly inaccessible as paying for exclusive, live sport, became normalised. The cultural citizenship aspect of watching sport, which requires accessibility, was eroded. As the next chapter will explain, even when free-to-air rights are granted, the concept of cultural citizenship can become essentially contested.

Chapter Six: Global Tournaments and Television Rights: Rugby World Cup, 2011

Mega events, such as the Olympics and FIFA World Cup, have become global media products which attract millions of dollars from TNC's. Roche (2000) defines these mega-events as "large-scale cultural (including commercial and sporting) events, which have a dramatic character, mass popular appeal and international significance" (p. 1). But Gruneau and Horne (2016) recognise that this definition seems modest by modern standards and, as such, events have become of global importance to millions of fans. They are celebrated civic events, and can become "celebrations of identity, nation, and community, and welcome opportunities for distraction" (Gruneau & Horne, 2016, p. 2). They also have political, cultural, and economic significance, and are "characterized by the generation and projection of symbolic meanings – most obviously over the nature of statehood, economic power and collective cultural identity" (Hayes & Karamichas, 2011, p. 2). Mega-events tend to use huge amounts of public investment "while generating global audiences whose attraction for cities, and value to advertisers and sponsors, has inflated dramatically since the 1980s" (Gruneau & Horne, 2016, p. 2). In this sense, mega-events connect the local with the global, drawing on local engagement, investment, and support, then connecting with global networks of capitalist accumulation, tourism, international government bodies, and international associations (Gruneau & Horne, 2016).

Mega-events are often promoted by politicians, and the media can often be complicit in perpetuating a narrative which focuses on the interests of those benefitting from the mega-events while downplaying other sectional interests (Horne, 2007). There is usually local criticism of mega-events in the form of activism, protests, blogs, or columns in mainstream and alternative news media. However, there is also a structural alignment between the media, and corporate and governmental creation, and promotion of an events based economy. Often promoters seek legitimacy by appealing to national pride and citizenship, what Gruneau and Horne (2016) describe as "rhetorics of legitimation" (p. 14).

According to Scherer and Jackson (2013), the Rugby World Cup is the "third largest sporting event in the world, with over 100 nations participating in the sport globally" (p.1). The 2011 Rugby World Cup broadcast to 200 countries and regions and had a "projected cumulative TV audience of over four billion" (Scherer & Jackson, 2013, p. 1). The 2011 Rugby World Cup also included some major TNC's as sponsors, such as Coca Cola,

Heineken, Emirates Airline, Mastercard, and ANZ (Scherer & Jackson, 2013). Mega-events, like this may be promoted to attract capital, tourism, investment, and economic growth and These factors were all part of New Zealand's bid for the 2011 Rugby World Cup (Scherer & Jackson, 2013).

Harris (2010) provides a timeline of Rugby World Cups and shows how they have become increasingly globalised and commercialised. In 1987 the inaugural Rugby World Cup, held in New Zealand, was an amateur event. Smith (2009) notes that the word amateur itself has gone from meaning playing for the love of the game to having negative connotations around sloppiness or disorganisation. During the 1987 Rugby World Cup, this amateur nature meant that there were no qualifying matches instead, 16 teams were invited to play. Many of the matches took place during daytime, and stadiums at the time did not have floodlights, which was inconvenient for both TV audiences and stadium spectators (Harris, 2010).

The commercial potential for the tournament became more evident during the 1991 Rugby World Cup. This was played across 5 European countries, which was logistically challenging, but the involvement of many countries in hosting increased television viewership numbers (Harris, 2010). In 1995, South Africa hosted the event despite previously being excluded from participating in the Rugby World Cup due to its apartheid regime. While the decision was controversial, because of concerns around violence in South Africa, the event marked a re-entrance of South Africa on the world stage. Notably, the photo of Nelson Mandela wearing a Springboks jersey and handing the cup to Francois Pienaar became an iconic image (Harris, 2010).

Following this the World Cups entered the professional era and the IRB began taking a more international approach. The 1999 Cup was hosted by Wales but took place across England, France, Ireland, and Scotland too. In 2003, the Cup was scheduled to be hosted by Australia and New Zealand, but a dispute over New Zealand not having "clean stadiums" (stadiums free from advertising and sponsorship arrangements) meant that it took place in Australia only. The event was heavily marketed and, according to Harris (2010), brought Australia to the "forefront of sport management and development" (p. 35). By then, stadiums had floodlights and matches were scheduled for the television markets of core watching nations.

In September 2004, the NZRFU formally expressed an interest in hosting the 2011 Rugby World Cup and was sent the initial tender document. The NZRFU then conducted an

internal feasibility assessment. By January 2005, when they had to pay a deposit to the IRB to stay in the race, they concluded that government support was needed to finance and operate the tournament (Snedden, 2012). At the time, Labour's Trevor Mallard was in Cabinet as the Minister for Sport and Recreation. He advocated for the bid and used the Horwath report to claim that it would add an additional NZ\$400 million to GDP (Snedden, 2012). The bid narrative presented to the IRB was that, while New Zealand is a small country, there would be huge buy-in from the public (Scherer & Jackson, 2013, p. 887). For example, the bid for the 2011 Rugby World Cup presented the following statements as 'key facts': "New Zealand: where the spirit of the country is boosted by an All-Blacks test match" and "the entire nation mourns an All Blacks' test match loss" (Scherer & Jackson, 2013, p. 887). Furthermore, the key promotional mantra behind the 2011 Rugby World Cup was that New Zealand was a 'stadium of four million'. The mantra, and the tournament itself, were a mark of pride for the organiser Martin Snedden, who describes what he thinks it captured:

This wasn't skin-deep, specious PR bullshit. This wasn't religious-like fanaticism. This was ordinary New Zealanders rolling up their sleeves, getting stuck in and making sure our country looked great. It didn't solve any of our more difficult problems- Christchurch, Pike River, the economy- but it did lift our spirits and put us in a much better space. We felt as if we were all on one team, and that everyone was playing for the team. And we felt proud, really proud, to be New Zealanders. (Snedden, 2012, p. 111)

The 2011 Rugby World Cup was a project of corporate nationalism. This is defined by Silk et al. (2005) as the ways that national culture is 'reduced to a branded expression of global capitalism's commandeering of collective identity and memory' (2005, p. 7). However, unlike the corporate nationalism surrounding the America's Cup, the Rugby World Cup had more genuine citizen engagement due to rugby being a significant national pastime in New Zealand. The folklore of New Zealand as a rugby nation was used to promote New Zealand to the IRB as well as international fans and affluent tourists. Notably, the government supported the 2011 Rugby World Cup bid, but soon "acknowledged that it was already anticipating a minimum \$35–40 million loss on the event itself" (Scherer & Jackson, 2013, p. 888). However, the benefits of the tournament to New Zealand were still widely articulated. Meanwhile, Bruce (2013) shows that, while the 2011 Rugby World Cup got widespread media support, there was a large sector of New Zealand society that does not have an interest in rugby. For example, before the 2011 Rugby World Cup, New Zealand based research company UMR did a poll of 850 New Zealanders, finding that 35% of people were

not looking forward to the tournament, with another 29% feeling neutral towards it (Tapalaeo, 2011).

Part of the appeal of hosting mega-events is their cultural and national character, and, because these events are sold as contributing to cultural citizenship, it is important that they are broadcast on free-to-air television (Evens et al., 2013). Furthermore, the idea that the whole of the New Zealand public would be watching was promoted to the IRB and corporate sponsors. This then became an important theme for broadcasters once it became evident that games would need to be freely available if the ‘the stadium of 4 million’ were to watch them. There is also a commercial logic for sponsors to want an adequate level of public broadcasting; ensuring their branding and marketing gets greater exposure. Consequently, this chapter examines not only the dominance of pay-TV, but the contest between free-to-air broadcasters to broadcast the Cup.

A Political Economy Analysis of the Broadcasting Rights Bidders.

In 2009, the negotiations for the sports broadcasting rights for the 2011 Rugby World Cup took place. Sky was the only pay-TV bidder and the likely bidders for free-to-air coverage were TVNZ and/or TV3. However, as it transpired, Māori TV controversially put a bid in. In 1988, the Crown amended the Broadcasting Act 1976 to create broadcasting SOE's. Then, as a response, the Māori Council and Wellington Māori Language Board argued to the High Court that this change would impair the Crown's ability to protect the Māori language (Walker, 2004). Thus, the High Court recognised the need to protect the Māori language through television assets but not through radio assets, a decision which the Māori Council appealed to the Privy Council. The Privy Council then decided that “among the principles of the Treaty of Waitangi was an obligation to protect and preserve Māori property, including the Māori language as a taonga (treasure)” (Walker, 2004, p. 370).²⁴ On the basis of this principle, the Privy Council recognised that radio and television broadcasting were needed to preserve the Māori language. Then, in 2000, the government agreed to the establishment of a Māori Television Channel, and Te Puni Kokiri (the Ministry for Māori Development) established a Broadcasting Advisory Committee (Walker, 2004). This decision was predictably controversial, with some New Zealanders saying it was a separatist development and a bad use of money. It is difficult to sustain an argument that Māori TV was a separatist development as the channel was to broadcast in both Māori and English, and

²⁴ The Māori word ‘taonga’ can be translated to ‘treasure’ or something prized. It can be applied to something of social or cultural value.

was designed to inform, educate, and entertain both Māori and Pākehā audiences. However, it was also committed to strengthening te reo and providing local content. Transmission began in March 2004 and in 2008 Māori TV announced its strategic priorities; it was to broaden its viewer base, maximise commercial opportunities, and expand accessibility. Māori TV had then broadcast some high-profile sports events, in the form of boxing bouts (David Tua vs Shane Cameron), the New Zealand Breakers home coverage, and some Rugby League.

In 2008, TVNZ had recorded a profit of NZ\$19.4 million (Drinnan, 2008d), however, the company's policy was to pay a dividend of 70% (after tax), to its owners, the Crown. In this case, that was a dividend of NZ\$10.3 million. The previous year it had made a NZ\$7.2 million dollar loss (TVNZ, 2008). TVNZ attributed its good financial result, in 2008, to its turnaround plan. CEO Rick Ellis had increased their advertising revenue from higher channel ratings, by getting "the organisation's costs under control" ("Big TV events drive TVNZ's profits up" 2008). Furthermore, at this time TVNZ was working with a Charter which was passed in 2004 during Labour's second term of Government (Thompson, 2011a). This was a list of objectives aside from those of being a commercially successful SOE. Moreover, as part of the charter, TVNZ was expected to reflect the important role of sport to New Zealand's culture. However, in 2008, National came into power and wished to free TVNZ from its dual remit so that it could focus purely on commercial objectives. It wanted to make the charter funding contestable by making a fund through New Zealand on Air (Thompson, 2009).

MediaWorks, which owned TV3 and nine national radio stations, had undergone a private equity takeover. In 2007, CanWest sold its stake in MediaWorks to Ironbridge Capital and subsequently bought out the remaining 30% of investors and delisted MediaWorks from the stock exchange. During this time, MediaWorks CEO Brett Impey stood down. MediaWorks then split the CEO role and introduced an executive director for Radio; Sussan Turner, and an executive director for television; Ian Audsley, who came from Australia's Channel 9. In 2007, Australasian private equity group Ironbridge then announced that it had acquired CanWest's stake in MediaWorks by paying NZ\$741 Million (including net debt) in a "debt-funded" deal. This left MediaWorks with a debt loading of over NZ\$550 million (Drinnan, 2010). In 2007, it had the rights to the Rugby World Cup hosted in France. That year, MediaWorks had an interim profit of NZ\$14.6 million and was encouraged by its advertising booking, which made up 99% of revenue. However, by August 2008 there was a severe plunge in advertising revenue, which put stress on all media companies and MediaWorks posted a NZ\$40.3 million loss. Then, in 2009 Ironbridge Capital "pumped \$70

million into the company... in an effort to drive down bank debt" (Mace, 2009, para. 1). Drinnan (2010) describes the company as "weighed down with the debt from Ironbridge's leveraged buyout" (para. 3).

The 2000s had been a period of steady growth for Sky. Its subscriber numbers had grown steadily, and since 2003 Sky had maintained a steady profit. Securing the 2011 Rugby World Cup broadcasting rights was very important to Sky, as during the previous Cup they had gained 33, 711 subscribers for the year (Sky Network Television Limited, 2008a). During the Cup years, many All Blacks play less domestic rugby, there are fewer tests and there is not an end of year tour to the Northern Hemisphere. Thus, without the rights to the 2011 Rugby World Cup, there would have been a decline in subscribers for Sky (Sky Network Television Limited, 2008a).

The Broadcasting Rights Controversy

In 2008, it was announced that TV3 was in the 'box seat' for rights to the 2011 Rugby World Cup as they had been the broadcasters for the previous Rugby World Cup in France (Kayes, 2008). However, their coverage had been controversial, largely because of criticisms concerning their choice in commentators (Kayes, 2008). However, it was speculated that they could partner with Sky (Kayes, 2008). Sky was not able to cover the event exclusively as the IRB wanted the major games to be live on free-to-air television (Kayes, 2008). Nevertheless, it was possible for Sky to buy the rights and broadcast them free-to-air on Prime, but with the Review of Digital Broadcasting going on, alongside frequent accusations that Sky was a 'monopoly', they were more likely to strategically partner with another provider. Later that year, it was announced that Sky, TVNZ, and TV3 were in joint negotiations with the IRB commercial rights agent IMG sports management, their pitch being that each channel would have some games (Drinnan, 2008e). As a result, *The New Zealand Herald* reported that Sky "faced with the Government review of its market dominance... opted to share the Rugby World Cup" (Drinnan, 2008e, para 13). However, in 2009, this joint bid was rejected and the IRB gave a stern warning about what they saw as anti-competitive behaviour. IRB CEO Mike Miller "expressed his dismay at Sky TV, TVNZ and TV3, accusing them of trying to pull the wool over the IRB's eyes" (Ford, 2009, para. 2). He believed that the purpose of the joint bid was to "drive the broadcasting fee down" (Ford, 2009, para. 3) due to a lack of competition in the bidding. The IRB even suggested that if the broadcasters did not budge, the tournament would be taken overseas (Ford, 2009).

On the 11th of April, 2009, it was announced that Sky had won the pay-TV rights for the 2011 Rugby World Cup. This was the week after the Government scrapped its Review of Regulations for Digital Broadcasting (Drinnan, 2009a). Once the review was scrapped, John Fellet, CEO of Sky, confirmed that Prime, TVNZ, and TV3 would be competing for the free-to-air rights to 16 games, including the major ones (Drinnan, 2009c).

TV3 and TVNZ put in their bids, but Rugby World Cup Limited approached Māori television about submitting a bid proposal (Donaldson, 2009). This prospect worked with Māori TV's strategy to widen its viewer base, expand on commercial opportunities, and promote te reo. Sport was a way that they could reach these three objectives. However, Māori TV had to be tactical about which sports to choose, for example, it stayed away from motor sports which was "the bread-and-butter of TV1 and TV3 weekend sport" (Donaldson, 2009, para. 6), preferring to "zig where others zag" (Donaldson, 2009, para. 7). Māori TV CEO Jim Mather further explained "We adopted a view to move away from top-end sport, because we knew we could never win against the vast resources and production expertise of Sky TV - we decided to look at alternative sports that could be popularised" (Donaldson, 2009, para. 7). With this strategy, Māori TV had gained some expertise. However, in October 2009, this strategy took a drastic change when it was announced that Māori TV was the front runner to win the rights for a major event, 2011 Rugby World Cup. As part of this bid, Te Puni Kokiri gave Māori TV NZ\$3 million from their portfolio.

For Māori TV to cover the Rugby World Cup, 5-10% of the commentary would be in te reo to meet Māori TV's commitment to upholding and revitalising the language. Te Puni Kokiri had a quota for how much Māori television content needed to be in te reo. For rugby commentary, Māori TV proposed that commonly used terms would be interwoven into predominantly English commentary and some of the commentary calls were to be translated for listeners. The Minister of the Rugby World Cup, Murray McCully, was unhappy with the bid coming from Māori TV. Audrey Young reported in *The New Zealand Herald* that:

Te Puni Kokiri chief executive Leith Comer and Māori TV chief executive Jim Mather were summoned to the beehive for a meeting with Acting Prime Minister Bill English, Rugby World Cup Minister Murray McCully, Broadcasting Minister Jonathan Coleman and Associate Māori Affairs Minister Georgine Te Heuheu. McCully was livid, firstly because he had not been informed of the bid, or Te Puni Koriri's top up, and because he wanted them to contemplate sharing or sublicensing the coverage. This was very

unusual for the government to do, they did not usually have direct contact with chief executives of crown owned operations. (Young, 2009b)

On October 13th, the government decided to support a TVNZ-led joint bid which included TV3. Not wanting to have TVNZ and Māori TV bidding against each other with ‘taxpayer money’, Prime Minister John Key intervened and established a joint bid between Māori TV, TVNZ, and TV3. However, Māori TV were to ‘lead’ the bid, which meant that Māori TV would have 16 matches live, TVNZ and TV3 would have 7 live matches each, and Māori TV would get free-to-air delayed coverage of the other 32 matches. The negotiation process, including the government intervention, was characterised as “a debacle”, “a mess” and “amateurish buffoonery” (“World Cup's latest turnoff” 2009, para. 1), with ministers getting involved with state broadcasters, and state broadcasters competing with each other. The timeline of these developments is outlined in Table 5.

Table 5

Timeline of Developments for the Rugby World Cup 2011 Broadcasting Rights

Date	Event
3 October 2008	Media reports that TV networks, TVNZ, TV3 and Sky are working together for a joint bid.
1 March 2009	IRB rejects the joint bid and it is abandoned.
11 April 2009	Sky win the pay-TV rights.
6 October 2009	The media reports that Te Puni Kōkiri will be giving Māori Television NZ\$3 million for a bid to broadcast the 2011 Rugby World Cup free-to-air.
13 October 2009	The media report that the government has made a decision to fund a higher bid for a TVNZ-led joint bid against Māori TV.
14 October 2009	It is announced that Prime Minister John Key has intervened with the bids, taking the bids off the table.

15 October 2009	A Māori TV-led joint bid is proposed by Prime Minister John Key.
18 October 2009	A draft proposal for the Māori TV-led joint bid goes to Cabinet.
3 March 2010	Deal secured for the free-to-air coverage across Māori TV, TVNZ, and TV3. Māori TV is the lead bidder.

April 2009: Sky Win the Pay-TV Rights

Sky won the pay-TV rights to the Rugby World Cup on April 9th, 2009. Under the deal, Sky would produce coverage of all 48 matches. However, negotiations for the simultaneous free-to-air licensing of 16 matches, including the opener and finals, was still to take place. This caused debate and outrage, although responses were mostly subdued because the free-to-air rights deal was yet to be announced. From seven newspaper articles, key perspectives on Sky winning the pay-TV rights can be identified. These cover two columns from *The New Zealand Herald*; four news articles from *The New Zealand Herald*, *The Dominion Post*, and *The Otago Daily Times*; and one editorial from *Taranaki Daily News*. The descriptions for these media outlets are listed in Table 6.

Table 6

Media Outlets Included in the “Sky Win the Pay-TV Rights” Section of the Rugby World Cup, 2011 Case Study

Media Outlet	Media Outlet Description
<i>The New Zealand Herald</i>	New Zealand’s most widely circulating daily newspaper.
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington.
<i>Taranaki Daily News</i>	A daily newspaper in Taranaki.
<i>The Otago Daily Times</i>	A widely circulated daily newspaper in Otago

Watching Rugby is a Cultural Right

The Labour government (when in opposition) criticised the initial deal made between Rugby World Cup Limited and Sky. In *The New Zealand Herald* article titled “World Cup broadcasting deal fails NZers, says Labour” (2009, April 14), Labour’s broadcasting spokesman Brendon Burns is reported as saying that “Having to pay to watch most 2011 Rugby World Cup matches will deny many New Zealanders their birthright”. He went on to remark that the “National-led Government’s hands-off policies meant New Zealanders without Sky could only hope the second-pickings offered on free-to-air would allow them to watch All Blacks and other matches” (“World Cup broadcasting deal fails NZers, says Labour,” 2009, paras. 1-4). Burns also argued that taxpayers and ratepayers had significantly contributed to the upgrading of infrastructure which allowed the World Cup to take place, thus, they should have more access to these games. Furthermore, he suggested that the government should be supporting the New Zealand broadcasting industry, not enriching Sky.²⁵

This discourse illustrates what cultural rights people have as citizens. The nation-state can support cultural citizenship through cultural policy in many spheres including mass communication (Stevenson, 1997). Notably, ‘taxpayer’ is a key term used throughout the discourse pertaining to the 2011 Rugby World Cup. This is because public funding was used to host the 2011 World Cup, therefore, the public felt some entitlement towards having access to the games. This point is also argued in a *Taranaki Daily News* editorial piece (2009, April 11):

The decision is a slap in the face for many of us whose taxes were used to help bring the tournament to New Zealand and contributed to the upgrading of our stadia in order to be in a position to host the games. Now we will be forced to pay even more to see them. (“Sky will be limit for many of us” 2009, para. 4)

This sense of injustice was exacerbated by the ‘Stadium of four million’ slogan that was used to promote the 2011 Rugby World Cup. The idea that all New Zealanders were included in the ‘stadium’ was undermined by the fact that not all New Zealanders have access to the games, even via broadcasting.

²⁵ A very similar article with identical quotes was published with *The Dominion Post* on the 24th of April under the title “Kiwis’ rugby birthright denied- Labour”.

The Cultural Significance of Rugby is Waning

Another argument in favour of giving the 2011 Rugby World Cup free-to-air coverage, with less pay-TV involvement, was that rugby's national-cultural significance was declining. The 'crises' that rugby was facing were covered in *The New Zealand Herald* article 'Rugby: Desperately seeking hearts and minds in NZ' (2009, April 12) by Brendon O'Conner, the NZRFU Commercial and Marketing Director when Super Rugby was conceived. In reflecting upon the repercussions of professional rugby, he argued that, even though retention of top players was a key reason for going professional, New Zealand rugby was still losing players every year. Furthermore, rugby now had a 10-month schedule, and with New Zealand's small population, fans did not have the time or money to keep the stadiums full (O'Conner, 2009). O'Conner argued that "Rugby has moved from the position of a meaningful representative sport to that of a commoditised and compromised entertainment product" (O'Connor, 2009, para. 6) On the same day, Paul Lewis (2009) referenced this piece in his *The New Zealand Herald* article "Rugby needs free TV to mend health", while writing about the broadcasting rights for the 2011 Rugby World Cup. In his view the lack of access to live free-to-air rugby had contributed to this "crisis":

The fallaway (sic) of fans is regarded by many as a crisis while rugby administrators sometimes seem barely perturbed. The solution to problems of falling crowds, thinning TV audiences and an increasing lack of enthusiasm would not seem to be locking people out of a TV broadcast of the biggest sports event held in New Zealand. (Lewis, 2009b, paras. 3-4)

In the article, Lewis argues that rugby should aim to be more inclusive not exclusive and highlights New Zealand's lack of anti-siphoning regulations compared with other countries. He saw the debate as more than pay-TV vs free-to-air TV, rugby itself was being run by broadcasters and losing relevance in New Zealand society. He finished his article by observing that "we should- all of us, including me- perhaps not have given up free-to-air rights so easily in the past" (Lewis, 2009, para. 24). This point of view does not seem to have been represented elsewhere in the media at the time.

A reply to the Paul Lewis column from Martin Snedden, the CEO of Rugby New Zealand 2011 Ltd, titled "Host broadcast role coup for Sky and NZ", was published in *The New Zealand Herald* (2009, April 19). In this article Snedden argued that 16 Rugby World Cup matches were going to be live and free-to-air. He also argued that Sky had worked hard

to get the bid, that its coverage was very good, and that its contract would provide new jobs (in the wake of the 2008 recession):

Sky won out because they are leaders in live sport production. Their success should be recognised and celebrated, particularly as this contract, coming as it has in the middle of an economic meltdown, will provide hundreds of much-needed new jobs and/or continuing job certainty for New Zealanders working in that industry and significant new money for our struggling economy. (Snedden, 2009, para. 10)

The rest of the article provides further coverage details. Snedden (2009) describes the deal as “pretty well balanced and inclusive” (p. 19), but Snedden does not address the broader concerns for rugby as a sport, and in fact finishes his article with this statement:

The point [of the article] was whether the noble sport of rugby, using the World Cup as an example, could afford to continue money-linked dependence on pay-TV and still hope to ignite a whole new generation of kids and fans. (Snedden, 2009)

This question is one which Snedden (2009) leaves open. In his book he wrote that professionalism came at a price and that, while it was good that people could make a living out of sport, there were some difficult issues including saturation (which diminishes live events attendance), minimal player loyalty, money “spats”, and struggling grassroots rugby (Snedden, 2012).

October 2009: The Bidding for the Distribution of the Free-to-Air

Rights

The bidding process involving Māori TV was hugely controversial because it revealed opposing conceptions of national and cultural identification as a wellspring for sports fandom and spectatorship. One issue quickly raised after the Māori television bid, was that they did not have sufficient reception coverage. Different articles presented different coverage estimates but most of them put it at between 80-90% (“Bid raises doubts,” 2009; Espiner, 2009; McCarten, 2009; *One News- Guyon live on RWC 2011*, 2009). Some people were also worried about the fact that 10% of the commentary would be in te reo Māori, although the mainstream media showed support for the inclusion of te reo overall. Then when TVNZ bid over Māori TV, there was a concern that taxpayers were supporting two publicly owned broadcasters to outbid each other. Following the controversy, the Government intervened

fuelling accusations of racism, as I will detail more specifically in the “accusations of racism” section.

For the month of October, 2009, this case study uses 33 texts to interrogate major perspectives on the rights negotiations. The body of texts is comprised of 14 news articles from *Radio New Zealand*, *The New Zealand Herald*, *The Dominion Post*, and the *Sunday Star-Times* and *The Southland Times*; 5 editorials from *The Press*, *Sunday Star-Times*, the *Waikato Times* and *Taranaki Daily News*; 8 columns for *The New Zealand Herald* and *The Sunday Star-Times*; 1 Letter to the editor to the *The Dominion Post*; 1 television feature from Q&A; 1 television feature from *Campbell Live*; 1 segment from TVNZ’s *Breakfast*; and 2 segments from *One Network News*. Listed in Table 7 is a brief description of each outlet.

Table 7

Media Outlets Included in “The Bidding” and “Government Intervention” Sections of the Rugby World Cup, 2011 Case Study

Media Outlet	Media Outlet Description
<i>The New Zealand Herald</i>	New Zealand’s most widely circulating daily newspaper.
<i>The Press</i>	A widely circulated daily newspaper in Christchurch.
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington.
<i>The Sunday Star-Times</i>	A weekend paper covering national and international news.
<i>The Waikato Times</i>	The daily newspaper of the Waikato region.
<i>Taranaki Daily News</i>	The daily newspaper of the Taranaki region.
<i>The Southland Times</i>	The daily newspaper of the Southland region.
<i>TVNZ Breakfast</i>	TVNZ’s morning news and talk show covering news, weather, sport and features.
<i>One Network News</i>	New Zealand’s flagship TV news bulletin show starting at 6pm.
Q&A	A weekly TVNZ politics and current affairs shows.
<i>Campbell Live</i>	A daily in-depth current affairs show on TV3 from 2005-2015.

Māori Development Advances National Identity

When Māori TV made their bid, it saw it as an opportunity to promote its television station, Māori language, and Māori businesses (through their advertising). However, it required NZ\$3 million from Te Puni Kokiri, which was given to them by Minister of Māori Affairs, Pita Sharples, who was also co-leader of the Māori Party. Additionally, it was working in a support role (confidence and supply) with the National Government. In defending the financial support, Sharples argued that the bid created a unique platform to promote Māori development for the benefit of the whole country (*Peter Sharples on Breakfast*, 2009). He argued that unlike other channels this was:

[00:02:43] An opportunity to showcase Māori businesses. We often said, come on, get off your chuff and do something. Well, this is a really good opportunity to actually do that. So instead of paid advertisements for the three million they can showcase what iwi are up to in their businesses and things like this. There'll be more jobs for people. So it's a win-win situation for Māori. (TVNZ, 2009b)

This perspective was put forward in editorials in both *The New Zealand Herald* and the *Sunday Star-Times*, New Zealand's largest nationally significant papers. This shows that support for Māori development and the bid from Māori TV had mainstream support. For, example, the *New Zealand Herald* published an editorial titled "Boost of Maori bid welcome" (2009, 11 October) which stated:

Assisting Maori TV to showcase the quality of its operation to audiences who do not regularly tune in is completely consistent with the kaupapa, or mission of TPK.²⁶ It will build resources and contribute to organisational success, and the sustainable success of a Maori organisation provides a model which all should welcome. ("Boost for Maori bid welcome", 2009, para. 10)

The emphasis on "all" is also found in the *Sunday Star-Times* editorial "Maori TV offers flair and pride to rugby showcase" (2009, 18 October) which stated:

The big channels serve the advertisers first and the people second; for Maori Television, the priorities are different. Nobody needed to fear that Maori Television would have taken a narrow or purist approach to its coverage of the world cup.

²⁶ Te Puni Kōkiri (Ministry for Māori development)

Everything about the station suggests it would have done it with flair, energy, and a pride in New Zealand that would have pleased all the fans. And they would have learned something about Maoridom and a bit of Maori language into the bargain. ("Maori TV offers flair and pride to rugby showcase" 2009, para. 6)

The use of "all" in both of these extracts in the phrases "all should welcome" and "would have pleased all the fans", presumes a voice for the country as a whole. The main idea is that the Māori bid and Māori television are not separatist but nationally inclusive.

This perspective was also put forward by Chris Barton in a *New Zealand Herald* column titled "Maori TV World Cup bid should be celebrated" (2009, October 8):

Our national game. Our haka. Our identity, not to mention our Maori heritage, resides here.

Watching our national team do well, not just in rugby, but any sport, gives many of us a sense of pride.

But instead of celebrating Maori TV going for another world first - an indigenous broadcaster winning against the odds - there is shrill braying...

As for World Cup commentary "peppered" with Maori phrases, I reckon it will be brilliant. So much better than Murray Mexted's blathering about psychic energy. Like the haka, it would be something unique to us, something to be proud of. (Barton, 2009, paras. 3-21)

This extract lays claim to what is included in "our" national culture, including "our Maori heritage". This is important because "Maori heritage" is not always celebrated as a national discourse, and doing so potentially disrupts colonial understandings of New Zealand.

One wider narrative put forward is that New Zealand should celebrate Māori culture as an exemplar of national distinctiveness. New Zealanders are certainly aware that their identity has many of the same cultural signifiers as Australia or Britain. However, over recent decades many came to believe that embracing the Māori language, the haka, and Māori culture generally, gave New Zealand a point of difference.

Māori TV Provides Inadequate Coverage

Once Māori TV announced their bid, there was immediate outcry that it was inappropriate because it did not have full UHF coverage nationwide. For example, *Taranaki Daily News* article “World Cup’s latest turnoff” (2009, October 7) proposed the following argument:

If Māori TV wins the race for the rights, that would mean that the Government has allowed, through its administration of our taxpayer dollars, a television channel with limited New Zealand coverage to trump an essentially state-run broadcaster funded in part by the public and whose profits are channelled back to the Government. The same Government that has spent many, many millions of taxpayers' dollars to bring the tournament here in the first place. (“World Cup's latest turnoff”, 2009, para. 6)

This extract describes Māori TV as ‘*a television channel with limited New Zealand coverage*’ as opposed to TVNZ, which is “*essentially state-run funded in part by the public*”. In reality, Māori TV and TVNZ were both state-run and funded by public. However, “*taxpayer dollars*”, a term often used to connote wasteful spending, is associated with Māori TV, whereas TVNZ is described as being “*funded by the public*”.

The argument is made that, because “*our taxpayers*” have contributed to hosting the Cup, all people should be entitled to some coverage. This point was also made by Frana Cardno, the Mayor of Southland, in a *The Southland Times* article “South could miss cup on Maori TV” (2009, October 7), she states: “The World Cup is an event that belongs to all New Zealand-ers, which includes the people who don’t have Freeview” (Forbes, 2009). Here “*all New Zealanders*” stand opposed to coverage on *Maori TV*. “*All New Zealanders*” (including those in Southland) are not served inclusively by having the Cup on Māori TV. The veracity of this claim was undermined by the fact that all TV channels had some blind spots.

This point regarding coverage was disputed by the Māori Party and spokespeople at Māori TV as when Guyon Espiner interviewed Māori party co-leader Tariana Turia on Q&A (2009, October 8):

Guyon Espiner (Reporter): [00: 05:08] Is there a practical element here too though? According to Nielsen Media Research, just 76 per cent of all homes say they can receive a satisfactory MTS [Māori Television] signal. I know there's this talk of the

figure of ninety percent. But in terms of a satisfactory signal, that would leave a quarter of the people potentially not being able to watch the national...

Tariana Turia (Co-leader of the Māori Party): Oh frankly, I could say that to you about TV One or TV Three, if you live in Stokes Valley, you can't get either. We can go to many parts of the country and find that you can't get Television One or Three. I think it was a spurious argument. (Q&A, 2009)

Two articles (Barton, 2009; Lewis, 2009a) raise the argument that, had Prime won the rights, there would be the same issues regarding coverage. However, there had never been any outcry about Prime's lack of coverage.²⁷ In an interview, Former TVNZ Corporate Affairs Chief, Peter Parussini, describes this narrative as an orchestrated PR move:

Basically, what went on was the other parties colluded to undermine Maori TV's bid and try and get the rights ourselves. So we had a deliberate campaign to undermine Maori TV, and the way we did that was we talked about Maori TV's lack of reach, in terms of broadcast reach, because it didn't reach all parts of the country. (Parussini, 2021)

Jim Mather tried to counter this move. In the *New Zealand Herald* article "PM kneecaps Maori TV bid" (2009, October 10) he argued that most people who lived in areas of poor coverage already had Sky (Gower, 2009c).²⁸

Prime Minister John Key was also involved, saying on *Breakfast*: "if a taxpayer-funded broadcaster wins a bid to screen Rugby World Cup games they should be able to be seen by everyone" ("Thousands will miss out if Maori TV wins rights to RWC", 2009, para. 14). However, this was characterised as an "unrealistic demand" by Patrick Gower, *The New Zealand Herald* political reporter (Gower, 2009d). Another *The New Zealand Herald* article from Gower "World Cup losses rocket to 39m" (2009, October 17) added that this was not a demand set by the World Cup organiser Martin Snedden:

²⁷ For example, Chris Barton's (2009) *The New Zealand Herald* article entitled "Maori TV world cup bid should be celebrated" contained the following extract: "It is my absolute expectation that all New Zealanders get an opportunity to view those 16 games free to air," sniped Prime Minister John Key on TV One's *Breakfast*. Would he have said the same had Prime won the rights? The same thousands wouldn't be able to view the games on that channel either, because it too has inadequate reception in some areas. Ditto for some parts of the country unable to get TV One, TV2 and TV3"; Paul Lewis (2009), also writing for *The New Zealand Herald* makes the same point: "Maori TV didn't have 100 per cent coverage across the country, they howled. Neither did Prime TV, another leading contender about whom no complaints were raised" (Lewis, 2009)

²⁸ Patrick Gower (2009d) writing for *The New Zealand Herald* stated: "He [Jim Mather] said no channel had 100 per cent coverage as the Prime Minister was demanding. People in the areas Maori TV did not reach had difficulty accessing any television signals, and most people had bought Sky as a result" (para. 9)

“Mr Snedden said the argument about whether Māori TV’s 90 per cent coverage was enough is not a major, as most people without reception would see the games via a Sky TV subscription or though the 19 big-screen fanzones Rugby NZ 2011 is setting up around the country.” (Gower, 2009e, para. 18)

While there was disagreement over what level of free-to-air coverage New Zealanders should receive, John Key’s view, that it should be available to “*everyone*”, and the Frana Cardno’s view, that coverage should be “*for all New Zealanders*”, imply that Māori TV is not a vehicle for cultural citizenship. Cultural citizenship was also not something that John Key had committed to when his government overhauled the review of regulations on digital broadcasting. One reason it may have been important for him here was the heavy media focus on “*taxpayer*” money going into funding the 2011 Rugby World Cup, such that people wanted to see some return on their investment.

New Zealanders do not Want to Listen to Te Reo Māori

Anxiety or disapproval concerning the 10% of coverage in Te Reo Māori was alluded to in some articles.²⁹ Only one letter to the editor that explicitly advances this opinion could be found. It was published in the *The Dominion Post* (2009, October 12):

However, I do think the suggestion that up to 10 percent of commentary be in Māori is, from both a viewer’s and business perspective, stupid, even childish. Figures from the Māori Language Commission suggest that less than a half of 1 percent of the population can speak Māori. If Māori TV goes ahead on that basis, it will do viewers a disservice and give its own credibility a severe knock. (Fowles, 2009)

Here, the words “*stupid*” and “*childish*” are used to describe 10% of commentary in one of New Zealand’s three official languages.³⁰ The statistics used from the Māori Language Commission may have been correct at the time of publishing, but would have based on fluency. What these statistics overlook is that most New Zealanders know quite a few Māori words already and have varying levels of proficiency in te reo. What this letter also does not acknowledge is that this is not an arbitrary decision by Māori Television. Its commitment to te reo is part of its mandate set out by the Privy Council, based on Treaty Principles.

²⁹ For example, Audrey Young’s (2009b) *The New Zealand Herald* article titled “Maori TV bid tough issue for main parties” made the following observation: “But the vehemence of the public reaction this week to the possibility of 10 per cent Maori commentary in Rugby World Cup matches shows exactly why a political strategist such as McCully is justified in being nervous.” (para. 30)

³⁰ The other two being English and Sign Language.

Anxieties about the use of te reo Māori are common in New Zealand. Usually, these opinions are expressed as *vox pops*, especially through talkback radio. They are not often expressed by establishment media, except to debate them. Nevertheless, journalists and politicians are aware of such voices. For example, in one *The New Zealand Herald* article the 10% commentary in te reo Māori is defended, but it is first stated that “we tend to screw our faces up at 10 per cent. It is only one in 10 words, and that might be *kia ora*.” (Gower, 2009e, para 14). Another *The New Zealand Herald* article “Maori TV bid tough issue for main parties” (2009, October 9) by Audrey Young suggested that there was a “vehement” public reaction to the idea of 10% of commentary in te reo. This perception was further used to justify government intervention.

Looking back, the disagreement over te reo being used in commentary raises questions about New Zealand’s cultural identity. The Treaty of Waitangi recognises Māori and Pākehā as being in partnership with one another, yet there is a section of New Zealand society which expresses disapproval when it listens to te reo. This is especially true when efforts to revitalise the language conflict with Pākehā conventions, in this case sports broadcasting commentary. The outrage generated here can be read as Pākehā dominance reasserting itself. This highlights how ideals of ‘cultural citizenship’ in regard to national sports, should not overlook tensions within the nation itself. The belief that rugby ‘belongs’ to Pākehā and not Māori, and that Pākehā culture is synonymous with New Zealand culture clashes with Māori perspectives on rugby.

Public Funding Should not be Spent on the Māori TV Bid

In the *The Dominion Post*, a letter to the editor (2009, October 12), titled “What would the tourists think” states:

Surely the prime minister is trying to fudge the real issues around Maori Television? It was established with taxpayer funding on the grounds of promoting Maori culture and language.

If it can't focus on, and succeed at that, it should be closed and the resulting resources used for something worthwhile.

It should not become a race-based copy of TVNZ by getting into promoting foreign sports, such as boxing and rugby.

And what would tourists think if the only free-to-air TV coverage of the 2011 Rugby World Cup was in Maori? (Cranston, 2009)

This person sees the “*real issue*”, as Māori Television going beyond its supposed remit, beyond what “*taxpayer funding*” should be used for. It also implies that the bid is not a “*worthwhile*” use of money. The term “*race-based*” is often used by those who disagree with Māori having specific resources allocated to them within New Zealand. The provision for Māori television is not race-based but part of adhering to the Treaty of Waitangi. The last sentence of the letter implies that tourists would not wish to watch the Rugby World Cup on Māori TV. This is a presumptuous statement that does not take into consideration that many tourists often enjoy learning more about Māori culture and language when they come to New Zealand.

Figure 7 shows a cartoon by Garrick Tremain. Tremain is a cartoonist known to be reactionary on racial issues (Molyneux & Goosselink, 2019). The cartoon depicts Māori Party leader Pita Sharples walking past “panhandlers” with the signs Māori wellbeing, Māori education, and Māori employment, only to put all of the “*public funds*” money into the Māori World Cup bid hat. The cartoon falsely represents how Te Puni Kōkiri was allocating money for areas of Māori development. The text, labelling Sharples as “rich and irresponsible”, is demeaning. Māori are not “*rich*”, and the funding allocated to Te Puni Kōkiri is necessary to redress the cultural inequalities caused by settler capitalism and colonisation. This cartoonist projects the paternalistic view that other people know what it is best to spend money for Māori.

Figure 7

Rich and Irresponsible Cartoon in the Otago Daily Times



Note. Published in the *Otago Daily Times* (2009, October 6).

Additionally, *The New Zealand Herald* columnist, Deborah Coddington, wrote a column titled “Agency misguided over its pledge for Cup rights” (2009, October 11). It suggested that the money could be better invested elsewhere, especially in preventing child abuse, a topic often raised by the writer (Coddington, 2009). Coddington writes:

Maori child advocacy director Anton Blank, one of the people who did something after the death of Nia Glassie³¹, talks of teaching parents through tikanga that children are essentially “godly and perfect” rather than essentially sinful. I bet these programmes wouldn’t turn their noses up at a few thousand dollars, let alone \$3 million. (Coddington, 2009, paras. 18-19)

While no-one would argue that spending money on the cause of preventing child abuse is a bad idea, the Māori party worked with the National Party to develop Whanau Ora, a programme designed to strengthen families and communities through a range of services.

In response to this narrative, columnist Finlay McDonald in the *Sunday Star-Times* wrote an article titled “Maori TV bid gripes just double standards” (2009, October, 17). In his view public finding *should* be spent on the Māori TV bid:

³¹ One of New Zealand’s worst child abuse cases, which was a major topic of public discourse in 2007 when it was reported, and in 2008 when the case went to trial.

Maori can expect to be patronised by both sickly white liberal and sickly white conservatives when it comes to knowing what's best for them. Having spent over a century-and a half winning back a modicum of self-determination, how galling to be lectured about whether their priorities are "appropriate" (...)

All Maori TV has done is redress the balance a little in favour of good old public broadcasting. If state TV or its private equity-owned rival Mediaworks couldn't find the case, maybe they too should have courted a state agency willing to subsidise their bids-for the public good of course. Disguise it as a reality show or a dancing competition; you never know, New Zealand On Air might fall for it.

The \$3 million pledged for the Maori TV bid is a rounding error in the context. Yet-as-ever, you'd think from the mean-spirited scrutiny in some quarters they'd been found betting 10 times that much on a pub darts competition. To the contrary, if Maori TV can leverage its audience share on the back of the local rugby rights, it is entirely consistent with the wider brief of both the network and Te Puni Kokiri to promote Maori development, cultural and economic, in an inclusive and dynamic way. (Macdonald, 2009)

The appropriacy of the bid was also argued for in an editorial from *The New Zealand Herald* titled "Boost for Maori bid welcome" (2009, October 11). The bid was seen to match Te Puni Kōkiri guidelines. With the organisation's remit including the goal of contributing to "Maori succeeding as Maori, achieving a sustainable level of success as individuals, in organisations and in collectives" ("Boost for Maori bid welcome," 2009, para. 9).³²

TVNZ is no Longer New Zealand's Public Broadcaster

The Māori TV controversy highlighted the lack of public broadcasting in New Zealand and the importance of public broadcasting to cultural identity. For example, in *The New Zealand Herald* piece "Maori TV World Cup bid should be celebrated" (2009, October 8), Chris Barton argues:

³² Chris Barton from *The New Zealand Herald* had also supported the bid in a piece titled "Maori TV World Cup bid should be celebrated" (2009, October 8). Similar sentiments are also found in the *Sunday Star-Times* editorial piece "Maori TV offers flair and pride to rugby showcase" (2009, October 18).

There is something unseemly about the outcry against Māori TV making a bid for free-to-air Rugby World Cup broadcast rights. It's doing what any decent public broadcaster should do - putting culture and customers first - something our state-owned broadcaster seems to have entirely forgotten. Our national game. Our haka. Our identity, not to mention our Māori heritage, resides here. But instead of celebrating Māori TV going for another world first - an indigenous broadcaster winning against the odds - there is shrill baying. (Barton, 2009, para. 1)

In this sense, Māori TV was fulfilling the classic principles of public broadcasting derived by the BBC - to inform, educate, and entertain. Barton alludes to TVNZ as '*our state-owned public broadcaster*'. He also argued, further into the piece, that because TVNZ, a SOE, paid the government a dividend every year, it did not have the funds it needed to afford sports broadcasting (Barton, 2009). Furthermore, the dividend payment requirement from TVNZ revealed the lack of government commitment to public broadcasting principles. This issue also highlighted TVNZ's lack of commitment to a charter which was supposed to preserve and showcase New Zealand and its culture for all New Zealanders.³³ A *Sunday Star-Times* editorial "Maori TV offers flair and pride in rugby showcase" argued that Māori TV was more of a public broadcaster than TVNZ:

It is now a cliché to say that the real public broadcaster in New Zealand is Māori Television, but it is true. Its coverage of New Zealand politics is deeper and more serious than that of either of the two big white channels (...) The "mainstream" channels are mainstream in the sense that they provide imported pap for large numbers during prime time. But if you want to see a channel focused on New Zealand, watch MTS ("Maori TV offers flair and pride to rugby showcase" 2009, para. 4).

The same article argued that Māori TV took a more inclusive approach to sport than TVNZ and TV3. The former wanted to play all the rugby matches, whereas the latter, driven by advertising revenue, wanted to focus on games which had a large audience.

The contrasting of TVNZ with Māori TV raises a recurring theme within sports broadcasting; the battle between culture and commerce. Because TVNZ is a SOE, funded through advertising, winning the rights for the Cup was largely a commercial imperative. For

³³ The same point was also made in the *Taranaki Daily News* article "World Cup's latest turnout" (2009, October 7), author not credited: "Surely the broadcasting of our national sport's premier event, being hosted in our own country, would qualify as an important piece of New Zealand culture and history that should be accessible to all" (para 10.)

Māori TV it was about attracting more people to watch their channel, which is funded by the government through its commitment to Māori culture and language. In that sense, it was clear at the time that TVNZ's commitment to New Zealand's cultural citizenship was in tension with its commercial imperatives. Māori TV, which was state funded, and able to also draw on iwi funding, was in a better position to bid for the 2011 Rugby World Cup rights, although it was not able to deliver UHF coverage to all of New Zealand. Interestingly, Pākehā interests had not strongly advocated to the government that public broadcasting was needed to maintain New Zealand's sense of culture and heritage.

Smith and Abel (2008) theorise that Māori TV challenged the established television culture in New Zealand. It offered something different from the monocultural fare of TVNZ and TV3, and presented a Māori viewpoint. Māori TV has also been more inclusive of global indigenous perspectives and has shown a wider range of international films than other free-to-air channels. Furthermore, the authors note that Māori TV's audience was estimated to be more than 60% Pākehā. Thus, the promotion of te reo and Māori culture was complemented by a commitment to public service television. The authors also argue that the arguments against the broadcasting initiatives of Māori TV relied on the perception that Māori were getting special privileges. However, this discourse overlooks the fact that Māori pay tax, and that this tax often goes into state institutions which privilege Pākehā.

Government Intervention: 13th - 14th October 2009

Once the Māori TV bid had been made, there was an investigation by reporters into the internal government processes which led the government to finance it. Minister Murray McCully was reportedly accused of abusing the CEO of Te Puni Kōkiri during a meeting about the Māori TV bid (Gower, 2009a). However, McCully defended this as "vigorous questioning" (Gower, 2009a). It was also reported that "photocopies of the MTS bid were delivered to the offices of Finance Minister Bill English and Associate Rugby World Cup Minister Gerry Brownlee on September 24th by a staff member of Te Puni Kōkiri" (Young, 2009a, para. 8). Furthermore, it was found that "at a meeting on August 14 between TVNZ chief executive Rick Ellis and MTS chief executive Jim Mather, MTS was advised that there was no current TVNZ bid and TVNZ did not intend to furnish another bid" (Young, 2009d, para. 10).

On 13th October 2009, senior figures in the National Party were said to be backing a bid led by TVNZ (but including TV3) (Gower, 2009d). This bid was to receive NZ\$3 million in support from the government (Watkins, 2009). Pita Sharples was disappointed that the government had intervened, saying that they were “effectively ratcheting up the price and putting the state broadcasters in a head-to-head bidding war” (Watkins, 2009, para. 6). He also revealed that iwi groups were prepared to back Māori TV’s bid against TVNZ. Politician Shane Jones said it had become a “farce” with ministers pitted against each other (Watkins, 2009). Broadcasting Minister Jonathan Coleman stated that, having used public funding, Māori TV had to guarantee that it could cover the whole country. It was also suggested that TVNZ needed to be involved to promote the games on national TV, because selling tickets to games was how the Rugby Union would be making its money (Gower, 2009c).

Māori TV’s Jim Mather criticised this last-minute financial backing of TVNZ as “an affront to Māori” (Gower, 2009b, para. 2). He accused National ministries of passing “commercially confidential information” about its bid so TVNZ could outbid it” (Gower, 2009b, para. 4). Mather said that the government intervention “amounted to political management of Māori TV’s editorial and commercial independence and had undermined an important initiative to get more Kiwis watching the network” (Kay, 2009, para. 6). The next day, Prime Minister John Key intervened. He removed the two current bids and formed a joint bid involving Māori TV, TVNZ, and TV3, with Māori TV as the lead bidder. This was announced with Māori Party co-leader Pita Sharples and was said to be taxpayer funded. However, the inclusion of TV3 was odd, as it would mean that taxpayers would also be funding a purely commercial channel. The editorial “Bizarre battle for world cup rights” published in the *Nelson Mail* (2009, October 15) raised the following question if the issue with Māori TV was the coverage, why was it that the lead bidder was able to screen more games than the rest? There was no guarantee that this bid was going to be accepted, as the IRB had previously rejected a joint bid on the 1st of March, 2009, on the grounds that it was not competitive.

Accusations of Racism

When the bid from Māori TV was announced there was controversy over the 10% proposed coverage in te reo Māori. But there were also wider accusations that reactions to the bid were tinged with racism. Furthermore, when the government intervened this raised questions about why they did so and whether there were racial concerns. For example, Lewis’ article “Nothing wrong with Māori TV ambition” in *The New Zealand Herald* (2009, October 11), stated:

The Māori TV bid provoked some hilarious and sad responses - and not just from the rednecks who came stumbling out of the bush waving Bibles and bemoaning how the brown people were taking over.

It was the politicians as well, the extremists on both sides and those folk who find paranoia and see doom in all things Māori - clubbing the idea to death because of the notion that taxpayer funding was being used to kidnap the Cup by the crafty Māori.³⁴ (Lewis, 2009a, paras. 3-4)

“Rednecks” with “bibles” refers to the extreme conservative segment of New Zealand who express distaste at any display of Māori being culturally significant in New Zealand. This article also refers to politicians becoming involved with this racist discourse. This could refer to Rodney Hide (leader of ACT), who stated “the Rugby World Cup should be about promoting all of New Zealand, not just Māori groups - and not using taxpayer money to do it” (“ACT anti World Cup rights for Maori TV,” 2009, para. 5). Such a comment taps into a substantial fringe discourse, which believes that Māori get special treatment at the expense of Pākehā. Labour MP Trevor Mallard also criticised the bid as “stupid” (“Maori TV World Cup plan 'stupid': Labour,” 2009). The idea that the broadcasting rights had been “kidnapped” was a rhetorical flourish, but showed that the writer, Lewis, was wanting to critique the sense of entitlement that Pākehā had over broadcasting rights. At issue here was the extent to which they were, as Finlay MacDonald writes the *Sunday Star-Times* (2009, October 17), “frightened by the idea of Maori staking their claim in the mainstream” (para. 9). The editorial “Boost for Māori bid welcome” in *The New Zealand Herald* also pointed out that the concern of NZ\$3 million being spent was out of proportion to the reaction against other spending: “Te Ururoa Flavell and others raise a point worth considering. If TVNZ had received a NZ\$3 million boost to its bid, the outcry would not have been as loud - or as pointed” (“Boost for Maori bid welcome” 2009, para. 14).

The accusation of racism underlying the government intervention was raised, with the co-leader of the Māori Party Tariana Turia on TVNZ’s Q&A (2009, October 18):

³⁴ Another accusation of racism was printed in the *Sunday Star-Times* article “Boost for Maori bid welcome” (2009, October 11): “Accusations of racism have clouded discussion about the awarding of free-to-air broadcasting rights for the 2011 Rugby World Cup. But there is more than a whiff of bigotry about some complaints that the bid by Māori Television has been boosted by a support from Te Puni Kōkiri” (paras. 1-2). This sentiment is also in *The New Zealand Herald’s* article “Maori TV bid tough issue for main parties” (2009, October 10) written by Audrey Young: “The meddling by the government has caused widespread resentment on the Māori side - the rules change as soon as Māori look as though they are winning” (Young, 2009b, para. 15).

Guyon Espiner (Reporter): [00:03:22] Do you agree with Te Ururoa Flavell and Hone Harawira that there has been a racist element to the way that some National Party Cabinet ministers have not wanted Māori Television to exclusively screen these games?

Tariana Turia: Well, I don't like using the word racism. I've used it in the past and people haven't liked the use of the word. But what I do think is it's been handled badly. I am really pleased that the Prime Minister has stepped in and resolved this matter. I know that there may well have been faults on both sides initially with the bid and the Prime Minister not knowing about that. But in the end, it has been resolved and that's the important thing.

Guyon Espiner: I'm not trying to put words in your mouth, but your colleagues say it's racist. And I guess that's the undertone that some people think... oh, the public don't want it on Māori Television because it's Māori Television. I mean, is that a real perception, do you think?

Tariana Turia: Well, I don't know whether the public don't want it on Māori television.

Guyon Espiner: I think that what the government believes, though, it's why they're scared of this?

Tariana Turia: Well, I think they may well be their perception, and perception is very important to politicians. But my understanding of this, and we've had a lot of phone calls on it, is that generally the public were very supportive. They have seen Māori television, produce some excellent television since its inception, and we expect that they will do an excellent job. I certainly don't believe that TV One or TV Three will do a better job and in fact, at the Commonwealth Games, Television One, you know, there's a lot of criticism about them. (Q & A, 2009)

Here, Tariana Turia expresses discomfort about using the word “*racist*”. However, her party members Te Ururoa Flavell and Hone Harawira had described it this way. It is worth noting that the Māori Party was working in alliance with the National Party, therefore, if Tariana Turia had accused Cabinet Ministers of racism, it would have likely caused internal issues for the alliance. Matt McCarten, a prominent Māori unionist and political campaign

manager, wrote a *The New Zealand Herald* opinion column titled “Sharples cops the blame for a National disgrace” (2009, October 18). In this he stated that:

Some Māori made a strong case that there was a racist tinge to the Māori Television opposition. Sources inside the Māori party believe that as long as the Māori Party is subservient to the National Party then all is well in National. As one observed, many National MPs are not comfortable dealing with Māori. (McCarten, 2009, para. 15)

What this discussion shows is that the National Party was trying to balance its relationship with the Māori Party and Māori TV against concerns that New Zealanders might not be happy with the outcome. Furthermore, they had to do this without appearing to be overtly racist.

The *Sunday Star-Times* editorial “Maori TV offers flair and pride in rugby show-case” (2009, October 18) suggested that the National Party had two factions, one that was sympathetic to Māori aspirations, and one that was not:

There is a redneck rump of the National Party that has never sympathised with Maori aspiration: in fact, it was quite prepared to play the race card in elections, as it did under Don Brash in 2005. There is also a section of rugby followers who would object to learning the Māori words for a handful of rugby terms or for having a Māori frame to the rugby match. Perhaps some of the politicians did not want to upset this part of their constituency (...) There is nothing any government can do about extreme bigotry, but John Key must know that most New Zealanders aren't going to have a problem with watching rugby on Maori Television. The station has always taken an inclusive approach: it wants to reach as wide an audience as it can while still meeting its brief, and it has succeeded brilliantly in doing so. (“Maori TV offers flair and pride to rugby showcase” 2009)

As with the issue of te reo coverage, what is evident in this discourse is a concern over a small but bigoted constituency of New Zealand, with the term “*redneck*” being used again. These views were hard to find in mainstream media discourse, they were primarily alluded to and largely dismissed in New Zealand’s media.

Dismissal of Accusations of Racism

However, not all Māori saw the outcry over the Māori TV bid as racist. For example, Young's *The New Zealand Herald* article "Sharples to apologise over Cup bid" reported Māori National Party MP Tau Henare's response to the suggestion that racism was involved:

Give me a break. I'm one of the ones that has used that excuse and I know when to use it. When your back is against the wall and you haven't got a decent-enough argument, you pull that one out of the bag.

t's an easy excuse and what it says to people who know about the use of that tool, that H-bomb, is that it puts people off the scent of what should be the discussion. (Young, 2009c, para. 10)

Mr Henare, a former Māori Affairs Minister, said his issue was not with Māori TV, which he was sure could produce good coverage, but with the Te Puni Kōkiri "subsidy" towards a private bid; "I don't think we should be in the business of subsidising what is essentially a privately-run company to outbid another player in the market" (Young, 2009c, para. 13). He also stated that the Prime Minister and Broadcasting Minister, Jonathan Coleman, should have been kept in the loop. To negate this point, it did appear, through leaked documents, that there was some internal communication about the Māori TV bid (Young, 2009d), although it is difficult to piece together exactly what was said to whom. For example, Bill English, the Minister of Finance, was advised on the bid on June 23rd, 2009. Furthermore, on July 23rd, 2009, Te Puni Kōkiri briefed Minister McCully's office on their finding for the Māori bid (Young, 2009b). Therefore, the issue of Jonathan Coleman not being in the loop seems to have arisen from a failure of internal communication within the party.

The New Zealand Herald's political editor Audrey Young also defended Murray McCully, the Rugby World Cup minister, from accusations of racism in the article "Maori TV bid tough issue for main parties":

Why is McCully so vexed about it? The stock answer is to suggest he and a few of his colleagues are anti-Māori. But that's not fair. The real answer is that McCully wants maximum control - or minimum risk - not just over the Rugby World Cup but over events that will effectively overlap with the general election campaign in 2011.

For McCully, a TVNZ presentation is low-risk and a Māori television presentation is high-risk. The coverage may be done so brilliantly that parties such as Act and New Zealand First will be unable to make any mileage out of it at all.

But the vehemence of the public reaction this week to the possibility of 10 percent Māori commentary in Rugby World Cup matches shows exactly why a political strategist such as McCully is justified in being nervous. (Young, 2009b)

This analysis attempts to be objective about the accusations of racism. Furthermore, the crux of this argument seems to be that while McCully himself was not racist, supporting the bid for TVNZ over Māori TV was a political strategy to appease “*the vehemence of the public reaction*” to the Māori TV bid.

Lastly, while racism is acknowledged throughout the discourse, the bid from Māori TV was overwhelmingly supported by the mainstream media in editorials and opinion pieces, with the following pieces all showing support for Māori TV’s bid:

- *The New Zealand Herald*: “Maori TV World Cup bid should be celebrated” (2009, October 8)
- *The New Zealand Herald*: “Boost for Maori bid welcome” (2009, October 11)
- *The New Zealand Herald*: “Nothing wrong with Maori TV ambition” (2009, October 11)
- *The New Zealand Herald*: “Maori TV fits the cup's pacific flavour” (2009, October 17)
- *Sunday Star-Times*: “Maori TV offers flair and pride in rugby showcase” (2009, October 18)

These headlines are in contrast with the ‘taxpayer money wasted’ trope found elsewhere. For example, in *The New Zealand Herald* editorial headline “Boost for Maori bid welcome”, money from Te Puni Kōkiri is described as a “*boost*”. Such a piece could equally have framed it through a “*taxpayer funding*” framework. Additionally, the bid is also described in terms of “*ambition*” which is “*welcome*” and “*celebrated*”. These headlines show a positive embrace of Māori TV extending itself into the coverage of mainstream sport. These headlines suggests that any overt racist reaction was more of a fringe perspective but, nevertheless, one that New Zealand politicians felt needed to be carefully managed.

Conclusion

The television coverage deal was confirmed on the March 3rd, 2010, when it was announced that Māori TV would air all 16 free-to-air games live and get delayed coverage of the other 32 games. TVNZ and TV3 would also air seven live free-to-air games, including the semi-final and final. This deal, securing free-to-air broadcasting rights to the 2011 Rugby World Cup, cost the government NZ\$3.2 million, not including what was already paid by the publicly owned broadcasters ("Rugby World Cup TV rights to cost taxpayer over \$3m", 2010).

The broadcasting was a success for both Māori TV and Sky, with Sky getting close to 50% market penetration, which they described as a "psychological milestone" (Pullar-Strecker, 2011). Nielsen figures showed that the final and semi-final both had an audience size equivalent to 46% of the population across all four channels (Sky, TVNZ, TV3, and Māori TV) ("Royalty reigns as sports push ratings" 2011). Furthermore, TVNZ began with 1.014 million viewers for their first match, whereas Māori TV had 177,000. Nevertheless, by the quarter finals, Māori TV was the most popular of the free-to-air channels with an average audience of 402,260, three times higher than the predicted viewership. For some games, such as New Zealand vs Japan and New Zealand vs Canada, Māori TV even outperformed Sky ("Maori TV surprise World Cup winner" 2011). It was also reported that viewers enjoyed the less formulaic commentary and chattier approach offered on Māori TV ("Maori TV surprise World Cup winner", 2011).

The rights to the 2011 Rugby World Cup involved a different business dynamic to the rights deals covered in Chapter Five. Due to mega-events being held over a short time period, they are not as valuable to subscription-based pay-TV companies as seasonal tournaments. This is because seasonal tournaments can lock in subscribers. The hype around a mega-event also means that there is political pressure to provide coverage to citizens on free-to-air TV. This pressure comes from the public and also from sports administrators wishing to maximise sponsorship deals through audience exposure. In this chapter, Sky occupies the background as the rights controversy plays out among New Zealand's free-to-air providers.

As discussed previously, by the 2000s TVNZ's role as a public broadcaster was diminishing and it had lost hold of premium sports content. The dual remit of delivering a commercial return while also fostering New Zealand's cultural identity was unsustainable. Thus, TVNZ chose instead to purchase cheap overseas programming. It was not prepared to raise its initial bid for the 2011 Rugby World Cup without more government funding.

Furthermore, Māori TV had moved towards being a public broadcaster. It had a commitment to nurturing te reo and Māori culture, but it also appealed to a wider audience.

In this case study, the call for free-to-air coverage, on the grounds of cultural citizenship, was more successful than previous attempts to ensure nationwide free-to-air coverage. Government action was taken to provide such coverage, although it came at the expense of Māori TV being the sole free-to-air provider. In the news discourse, the language to advance cultural citizenship included the word “*taxpayer*”. This implied that New Zealand’s investment in hosting the 2011 Rugby World Cup via taxes entitled the public to view the games live.

Moreover, there were two major views concerning the Māori TV bid for the 2011 Rugby World Cup rights. Some New Zealanders believed a publicly funded bid from Māori TV was a poor use of money, and they did not feel represented by Māori TV. However, this conservative Pākehā view did not prevail in the media, but was referred to on occasion. An example of this is when Audrey Young, from *The New Zealand Herald*, described public reaction to the deal as “*vehement*” (Young, 2009b). Without expressing such views explicitly, the news reportage did still reflect them. A related complaint here was that 10% of the Māori Television coverage would be in te reo Māori.

On the other hand, the media was generally more supportive of the Māori TV view; that advancing Māori interests advanced New Zealand’s national identity more generally. Declarations that “*all should welcome*” the deal and that we should celebrate “*our Māori heritage*” suggests that the mainstream media backed the Māori TV bid and that Māori identity was important to New Zealand culture. These endorsements of Māori TV’s involvement in Rugby World Cup coverage contributed to the general construction of a bi-cultural mainstream consensus.

While the argument that public broadcasting is an expression of cultural citizenship is well established, the idea of ‘the national’, underpinning cultural citizenship, is often essentially contested. According to Beaman (2016) “citizenship should emphasise equal treatment of and enfranchise and incorporate all groups, particularly those traditionally marginalised from full political participation. Such a conception of citizenship acknowledges societal inequality and how different models of citizenship can correct for this inequity” (p. 851). In New Zealand, attempts have been made to provide a sense of cultural citizenship for Māori through Māori TV. However, its rights bid for the 2011 Rugby World Cup was often depicted as an uncomfortable development.

As this chapter has argued, defences of cultural citizenship must reconcile the country's bi-cultural foundation, with its multi-cultural present, while recognising that the norms of such citizenship have been set by a largely Pākehā media. The next chapter will explain how cultural citizenship principles are further challenged by the arrival of digital streaming platforms and the commercial imperatives they entail.

Chapter Seven: Digital Technologies and Media Sport

The business strategy of pay-TV operators who dominated sports content internationally from the 1990s to the 2010s, was to obtain exclusive access to sport as well as other content. With premium sport content, pay-TV operators could enter national broadcasting markets around the world. More recently, the rollout of high-speed broadband has enabled the digital streaming of sport, and opened up the sports broadcasting market up to telecommunication companies and streaming platforms. In Australia, telecommunication company Telstra has become a significant sports content distributor. In the UK, telecommunication company BT Sport has become a direct competitor to pay-TV provider BSkyB. For these businesses, sports rights provide a competitive advantage within the bundle of services that they might offer across mobile and broadband. Within the growth in digital offerings, since the pay-TV era there is greater competition among sports broadcasters and increased fragmentation in the sports rights market. Audiences have also fragmented as individuals and households sign up for customised streaming packages.

During the 2010s, there was a major shift in New Zealand's communications infrastructure and media habits. New Zealand homes became connected to the internet from the 1990s with the arrival of dial-up connections. The use of email and computers was essential for many workplaces, and by the 2000s it became clear that New Zealand would need to improve its internet infrastructure to keep up with other OECD countries. In 2008, a New Zealand Initiative report projected that "a high-speed broadband infrastructure would result in GDP growth of between NZ\$2.7 and NZ\$4.4 billion, but only if connections to 75 per cent of domestic premises were established" (Thompson, 2014, p. 149). This finding strongly influenced the newly elected National Party and they promised to accelerate the rollout of fibre with their UFB Initiative. This was developed by the Ministry of Economic Development as a private-public partnership. The benefits were sold mostly as economic, but positive outcomes relating to health, education, communication, and reducing commutes, were also advanced. Notably, New Zealand has difficult terrain and isolated rural communities which are not fully connected to broadband. Thus, a separate wireless-based rural broadband initiative was created to improve this situation. New Zealand was relatively slow to develop fibre based, high speed internet and this has restricted citizen access to streaming content. In 2014, 95% of New Zealanders had data caps, and most of them were extremely low by international standards (Winseck, 2014a).

By the mid-2010s, demand for online television and video content had increased. Telecommunication companies and internet service providers emerged as competitors in the

broadcasting market. Spark (formally Telecom) broke its alliance with Sky and, in June, 2014, launched its own subscription-based, online, on-demand video service, Lightbox. This cost NZ\$15 a month and offered popular TV series from the U.S. such as *Modern Family* and *House of Cards* (Myllylahti, 2014). Sky then strengthened its alliance with Vodafone and planned for a merger (which was subsequently blocked by the Commerce Commission). Then in 2015, Netflix became available to New Zealand customers and Sky launched Neon, a streaming service for popular HBO series such as *Game of Thrones* and *True Blood*. By 2016, 4 in 10 New Zealanders were streaming online videos every week, and most 15-34 year olds streamed online video daily and spent less time watching broadcast-analogue television (Myllylahti, 2016). For older audiences, traditional media still dominated consumption (*Where are the Audiences?*, 2020). Overall, however, the global media giants have increased their presence in the daily habits of New Zealand audiences. For example, as of 2020, the daily reach of YouTube is 48%, for Netflix and Facebook videos it is 36%, and for Spotify it is 28%. This is compared to TVNZ One, which was previously the dominant free-to-air broadcaster, with a 44% daily reach (*Where are the Audiences?*, 2020). All in all, these changes in viewing patterns substantially affected how people consumed and related to mediated sport.

This chapter will illustrate how digital technologies have re-ordered the political economy of New Zealand's sports media. Sports streaming has opened opportunities for new entrants into New Zealand's sports broadcasting landscape. This first occurred when streaming company Coliseum purchased streaming rights for EPL soccer in place of Sky in 2013. Another major competitor for Sky has been Spark Sport, which bought live coverage rights for rugby and cricket, as well as other sports. These two developments will show how the discourse around pay-TV sport clashed with the discourse of digital sports streaming. This reflected the changing strategic goals of the companies and sports associations involved as they attempted to find new fans and increase engagement with them. This chapter will also examine Sky's copyright clash with media companies Fairfax and NZME over coverage of the Rio Olympics in 2016. I will also discuss the illegal streaming of boxing in regard to the Joseph Parker vs Carlos Takam fight. All of these examples illustrate the difficulties of controlling content in a digital era and the changing ways in which sports media is commodified through digital media.

English Premier League Rights: Coliseum vs Sky

In 2013, Sky was dominant in New Zealand sports broadcasting, having a near monopoly on sports content. However, on the June 18th, 2013 there was a surprise announcement- Sky no longer had the rights to EPL soccer and it was not known to the public who had won them. Over the next 24 hours there was public speculation over who the rights winner was, until it was confirmed that media newcomer Coliseum had prevailed (Walters, 2013a). The founder and director of Coliseum, Tim Martin, also announced that they were sharing the free-to-air rights with TVNZ, who would show 38 of the EPL games plus a highlights show on Monday nights. The announced launch of Coliseum caused the share price of Sky to drop from NZ\$5.67 to NZ\$5.20. However, it quickly recovered to end the day at NZ\$5.42 (Walters, 2013a).

Coliseum was founded by Tim Martin with his wife, Kate Martin, and Simon Chesterman. Their experience was in advertising rather than television and Coliseum was essentially a distribution company without the infrastructure to produce sport. This is why it purchased a global tournament to stream in New Zealand (*EPL rights: Who is Coliseum*, 2013). Martin pitched it as a venture to use digital technology “to change a fans’ connection to a sport” (*Best of Leighton Smith*, 2013). This idea came to the founders after watching the big four American professional sports leagues (NFL, NBA, MLB, NHL) going direct to the fans via online streaming.³⁵ Coliseum was interested to see if this model could be replicated in New Zealand and took its plan to the NZRFU. However, it wished to stay loyal to Sky for the medium term (Grieve, 2013) and other sports associations were reportedly not interested (Grieve, 2013). The purchasing of the EPL, thus, was secondary to the overall business plan of creating a sports streaming distribution company. Moreover, this was formulated before they decided which tournament would be a good fit for their streaming service. Coliseum was financially backed by New Zealand “rich listers” Peter Cooper and Matthew Cockram, who were also big sports fans (Grieve, 2013). A Coliseum subscription would include all 380 EPL games a season and cost NZ\$149.90 a year.

The EPL is a global league based in the UK with transnational powers of ownership, sponsorship, sports labour, and broadcasting rights (Ludvigsen, 2019; Millward, 2011). It is the most lucrative league in the world, but there is some resistance to the processes of ELP’s commodification amongst fans as it has pursued cosmopolitan demographics rather than home-based support (Giulianotti, 2002). Giulianotti (2002) argues that football was increasingly focussing upon the type of sports follower who has economic, cultural, and

³⁵ National Football League, National Basketball Association, Major League Baseball, National Hockey League.

educational capital as well as transferable loyalty, not just between teams, but also in terms of watching football itself (compared to other consumer interests). Such followers, who he describes as flâneurs, have a consumerist identity interested in collecting experiences without being emotionally attached to them. The EPL is a commercially attractive option for streaming platforms and Facebook, Google, YouTube, Apple, and Netflix have all shown interest in the rights. New digital entrants into the sports broadcasting market have also been interested given football's global reach, popularity, and commercial appeal (Ludvigsen, 2019). The global streaming of the EPL has put pressure on administrators to have a schedule favourable for international markets. Webber (2017) argues that the modern era of EPL "has "come to represent a new, spatio-temporal shift in social and economic relations between clubs and their fans" (p. 886). This shift is likely felt through other sports, too, as their media rights move into a more global and digital mode of consumption.

In New Zealand, soccer is not a sport of central historical significance. However, since the 2000s it has had high levels of participation (Falcous, 2015). It was once considered less masculine than rugby, or rugby league, in New Zealand (Falcous, 2015), however, it is likely that such attitudes have declined as equality has become more socially acceptable. When the EPL deal with Coliseum was announced, Sky CEO John Fellet said that EPL made up 1.5% of Sky's sports package viewing (Drinnan, 2013b). In his view Coliseum had overvalued the rights, because soccer had a niche following in New Zealand, and the games were played in the middle of the night local time ("Editorial: Reaction to TV soccer move not just about sport" 2013). However, this reaction was not shared by the media in general, who speculated on the significance of Coliseum's entrance, as the following case study will show.

Our case study analyses 11 news articles from *The New Zealand Herald*, *Sunday-Star Times*, *The Press*, *Taranaki Daily News*, *The Southland Times*, *The Timaru Herald*, *The Dominion Post*, and *The Manawatu Standard*; an opinion piece from *The New Zealand Herald*; an editorial for *The New Zealand Herald*; a feature article from the *Metro* magazine; an audio clip from *Newstalk ZB*; and a video from *One Network News*. Listed below is a brief description of each outlet examined:

Table 8

Media Outlets Included in the English Premier League Rights Case-Study

Media Outlet	Media Outlet Descriptions
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>Sunday Star-Times</i>	A weekend paper covering national and international news.
<i>The Press</i>	A widely circulated daily newspaper in Christchurch.
<i>Taranaki Daily News</i>	A daily newspaper in Taranaki.
<i>The Southland Times</i>	A daily newspaper of the Southland region.
<i>The Timaru Herald</i>	A daily newspaper in Timaru.
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington.
<i>The Manawatu Standard</i>	A daily newspaper in the Manawatu region.
<i>Metro</i>	A quarterly lifestyle magazine which focuses heavily on Auckland.
<i>Newstalk ZB</i>	New Zealand's commercial news and information radio station.
<i>One Network News</i>	New Zealand's flagship TV news bulletin show starting at 6pm.

Anti-Sky TV Sentiment

The Coliseum EPL rights deal was largely framed in terms of what the deal meant for Sky. Notably, in these media texts, there was a strong anti-Sky sentiment expressed, for example, the following headlines on the deal all refer to Sky:

- "Soccer deal may end monopoly" *New Zealand Herald* (2013, June 20)
- "Good riddance, Sky' Yellow Fever fans welcome end to 'shoddy' treatment" *The Press* (2013, June 20)
- "EPL deal has Sky falling" *Taranaki Daily News* (2013, June 20)
- "Soccer loss dents Sky dominance" *The New Zealand Herald* (2013, June 21)
- "Is the Sky falling" *Sunday Star-Times* (2013, July 21)
- "Sky TV deserves a giant kick up the butt" *The New Zealand Herald* (2013, June 20)

Anti-Sky sentiment can be found in the terminology of descriptions. In the *Sunday Star-Times* article "Is the Sky falling?" (2013, July 21), Sky is referred to as having a "bulging wallet" and "outsized market share" (Nippert, 2013). The popular idiom "the sky is falling", which appears in two of the aforementioned headlines, is added for rhetorical flourish but also sets a narrative that the deal is potentially disastrous for Sky. This framing was also used in the 6pm *One News* segment (2013, June 19) in which the reporter covering the story asks, "[01:24] With such a big push to get things online, does this spell the beginning of the end for pay-TV?" (*One News*, 2013). In the *Sunday Star-Times* piece "What a score" (2013,

June 23) the article describes the situation as a “David and Goliath story” (para. 15) and journalist Simon Plumb asks “Is this the kiss of death for Sky?” (Plumb, 2013, para. 3).

Similarly, on June 20th, 2013, provocative *The New Zealand Herald* sports columnist Chris Rattue described the Coliseum deal as “not a bad one either for a viewer who thinks monopolistic Sky TV deserves a giant kick up the butt” (Rattue, 2013, para. 1). Furthermore, Rattue argued that Sky did not offer adequate coverage of soccer, stating: “Sky has treated domestic soccer harshly” (Rattue, 2013, para. 9). His analysis is also supported by the head of the Wellington Phoenix supporters' club, the Yellow Fever, who was quoted in an article from *The Press* titled “Good Riddance, Sky- Phoenix Fan” (2013, June 20). In this, his major complaint concerned the coverage Sky had given soccer historically:

They have, in the past, delayed live Phoenix games, or failed to show away games or All Whites games.

They provide a dire service to football fans because they are a rugby-orientated channel.

They've even forced New Zealand Football to pay to have some of their showcase games televised, yet they show schoolboy rugby.³⁶ (“Good riddance Sky - Phoenix fan” 2013, paras. 7-9)

Another angle of criticism directed at Sky, mentioned in John Drinnan’s article “Soccer loss dents Sky dominance” in *The New Zealand Herald* (2013, June 21), outlined the image makeover that Sky was undertaking:

Looking at online reaction to Coliseum - by way of comments on a column by Herald sports writer Chris Rattue - the glaring conclusion is nobody really loves Sky Sports. Sky TV chief executive John Fellet confirmed the makeover was to give the company a more “fun” persona.

The approach has apparently become viable after News Corporation sold out earlier

³⁶ This point is also made in *The Dominion Post* article “Mixed response to loss of football coverage” (2013, June 20): “Newcastle United fan Ryan Imray said it could improve the level of coverage that his team gets. “Last season Sky played hardly any Newcastle games so I would have to go online and quality was shit” (Hyslop, 2013, para. 4). This article also noted that this sentiment was expressed over social media and highlighted some tweets.

this year, presumably because Rupert Murdoch's company preferred a more corporate image.

Fellet would like Sky showing off its content and branding more prominently. "We've got cars running around town that could be from anywhere - why don't we have vans with Scooby Do on the side?" Fellet says.

He could be right; a brighter, lively and less corporate image might help. But in my opinion, the lack of love for Sky goes deeper than decals on vans and cartoon stickers, and into Sky's programmes and promotion. (Drinnan, 2013b, paras. 4-8)

While social media and the comment sections on online articles are not necessarily indicative of public opinion, negative sentiment towards Sky was expressed frequently throughout the articles. It seemed that Sky was undergoing an image makeover because it recognised that its brand was not considered favourably by much of the New Zealand public.³⁷ In the *Sunday Star-Times* article "Is the Sky falling?" (July 21, 2013), Fellet himself refers to some of the anti-Sky sentiment with the statement: "If you read the papers I've gone from being the big bully to roadkill, almost overnight" (Nippert, 2013, para. 4).

As documented in Chapter Five, there has always been an under-current of dissatisfaction over Sky's monopoly of sports rights in New Zealand, especially given that anti-siphoning legislation was never passed. Consequently, some of the public rejoiced in the fact that Sky was facing competition. However, this discourse came from a consumer dissatisfaction perspective and does not critique Sky from a cultural citizenship standpoint because there was no articulation concerning fairer access to EPL coverage rights. There is, though, a cultural citizenship angle regarding the treatment of soccer. While it is not considered a "national sport", there is clearly a sector of New Zealand who would like to see fair representation of it in relation to rugby union. This treatment also highlights an important concern with pay-TV and commercial free-to-air sport; there is not always a responsibility to treat sports in an equitable way. Rather, the commercial decision to maximise audiences or subscribers favours some sports over others.

³⁷ For example, the *Sunday Star Times* piece "What a score" states: New Zealanders have grown increasingly dissatisfied with Sky, but have no choice to turn to" (para. 38).

Online Content is the Way of the Future

The New Zealand Herald editorial “Reaction to TV soccer move not just about sport” (2013, June 21) saw the deal as symbolic of a new way of consuming media. It was argued that audiences wanted to have more content choice:

Ultimately, it is reasonable to envisage a scenario in which people will pay only to see each individual programme they select.

At the moment, we are some distance from this ideal. Television remains largely a passive experience that is dictated by programme schedules. Further, those who subscribe to Sky TV are burdened with contracts and much unwanted content.

A warranted thirst for more proactive viewing undoubtedly played a part in the high degree of interest this week as Coliseum Sports Media unveiled its scheme to deliver live all 380 games of English Premier League soccer via an online platform.

(“Editorial: Reaction to TV soccer move not just about sport”, 2013, para. 3-5)

Similarly, in Rattue’s (2013) *The New Zealand Herald* column “Sky TV deserves a giant kick up the butt”, he states:

All things considered, I’m glad they lost out - the Coliseum deal is an exciting window to the future of sports broadcasting. We are no longer beholden to schedulers and an empire...

Sky is not all bad, of course - their one-stop sports shop has been fantastic in many ways. But the monopoly is wearing thin with viewers, who are starting to understand that advanced technology should offer a flexibility that is not being translated into the choices we have in this country...

Sky still holds the main contract aces and plans to make content available on mobile devices, but its stranglehold has been eased in one vital area, the world game.

Additionally, a piece in *The Dominion Post* was titled “Online content way of the future, says Coliseum” (June 20, 2013). These extracts employ key terms which legitimise the online streaming approach to sports broadcasting. For example, in Table 9, contrasting terms to describe Sky vs online streaming are presented.

Table 9

Terms Used to Show Online Future is a Better Option than Linear TV

Sky TV	Online Streaming
<i>Passive experience</i>	<i>Ideal situation</i>
<i>Dictated by programme schedulers</i>	<i>Pay only to see each individual programme</i>
<i>Burdened with contracts</i>	<i>Proactive viewing</i>
<i>Unwanted content</i>	<i>Exciting</i>
<i>Beholden to schedulers</i>	<i>Future of sports broadcasting</i>
<i>An empire</i>	<i>Flexibility</i>
<i>Monopoly</i>	<i>Choices</i>
<i>Stranglehold</i>	<i>Way of the future</i>

The juxtaposition of these terms highlights the impression that the digital streaming of sport is inevitable. It represents the future and the old way of accessing televised sports is an anachronism. Fisher (2010) sees this kind of discourse, in which technological progress is “an unquestionable good”, as part of the ideology of modern capitalism which suggests that “virtually any social problem is subject to a technical and technological fix” (p. 232). Words such as “*exciting*” and “*ideal*” also show the news media’s clear preference for how sports broadcasting should be consumed. This discourse is energised by the anti-Sky sentiments of the left column. It appears that Sky is a monopolistic empire which controls and schedules sport in ways that are detrimental to viewers. Furthermore, streaming is clearly positioned as the preferred model of televisual transmission.

Sports Watchers Have More Choice and Flexibility

The terms “*choice*” and “*flexibility*” are also key terms in the legitimisation of online streaming. They are used by Chris Rattue in his *The New Zealand Herald* column “Sky TV deserves a giant kick up the butt” (2013, June 20).

Similarly, on the *One Network News* 6pm show footage of Coliseum’s Tim Martin was included, including his declaration that “Kiwis can watch all this content, when, how and where they want to. On PC, Mac, iPhone, iPad, android phone and android tablet” (*One News*, 2013). This TV segment also includes a comment from sports commentator Miles Davis, who emphasises that these elements are exciting. He said, “as soon as the games finished you can go back to the archive and watch it whenever you want to, you don’t have

to MySky it, it's already there and you can pick the one you want to watch." (*One News*, 2013).

This discourse highlights the advantages of digital streaming from the consumer point of view. Terms like "*choice*" and "*flexibility*" encapsulate a key advantage of consuming in a digital environment. However, while there are more avenues for watching sport in this environment as pointed out by Martin, such technologies can add up as an expense and are not always straightforward to use. A phone, computer, or tablet, plus wifi or data, and then the streaming service itself contribute to the costs of sports transmission even when accessed digitally. While consumers may be happier with the choice and flexibility of streaming sport, it was not made more accessible to everyone, as the following sections highlight.

Nation-wide Streaming Quality

When Sky obtained exclusive rugby rights, there was a lot of controversy (as noted above) Likewise, in this case study, there is a key concern raised throughout the news articles that New Zealanders did not have consistent nationwide streaming quality. Not only was the broadband patchy in areas, Coliseum, unlike Sky in the 1990s, was not able to offer technicians to help people with technology problems and instead there was a 24/7 call centre set up in New York to help with troubleshooting (Plumb, 2013). Coliseum notably had a more international configuration than Sky in the 1990s, and local problems were not necessarily resolved. Tim Martin appeared on *Newstalk ZB* show with broadcaster Leighton Smith on June 23rd, 2013. The latter raised New Zealand's broadband as a key concern:

Leighton Smith: [03:55] An email from somebody who is an Englishman who now lives here. How am I going to make the most of this online viewing with dodgy, expensive, narrow bandwidth broadband and limiting data caps? It'll cost me much more than a hundred and fifty dollars because of that, won't it? I love the EPL and this is a big blow for me and other Kiwis because of the broadband situation.³⁸ (*Best of Leighton Smith*, 2013)

³⁸ This concern was also raised by *The New Zealand Herald* editorial "Reaction to TV soccer move not just about sport" *The New Zealand Herald* (2013, June 20): "However, there are questions about its initiative, not least those related to broadband quality." (para. 14)

It was acknowledged in some of the discourse that there was a disconnect between people who are confident with technology (often younger) and the rest. For example, John Drinnan writes:

Technology-focused media types talk confidently about the prospects of people watching EPL games on iPad and phones or on TVs hooked up to computers. But most consumers are yet to be convinced that sports entertainment comes from anywhere other than TV in the lounge.³⁹ (Drinnan, 2013b)

In the *Leighton Smith* interview, Martin tried to argue that New Zealand was well placed with its technological capabilities, notably, while using highly technical language around bitstream rates per device. However, it is unlikely that people with concerns about streaming could have understood this language. Furthermore, the Coliseum story broke before the company was ready to go public. This meant they were not able to announce that they were partnering with Telecom in their streaming, which may have helped to diminish some of the streaming concerns.

This discourse highlights the importance of communications infrastructure as a conduit for cultural content. While EPL was not a competition of major national significance to New Zealand, the emergence of Coliseum exemplified an important concern in the digital era of sport; the lack of universality for broadband. Picard and Pickary (2017) state that access to broadband infrastructure is a baseline requirement for a strong and democratic society. Moreover, for cultural citizenship reasons it is essential that everybody can access sports content.

After the Coliseum Announcement

On July 4th, 2013, it was announced that Telecom, the country's biggest mobile provider and telecommunications company, was "hoping to drive customers on to faster broadband services with a deal to offer discounted online access to the English Premier League football" ("Telecom unveils Coliseum soccer deal" 2013). Telecom offered its customers a 15% discount on Coliseum's NZ\$149.90 season pass along with free access to one of its plans for new customers. It hoped that streaming sport would incentivise customers to upgrade its broadband. Furthermore, at the time, Telecom had UFB available

³⁹ A similar sentiment is included in Duncan Grieve's *Metro* piece "Lions v Gladiators". "Inner-city ad people, though, were always going to click. The great unknown for Coliseum is how middle New Zealand's football fans will respond to being told someone has messed with their televisions."

in some areas, and was launching VDSL (Very high bit-rate Digital Subscriber Line) ("Telecom unveils Coliseum soccer deal" 2013). Earlier that year Telecom's CEO, Simon Moutter, had signalled a change of strategy for the business, as it shifted to providing services rather than infrastructure, "to become a data-driven and mobile-focused telecommunications operator" ("Telecom unveils Coliseum soccer deal" 2013, para. 7).

Shortly after the Coliseum announcement, Sky announced that it had the rights to coverage of Manchester City, Arsenal, Spurs, and Manchester United games from the clubs themselves. However, this coverage needed to be delayed by 13 hours. This would have usually made such rights non-valuable, but in New Zealand this was less of a hindrance because of the difference in time zone (Grieve, 2013). The next year, in 2014, Coliseum picked up the rights to major golf tournaments; the US PGA, European PGA, and PGA Asian Tour Golf. *The Press* reported that this was "indicative of the changing face of content delivery" ("Changing world challenge for Sky" 2014) and noted that more competition for Sky would drive up programming costs and put pressure on its margins. Coliseum then bought more golf tournaments (LPGA Tour, European Tour, Asian Tour, Ryder Cup, PGA Championship, the Web.com Tour, Champions Tour, Presidents Cup, and EurAsia Cup), and sold the rights in packages for NZ\$19.90 a month or NZ\$199 per season (Plumb, 2014a).

In 2014, Telecom rebranded as Spark. It wished to be seen as more than a television company and the new name suited its focus on digital ("Telecom changing name to Spark," 2014). In December of 2014 it was announced that Spark and Coliseum had undertaken a 50-50 joint venture to launch Lightbox Sport, with Tim Martin as the managing director. Coliseum was folded into the venture and ceased to exist as a stand-alone company (Keall, 2014). This deal was closed in 2016 after its loss of New Zealand rights to broadcast the EPL (Pullar-Strecker, 2016a). Spark's 2016 half-year profit was thus affected by this outcome as the company had to write off NZ\$8 million of investment (Pullar-Strecker, 2016a). Furthermore, in 2016, when EPL rights came up again, they were won by BeIN, which did not have a New Zealand broadcasting platform. BeIN, run by Qatar-based Al-Jazeera, thus, struck a deal with Sky to cover the league for New Zealand audiences.

On July 18th, 2013, a digital free-to-air sports channel Sommet Sports became available on Freeview. The channel had rights for "Aussie Rules, Germany's Bundesliga football competition, the PGA gold tour, extreme sports, surfing, abseiling, BMX and the Caribbean Premier League cricket competition." (McNicol, 2013, para. 5). The strategy was to air sports that were not then catered for in the New Zealand market. In the *Waikato Times*

“Free-to-air sports TV has big game plan” (2013, July 18), McNicol (2013) writes that this “could represent another blow to Sky Television” (para. 2). However, the issue received considerably less attention than the Coliseum announcement and the venture was shut down by December 2014 due to a lack of promised funding (“Sommet Sports channel shuts down” 2014).

The Emerging Media-sport Orthodoxy

The breakthrough of Coliseum taking the EPL rights began the digital streaming of sport in New Zealand. The development was met with great excitement from media and fans. Some headlines even used a “the Sky is falling” idiom to signal the historic change in New Zealand’s sports broadcasting landscape. This discourse also contained an anti-Sky sentiment that resembled the anti-Sky discourse of the 1990s, but it had less to do with the idea that New Zealanders should have more access to free-to-air sport. Instead, there was an uncritical assumption that the streaming of sport would be better. This idea was based on two key perspectives, that streaming is “*the way of the future*”, and offers more “*choice*” and “*flexibility*”.

When Sky bought exclusive rights to rugby in 1996, it argued that this was a necessary development in the professionalisation of sport which would generate revenue for New Zealand athletes. In this case study, Coliseum is legitimised largely through the belief that being able to watch sport, on the move and without a television set, is what sports fans want. The details of internet connections, compatible phones, and streaming plans do not register in the discourse at all.

The transition to digital also raised concerns over streaming quality; furthermore, a divide between young and urban audiences, and older and rural audiences, began to emerge. For those without a good internet connection, Coliseum was difficult to access, and an international call-centre was provided for help instead of the more hands-on approach of providing local technicians. The divide between audiences reveals an emerging issue in the digital era of sports broadcasting- the lack of equal access to communications infrastructure.

The critique that Sky favoured rugby also signalled change in the way that New Zealanders related to sport and cultural citizenship. In the digital era, where audiences put an emphasis on flexible access, the act of gathering around a television to watch a game of rugby signifies a past time. Rather, in the digital world, audiences may seek out identifications and interactions through global connections to sport by choosing to watch matches from international competitions, such as the EPL, in their own time. Furthermore, as

audiences find global, niche sports to watch, there is less need for them to subscribe to a New Zealand-based sports broadcasting provider. However, this type of sports watching should not be overstated and more empirical analysis will be required to ascertain how popular global sports events are with New Zealand audiences.

Sky's Copyright Clash Over the Rio Olympics

Copyright is a highly contested matter and a key area of analysis within entertainment law. At the heart of the debate is a tension between the control of, and access to, content. Kariyawasam and Tsai (2016) note that digital sports content creates challenges for the protection of intellectual property. These copyright issues are not limited to piracy but incorporate “fair dealing” which is a provision that means that “acts will not constitute copyright infringement if they are for the purpose of research or study, criticism or review, parody or satire, or reporting news” (Kariyawasam & Tsai, 2016, p. 279). Fair dealing (or fair use) became a controversy in Australia, during the reporting of the 2012 Olympics, when Channel 10 was not able to air certain footage during the news due to restrictions (Bond, 2013). The following case study raises a very similar issue in the New Zealand context, with Sky restricting the access that news companies had to the 2016 Olympic coverage.

In the digital era of mediated sports, content can be easily shared in various ways, especially through social media. Competition for digital attention, a scarce resource which organisations compete for, means that coverage of high-profile sports, such as those in the Olympics, is an important asset for online news. As has been well documented, the expansion of digital media has come at a cost to print media, which have struggled to withstand the collapse of advertising as a funding base (Myllylahti, 2012, 2013, 2014, 2016). In New Zealand, as the news companies moved to online platforms, it faced the pressures of being part of a competitive 24-hour production and transmission cycle.

In 2014, Sky secured exclusive rights of the 2016 Rio Olympics. Furthermore, in 2015, Sky had also qualified for the role of host broadcaster for the triathlon, ocean swim, and rugby sevens at the games (Pullar-Strecker, 2015). It would use its free-to-air channel Prime to air delayed coverage of the events. Parts of this agreement were the News Access Rules (NARS), which allowed non-authorised news companies' permission to use footage for their bulletins. The rules were designed for video and audio news but did not include footage used on the internet (Cochrane, 2017). The news companies were allowed to show

“no more than a total of six minutes of Olympic footage each day, for no more than two minutes per broadcast, and with at least three hours between each broadcast” (Cochrane, 2017, p. 2). Then, prior to the Games, Sky added supplementary NARS (referred to as SNARS) which covered footage on the internet; “they allowed New Zealand media to broadcast either six, three, or two minutes of Sky’s Olympic footage each day, again subject to various limitations similar to the NARS” (Cochrane, 2017, p. 2).

Sky invited New Zealand’s accredited media channels to sign up for these new regulations. Fairfax, the owner of several New Zealand newspapers and operator of New Zealand’s most popular newsite *stuff.co.nz*, refused to do so, as did NZME, owner of *The New Zealand Herald* and other titles. However, NZME also owned Radio Sport, which signed and sent a crew. With the Opening Ceremony less than a month away, Fairfax and NZME decided not to send their press reporters to the Olympic games as they objected to SNARS. They argued that these regulations were contrary to the principle of fair use in New Zealand’s copyright law. Furthermore, when the Games started, Fairfax used Sky’s footage without signing up to the agreement and without permission from Sky or the International Olympic Committee. It used short videos, along with photos and texts, in its online multimedia articles about newsworthy events. It also planned to remove these articles after a certain amount of time to limit their online access to Sky’s Olympic footage (Cochrane, 2017).

Three days after the Olympics started, Sky sought an injunction to prevent Fairfax from continuing with its unauthorised online coverage. The case played out over the next three days. Lawyer Rick Shera, explaining the issue on Radio New Zealand’s *Mediawatch*, said that Fairfax was using a “fair dealing exception which allows the reporting of current events, provided that that is fair” (*Who won an Olympic clash in court?*, 2016) and that the case was essentially around the limits of where to draw the line for what is considered ‘fair use’.

The court ruled against Sky in all but one area. The judge found that SNARS were reasonable compared with other jurisdictions. The judge also acknowledged that there was room for argument about the definition of fair dealing, but said that a court case would be needed to establish this, and that the issue at hand was time sensitive. For the most part, the court found that Fairfax-owned *Stuff* did not go beyond fair dealing in its coverage, with an exception that they had an automatic playlist in which old clips were played after the relevant ones on the news story webpages. Fairfax agreed to disable the automatic playing of old clips (Cochrane, 2017).

In what follows I analyse various perspectives on the controversy. It should be noted that the news media reporting on the legal case was also involved in the sports coverage itself. This could have influenced their reportage. These events show the importance of clipped or highlighted news material in the modern sports broadcasting landscape. Underlying this controversy is a battle among major media players over sports news as a lucrative commodity.

Our case study analysis builds on 14 news articles from *The New Zealand Herald*, *National Business Review*, *The Dominion Post*, *The Waikato Times*, *The Press*, *The Manawatu Standard*, *The Nelson Mail*; and three opinion pieces from *The Manawatu Standard* and *The Spinoff*. Table 10 provides a brief description of each outlet.

Table 10

Media Outlets Included in the Sky's Copyright Clash over the Rio Olympics Case Study

Media Outlet	Media Outlet Description
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>National Business Review</i>	An online news outlet aimed at the business sector
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington
<i>The Waikato Times</i>	A daily newspaper in the Waikato region
<i>The Press</i>	A widely circulated daily newspaper in Christchurch
<i>The Nelson Mail</i>	A daily newspaper in the Nelson region
<i>The Manawatu Standard</i>	A widely circulated daily newspaper in Manawatu.
<i>The Spinoff</i>	An online news and cultural analysis website, funded through a sponsorship model and popular with millennial audiences.

News Access Rules are Restrictive

One key perspective expressed in the news discourse was that the NARS were restrictive and out of touch with the way that people were streaming sports media content (Dennet, 2016; Grant, 2016c; Norquay, 2016; Read, 2016). The issue here was not just the

amount of footage that the news companies could include, or how delayed it had to be. There was also a rule that New Zealand journalists would not be able to criticise Sky commentators, although Sky later removed this demand (Read, 2016).

In the *National Business Review* article “TVNZ has a dollar each way on Olympic rights row” (2016, July 29), CEO of TVNZ Kevin Kenrick said TVNZ agreed to go forward with its accreditation for pragmatic reasons. He also added that this “shouldn’t be misinterpreted as agreeing with those terms, which he characterised as “restrictive” and “out of touch with how people now consume news” (Grant, 2016e, para. 4). Kenrick considered the news access rules “to be a demonstration of Sky leveraging its market dominance to impede the ability of New Zealand’s news media to report on Olympic sporting events in a timely manner” He added “It’s one thing to restrict full coverage of live events to those who pay... but we think it’s quite another step to prevent New Zealanders from accessing sports news in a timely manner unless they’re prepared to pay for a premium subscription” (Grant, 2016e, para. 6). Likewise in the *National Business Review* article “RNZ chief hopes Olympics rights impasse results in common sense compromise” (2016, August 5), Radio New Zealand CEO, Paul Thompson, described the NARS agreement as “very prescriptive”. He also added that “on balance, we accept that as a non-rights holder, if we’re going to be in the Olympic bubble, we need to sign up and give it our best crack” (para. 4). However, he also said that post-Olympics he intended to review “whether we were able to do a good job for our audience given those restrictions and keep an open mind in terms of how we engage on these issues in the future” (Grant, 2016c, para. 5)

Fairfax and NZME decided not to send journalists, pulling them on July 22nd, 2016, less than a month before the Games started. Shayne Currie, Managing Editor of NZME’s *The New Zealand Herald*, stated that this was because the NARS, “imposed” by Sky were “unduly restrictive” (Norquay, 2016, para. 9). Similarly, the editorial chief of Fairfax, Sinead Boucher, was quoted across a number of articles criticising the restrictions (Cowlshaw & Dennet, 2016; Grant, 2016e; Murphy, 2016; Read, 2016; “Sky TV rules keep media out of Rio” 2016). For example, in the *Spinoff* article “Sky TV issues Olympic ultimatum to media: Play by our rules or you can’t cover Rio” (2016, July 18), she is quoted as saying:

We’ve gone to Sky as an industry to really protest a very heavy-handed approach towards how we can cover news stories of great national interest - and some of their restrictive clauses. We see them as anti-competitive, unnecessary and they go beyond the interest of ensuring fair use. (Murphy, 2016, para. 16)

The author of the piece, Tim Murphy, former Editor and Editor-in-Chief of *The New Zealand Herald*, then extended this argument in his own commentary. He noted that the restrictive nature of the SNARS agreement was out of touch with sports media rights trends in the digital era:

The attempt to control footage after the live event runs counter to prevailing winds in global sports, with bodies like the NBA seeing footage as advertising for their product, which now proliferates on YouTube. Sky's stance appears to hark back to a pre-internet era, when footage was far more easily controlled. (Murphy, 2016, para. 5)

The point that Murphy raises, that footage is now “*advertising*”, points to a developing trend concerning the political economy of sports content in the online era. Global sports bodies, such as the NBA, aim to grow their reach and global audience. This proliferation of content can be seen as part of a promotional strategy for them, as it increases audience exposure to the sport. Similarly, Sky would have viewed news content covering the Olympics as adding interest to the coverage that they offered. However, according to Murphy they still had a traditional broadcasting mindset when it came to protecting their rights.

This selection of extracts shows the anti-Sky sentiment, identified in the previous case study, re-emerging. Words used to characterise Sky, or Sky's behaviour, in the controversy include “*prescriptive*”, “*unduly restrictive*”, “*heavy handed*”, “*out of touch*”, “*anti-competitive*”, “*bully*”, and “*dictate*”. Unlike other case studies, where such terms are used in vox pop fashion, these terms are coming from significant players within the media industry.

The NARS Go Against the Olympic Charter

NZME managing editor, Shayne Currie, meanwhile claimed the NARS “run counter to the Olympic charter” (Grant, 2016a). In the International Olympic Committee (IOC) charter, it states that the IOC take “all necessary steps in order to ensure the fullest coverage by the different media and the widest possible audience in the world for the Olympic Games” (*What is the IOC's policy on broadcasting the Olympic Game*, 2021). Furthermore, in a *Stuff* article titled “Sky TV threatens court action over Rio coverage” (2017, July 30), Boucher criticised the position of both the IOC and New Zealand Olympic Committee (NZOC) on the issue. She expressed disappointment that “the NZOC has effectively washed its hands of any part in this...In our view, it is unacceptable that a broadcast rights holder should have been given so much power to control how its competitor

media organisations get to report on an event of such national and international significance” (Read, 2016, paras. 9-10).

The New Zealand Olympic Committee (NZOC) was also blamed in the *Manawatu Standard* opinion piece (2016, July 28) “Olympics freedom of speech can’t be compromised” (author unnamed). This piece states:

The New Zealand Olympic Committee (NZOC) have given Sky too much control over Olympic Games coverage rights and it seems they tried to bully the print media into providing weaker coverage.

The result - a testy saga lasting six weeks which has seen the Fairfax and Herald groups pull their reporters off the plane for Rio, an unprecedented step. They won't have bailed out lightly, because they will have blown most of their travel and hotel costs in doing so.

To the wider public, this might sound like internecine politics.

But this is not Turkey and a stand had to be made because a pay-TV rival should not be able to dictate access to other media.

And the NZOC must never sit on their hands and let it happen again. (Paras. 2-6)

The NZOC kept a low profile on the issue, but a private email from CEO Kereyn Smith to stakeholders was leaked. It outlined their view on the rights debate and was published by the *National Business Review* in an article titled “NZ Olympic Committee CEO’s reality check on coverage rights criticism” (2016, August 5). Three major points that Smith emphasised in this email were:

- The NZ NARs offer more to New Zealand media organisations in terms of cross digital access than any other country in the world
- The NZOC had no role in the negotiation of the NARs
- Although Sky didn’t pay the NZOC for the rights to the Olympic Games, that revenue does indirectly fund New Zealand elite sports and athletes (Grant, 2016a, para. 5).

Smith also emphasised that “All Olympic Games rights holders are required by the IOC to provide free-to-air television coverage of the Olympic Games. SKY is providing

around 15 hours/day of Rio coverage that will be free to air on Prime TV” (Grant, 2016a, para. 15). Smith wanted to distance the NZOC from the controversy, but her general position aligned with Sky’s.

The Fourth Estate and Press Freedom

The news media also drew on its perceived role as fourth estate acting in the public interest. This was largely articulated by Fairfax group executive editor Sinead Boucher. For example, in *The Press* (Fairfax-owned) piece “Media pull out of Rio over demands” (2016, July 22), she comments on Fairfax withdrawing its reporters, saying “We are not prepared to sacrifice our editorial freedom and right to freely report about the Olympics as a major news event” (Norquay, 2016).⁴⁰ During the hearing Fairfax lawyer, Goddard, also described the NARS as “absolutely contrary to the public interest” (Cowlshaw & Dennet, 2016, para. 20). Furthermore, when Sky’s interim injunction was dismissed, Boucher is quoted as saying- “It’s a great day for press freedom in our country. And it is a great day for all New Zealanders who want to follow and support our Olympic heroes.” (Cowlshaw & Dennet, 2016, para. 5). Across the discourse “*freedom*” and “*public interest*” become keywords. While they used terms of cultural citizenship, whilst talking about having an “*informed public*” and serving “*all New Zealanders who want to follow and support our Olympics heroes*”, there were also competitive media relationships at play. Such language must be read critically. Fairfax did have a profit interest in reporting on these events; it wanted to draw audiences to its webpages and drive advertising revenue.

Sky’s Defence: Generous by International Standards

In some of the articles, Sky’s perspective was given, usually through Sky’s spokesperson Kirsty Way (Grant, 2016d, 2016e; Norquay, 2016; “Sky TV rules keep media out of Rio” 2016). One argument that Sky was keen to promote was that it was giving 15 hours of delayed coverage on Prime, which was more Olympics coverage than ever before (Grant, 2016e). It also argued that it had made a substantial investment in the rights. Other key points it made were that, by international comparisons, the NARS were generous and that many other countries were not allowed to use online footage of the Olympics at all

⁴⁰ This quote was also used in *National Business Review’s* (2016, July 29) “TVNZ has a dollar each way on Olympics rights row”, with Boucher quoted as saying that sending accredited journalists to Rio would have been tantamount to a “sacrifice [of] our editorial freedom and right to freely report about the Olympics as a major news event” (TVNZ has a dollar each way on Olympics rights row, 2016, para, 16).

(Grant, 2016d).⁴¹ In the *National Business Review* article “Sky tries to limit Olympic footage use, stoush ensues.” (2016, July 19), Kirsty Way is reported as saying:

These news access rules are really generous, allowing for up to six minutes of content a day, which is a huge amount of video content. The UK, for example, allows only two minutes a day, and Australia allows three minutes. (Grant, 2016d, para. 14)

Two other media commentators offered their opinion which supported Sky. Mediaworks TV3 presenter Mike McRoberts told National Business Review Radio that his company, “is very comfortable with the rules and that he “can’t understand what the issue was” (Grant, 2016e, para. 14). Media commentator and former journalist Bill Ralston also offered an opinion which supported Sky. He said “Whoever gets exclusive rights to broadcast the whole thing (...) has got to protect their investment, they can’t have all these other guys horning (sic) in on it and trying to make a profit out of it when they’ve spent all the money themselves” (Grant, 2016b, para. 10). He further labelled the decision not to send reporters to Rio as self-defeating. Ralston’s opinion around “*protecting their investment*” shows a business oriented way of thinking about sports broadcasting rights. He overlooks other perspectives concerning the fair use of copyright and what New Zealanders could expect to receive in terms of sports media news coverage.

A Change of Strategy: Protection vs Promotion

The analysis so far shows a battle between New Zealand media platforms over the control of and access to sports news. The anti-Sky sentiment also runs through the discourse, with terms such as “*dictate*”, “*bully*”, “*unduly restrict*”, and “*out of touch*” used to describe their behaviour in setting the News Access Rules. The news media also drew on the values of their profession, such as “*press freedom*” and “*public interest*” to make its case for gaining more access to Olympic footage. While these values may be important to these organisations, so is the commercial value of the clips inserted within sports news. Sky argued they needed to protect their investment and also that, by international standards, the News Access Rules were generous.

⁴¹ This point was also covered in *The Press* article “Media pull out of Rio over Sky demands” (2016, July 22) in which Kirsty Way states- “Sky stands by its news access rules that they’re the most generous in the whole world and have been acceptable worldwide, but apparently they’re not acceptable to our news agencies in New Zealand” (para. 23). This point was also used in the hearing by Lawyer Julian Miles: “What is intriguing is that Fairfax is an outlier in New Zealand, it’s an outlier internationally because not only has it refused to abide by rules, it has also set out to undermine the copyright holder’s monopoly” (Gibson, 2016, para. 6).

There was a pattern of changing discourse concerning the protection of sports broadcasting rights in New Zealand and in attitudes within the media regarding the fairness of the coverage available to online news organisations. A crucial division thus emerged over the perception of sports rights. As investments, they were seen by some as worthy of protection, but there was also a suggestion that, rather than act as gatekeepers, rights holders were advancing the promotional imperatives of the digital era. Here, business strategy is focused on exposure to the mediated sports products and through their promotion, audiences grow. In this context, cultural citizenship remains a minor issue within mediated discourse. It is primarily expressed through the idea that journalists cater to audience in the name of the “*public interest*”.

Boxing, Illegal Streaming and Piracy: Joseph Parker vs Carlos

Takam

By 2016 streaming services, such as Netflix, Spotify, YouTube and Facebook Live, had changed the way people consumed content. Streaming had become increasingly integrated into daily life, especially for younger audiences. During the 2000s, torrent-based downloading was the primary way that people illegally accessed content. However, in the 2010s this was surpassed by streaming piracy, as a popular way of accessing content (Spilker & Colbjørnsen, 2020). Notably, this is very difficult to stop as it involves identifying sites which are quickly shut down and only temporarily available. Wong (2015) identifies the primary ways in which sports are pirated:

- Live streaming over the Internet where live sports broadcasts are rebroadcast via peer to peer (P2P) television services or streamed directly from a web server via User-Generated Content (UGC) live sites;
- Recorded versions of sports telecasts uploaded to file sharing networks such as *BitTorrent*;
- Highlights created and placed on UGC sites such as YouTube and social networking sites; and
- Pirated broadcasts are also occurring in the forms of illegal set-top boxes and ‘signal boxes’, which offer pirated signals through unscrambling encrypted signals of pay-TV content. (Wong, 2015, p. 535)

Live streaming P2P and UGC sites have become the most popular resources for sharing illegal streams. The illegal streaming of sport is especially common among younger audiences. For example, a Sport Industry Group survey found that 54% of “millennials” (those aged 18-24 at the time of the survey) have watched illegal streams of live sport, and that fewer people within this generational group pay for traditional subscription services (MacInnes, 2017). For millennials and younger cohorts, digital piracy can be seen as ‘normal’ and morally acceptable (Wong, 2015). This may stem from growing up in a highly digital and mediated environment, but also may be because younger people tend to have lower incomes (Wong, 2015). In New Zealand, a 2018 Sky-TVNZ commissioned survey found that approximately 8% of the population are watching pirated sports events (Keall, 2018).

The notions of legal/illegal streaming and piracy are highly contested. The term ‘piracy’, which likens copyright infringement to open sea piracy, is clearly loaded. Notably, it has not historically been used in international copyright law, but has been used by corporate and government sponsored public relations campaigns to dissuade the public from engaging in such activities (Mirghani, 2010). These campaigns frame cultural content through a protection of property lens which is seen to have legal legitimacy. Mirghani (2010) has argued that this approach commodifies culture and overlooks important aspects of cultural creation.

Boxing has been one of the most popular events to be pay-per-viewed (PPV). In fact, the first PPV fight sports event was the 1975 ‘Thrillia in Manila’ fight between Muhammad Ali and Joe Frazier (Tainsky et al., 2013). The popularity of these PPV prize fights increased during the 1980s and 1990s, and the prices for them steadily increased as well (Tainsky et al., 2013). Other team sports also have tried to use the PPV model with varying success, but it is fighting sports which are the mainstay.

Viewed in terms of supply and demand, the PPV model, used in fighting sports, is particularly ripe for illegal streaming. Wong (2015) shows that demand for pirated streaming goes up when the content is highly desirable, as is the case with sport which is of social-cultural value. People are also more likely to illegally stream when the official price is high, and their finances are constrained. With PPV, the large up-front fee means that many people are unable to afford the match, but can access it for free through an illegal stream.

This case study involves the illegal streaming of a PPV fight between, New Zealand boxer Joseph Parker and French boxer Carlos Takam on May 20th, 2016. This was an

International Boxing Federation eliminator and the winner of the fight would go on to fight the world champion Anthony Joshua. Parker was a professional boxer who had signed with sports events company Duco in 2012, and his event promoter for Duco was former rugby league player Dean Loneragan. With a win purse of over a million dollars this match was New Zealand’s richest boxing fight, and it attracted considerable hype.

An illegally streamed live video of the match was shared via Facebook and viewed more than 100,000 times, causing outrage from promoters. Moreover, it would have cost NZ\$49.99 to watch through Sky on top of having a Sky subscription, and there was no online option. The user who streamed it called himself BeastMoze, but his real name was Moze Galo (Van Beynen, 2016). He defended his actions online by writing on Facebook:

Bro in all seriousness.. I always thought that Duco were Crooks (sic). I never liked the way they promoted their ppvs - \$50 bucks is the most expensive ppv I've ever seen. They also raised the ticket prices.

They were blatantly robbing people. I just gave them the same medicine haha. It was buzzy to see so many people watching my TV in my house. Call me the modern day Robin Hood...haha. (Collins, 2016, para. 17)

Dean Loneragan responded to the illegal streaming controversy by calling people who illegally stream sports “low-lifes” and said he would take them on with legal action. The illegal streaming of the match was a controversial issue which played out in the media over the following few weeks.

This case study builds on discourse covering the controversy. It looks at eight news articles from *The New Zealand Herald*, *The Nelson Mail*, *Radio New Zealand*, *The Press*, and *The Dominion Post*; 2 opinion pieces from *Newstalk ZB* and *The New Zealand Herald*; 1 letter to the editor from *The New Zealand Herald*; and 2 audio clips from the Radio New Zealand shows *The Panel* and *Checkpoint*. The outlets are explained below in Table 11.

Table 11

Media Outlets Included in the Boxing, Illegal Streaming and Piracy Case Study

Media Outlet	Media Outlet Descriptions
<i>The New Zealand Herald</i>	New Zealand’s most widely circulating daily newspaper
<i>The Nelson Mail</i>	A daily newspaper in the Nelson region.

<i>Radio New Zealand</i>	New Zealand's public broadcaster, primarily radio, but features news articles online
<i>The Press</i>	A widely circulated daily newspaper in Christchurch
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington
<i>Newstalk ZB</i>	New Zealand's commercial news and information radio station.
<i>The Panel</i>	A show which talks to panellists about topical current affairs and interview expert guests.
<i>Checkpoint</i>	A 5pm radio news and current affairs programme, which covers national and international news with in-depth interviews.

The discourse here can be broken into two sections, that which is soft on illegal streaming and that which regards copyright protection as important to uphold.

Soft on Illegal Streaming

People Pirate Because the Price of the Product is Too High

Price is a significant factor driving the demand for digital piracy (Organisation for Economic Cooperation & Development, 2009; Wong, 2015). Many of the media pieces covering the illegal streaming of the fight included the argument that the price of the boxing match, NZ\$49.99 on top of a Sky subscription, was too high (Beck, 2016; Collins, 2016; "Copyright and counter punches" 2016; Hill et al., 2016; Langford, 2016; Rattue, 2016; *Streaming from the rich*, 2016). The most obvious way that the price was used to justify illegal streaming was Gallo calling himself "*Robin Hood*". In the *Radio New Zealand* piece "Copyright crook or Robin Hood" (2016, May 23) Gallo's Facebook status was included. He labelled Duco *crooks*, said they were *robbing people* and described himself as a *modern-day Robin Hood*, evoking the idea that he was stealing from the rich to give to the poor. This term was repeated in two headlines reporting on the issues- *Radio New Zealand's* article "Parker Streamer: Copyright crook or Robin Hood" (2016, May 23) and *The Dominion Post's* article "Streamer 'anything but a Robin Hood'" (2016, May 24).

The argument that illegal streaming resulted in high prices was made, with particular force, by sports opinion writer Chris Rattue in his *The New Zealand Herald* article "Lonergan's paddling up the wrong stream" (2016, May 23). Here he argues:

The \$50 price tag on the IBF [International Boxing Federation] eliminator fight and its vaudevillian undercard was too high, a significant \$10 increase on the usual boxing rate which seems quite steep anyway.

Watching illegally obtained online content is becoming a bit like using a cell phone while driving — citizens who would otherwise regard themselves as perfectly law-abiding do it as standard practice. The \$50 price was a handy moral loophole...

Put it this way: Lonergan would have more friends in this argument if the price was significantly lower. This is not about right and wrong, it's about what works. Quite clearly, a lot of people have decided to go back-channel. (Rattue, 2016, paras. 8-9)

Rattue's analogy, that illegal streaming is like using a cell-phone when driving, emphasises the normalisation of both practices. By describing Lonergan as needing more friends, Rattue (2016) indicates that the "copyright should be protected" perspective was not widely supported and, in his view, the morality of illegal streaming is a grey area. The issue is "*not about right or wrong*", and the price was said to be a "*handy moral loophole*".

The Dominion Post piece "Copyright and counterpunches" (2016, May 25), written by an unnamed author, argues that it's not just Lonergan that fans are frustrated with, but Sky:

Let's agree with the critics that Sky's price for the match was extraordinarily high. Sky and Lonergan might argue that they are simply asking for a fair return on their substantial investment. But viewers are not coming cold to this argument.

The broadcaster, after all, is remembered as a corporation whose dominance of pay-TV lasted for a long and lucrative time. That era has thankfully gone, but the memories remain. ("Copyright and counter punches", 2016, paras. 5-6)

This author taps into the anti-Sky sentiment, identified in earlier case studies, by stating that, thankfully, the "*dominance*" of Sky was waning. There is an interesting assumption in this statement that this is also how the reader, or typical New Zealander, feels about Sky. There is also a suggestion here that the problem with illegal streaming would be lessened by offering more "*reasonable prices*".

The answer to the copyright problem, it seems, is to make copyright works available at reasonable prices to a mass market. Consumers, according to this argument, are

prepared to pay if the price is right: most people don't expect to get something for nothing.

This argument, of course, is of crucial interest not just to Hollywood, but to the music industry, sports impresarios and the pay-TV moguls. ("Copyright and counter punches", 2016)

Illegal streaming was becoming an issue within the music and movie industries too. However, with the entrance of Spotify and Netflix, paying for subscription, instead of illegal streaming, has become common behaviour for consumers. This led people to believe a similar model could reduce the illegal streaming of sport.

Two letters to the editor, published in *The New Zealand Herald* (May 25, 2016), accuse the fight promoters of being "greedy" (Beck, 2016; Langford, 2016). Langford (2016) writes:

If you are going to be greedy and charge way too much for something, then in today's environment people are going to find ways to circumvent the situation and get it for free. Duco and their "mouth", Dean Lonergan, should not be surprised that some people chose not to pay for the Parker-Takam fight when they chose to be greedy and charge way too much for it.

What Duco should have done, if they don't want it to happen again, was charge a price that was reasonable and that average Kiwis could afford, then fewer people would "steal" the coverage from them.

Here the writer puts "steal" within inverted commas to highlight the rhetoric that Duco and Lonergan reportedly use, and suggests that illegal streaming is not truly stealing in a traditional sense. Furthermore, they characterise Duco as "greedy" twice. Similarly, Beck (2016), in a letter to the editor, writes:

When people feel ripped off they will go all out to beat the system, as has happened with the live streaming of the match.

It is nothing more than plain greed and such people deserve what is coming their way, especially in regards to a boxing match that could end in minutes or even seconds. One gets sick of constantly being ripped off here. (Beck, 2016)

This writer justifies illegal streaming by saying that it is a response to being "*ripped off*" in New Zealand (a common populist frustration because New Zealand has high prices for a lot

of food and commodities, with fairly low wages). Characterising the fight as “greedy”, it is pointed out that boxing is unpredictable and can be over very quickly.

The New Zealand Herald editorial “Everyone loses from ripoff of Parker fight” (2016 May 24) debates the issue of price, arguing that it was fair:

That knowledge that those involved in its production need to make money from it seems to heighten the justification. They tell themselves the pay per view charge was too much, which it was not. A \$50 fee was perfectly reasonable, reflecting the value of an event which turned out to be more gripping than perhaps the free viewers had expected when they had the chance to buy the feed. (“Editorial: Everyone loses from ripoff of Parker fight”, 2016, para. 3)

It is difficult to deduce what ‘fair’ is in this context. It was priced higher than a standard PPV at a time when the New Zealand price was NZ\$40 (on top of the Sky subscription, around \$80 a month). However, the high price did go towards the million-dollar prize for the fight, but equally, it was a price that was out of reach for some New Zealanders.

It is Difficult to Legislate on Digital Piracy

Many articles said that it was difficult to legislate on illegal streaming due to the widespread nature of the problem (Cooke, 2016; “Copyright and counter punches” 2016; Hill et al., 2016; Rattue, 2016). Even the word “streaming” itself connotes something difficult to stop. Rattue uses the idea of a literal stream in word play in his column titled “Lonergan’s paddling up the wrong stream” in *The New Zealand Herald* (2016, May 23). Here he remarks that:

It’s easy to understand where furious boxing promoter Dean Lonergan from Duco is coming from. But trying to land a knockout blow on illegal streaming won’t work — he has more chance of pocketing mist. (Rattue, 2016, para. 2)

The term “*pocketing mist*” alludes to the elusive nature of legislating against piracy. When it came to the specifics of actually suing the streamers, it was commonly noted that they might not have otherwise paid the price of the boxing match to watch it (“Copyright and counter punches” 2016; Hill et al., 2016; *Parker-Takam live streaming will be fought in court*, 2016; *Streaming from the rich*, 2016).⁴² This argument was integral to the defence that streaming is

⁴² For example, In “Copyright and counter-punches” published in *The Dominion Post* (2016, May 24), it is reported: “Sky’s critics say that if it had not charged such a high price, many would-be viewers would have been prepared to pay. Here is the nub of the wider copyright argument in the

different from the stealing of physical goods. In the piece “Streaming from the rich”, which was a panel discussion on Radio New Zealand’s *The Panel* (2016, May 23), philosopher Dr Bill Fish linked this point to the *Robin Hood* analogy. He says “If you look at the description of the streamer as a modern day Robin Hood, a lot of these people wouldn't have paid the fifty dollars anyway, in which case it's not completely clear the extent to which anybody's lost anything from that” (*Streaming from the rich*, 2016).

Some pieces recruited lawyers to talk about the issue. One example was “Streamer ‘anything but Robin Hood’” published in *The Dominion Post* on May 24, 2016. Here it was noted that the courts would need some proof that illegal streamers would have otherwise paid:

Sky and Duco could spend upwards of \$100,000 on court fees if they pursued a case, digital lawyer Rick Shera said.

They would have to prove that a significant portion of the livestream viewers represented lost sales – which would require costly expert witnesses.

"You have to prove how many people actually viewed it. You would start with saying '\$50 a pop, times a hundred thousand, that's five million dollars,' but the court will take that with a grain of salt."⁴³ (Cooke, 2016)

On the other hand, *The New Zealand Herald* editorial “Everyone loses from ripoff of Parker fight” (May 24, 2016), saw the view that the streamers would not have watched the fight anyway as “the most troubling argument”:

That will be the self-justification of free riders on public transport and any other service that is not consumed by use. Somebody has to pay for these things if they are to survive. Those who provide expensive pleasure should pursue the parasites with vigour. (para. 9)

This extract claims that gaining something for free if you can’t afford it is like free-riding on public transport, and that the production of boxing relies on people paying to watch it. Crucially, it described the streamers as “*parasites*”, a loaded prejudicial term to describe people who illegally stream material.

digital age. It is extraordinarily easy to find a way of breaching copyright rules, and technology keeps making it easier” (para. 10-11)

⁴³ See *The New Zealand Herald* piece “Dean Lonergan to Joseph Parker fight streamers: See you in court” (2016, May 22): “Had it not been for the infringement, would 100,000 people have paid \$50 to view it? The answer is probably no. The court would hear evidence on what the likely viewership would have been and how that would have played out” (para. 9).

Copyright Protection Arguments

Piracy is a Form of Stealing

Justifications for illegal streaming faced the counter; that streaming was unethical. This supported a lot of 'tough talk' about prosecuting the streamers through legal action. Much of this rhetoric stemmed from Dean Lonergan's media appearances on the issue. Both Lonergan and Sky framed illegal streaming as "*stealing*" or "*theft*". For example, in the article "Dean Lonergan on Parker fight streamers: 'They're not the smartest people on the planet'" published in *The New Zealand Herald* (2016, May 23) the following quotes are attributed to Dean Lonergan:

There will be two choices when we find out who they are, we'll send them an invoice for tens of thousands of dollars, and they can pay that or they'll find themselves in court. It's theft and they're lowlives...

They're not the smartest people on the planet, it's a blatant breach of our copyright, we will be pursuing it...

They've stolen something, they're re-streaming it, they can pay the price and I'm looking forward to it. (paras. 5-11)

Here, Lonergan, calls illegal streamers *lowlives* and *not the smartest people*, and suggests that action will be taken against them. The term *stolen* is also critical to this argument as those that justify illegal streaming do not see it this way. Sky's spokesperson Kirsty Way also strongly reiterated that piracy is theft in the same article, stating:

This is a high-profile case, but we are always looking for illegal streams and yes, we can track it down and we will track it down. I don't think it is a grey area...it is definitely wrong. If you don't like the price of something, you can't just take it for free (paras. 20-23)

This angle was also taken by some members of the public. For example, on Radio New Zealand's *The Panel*, host Jim Mora, asks "[00:41] How exercised are you over people doing this? Does it worry you that a lot of them just watched it free?" A panellist then replies: "I think it is stealing, actually. Really? I mean, isn't it?". Then follows on with:

[01:29] There was a guy who posted something on Stuff this afternoon, and I think he's absolutely nailed it. This guy said at the bottom of the story, if you think something is too expensive and you can't afford it, then don't buy it. Simple, really. Apparently, there are dishonest people who can't grasp that concept and think that stealing it instead is a better option. That's sad. I think that's it in a nutshell. (*The Panel*, 2016)

This discourse relies upon the authority of common-sense thinking, thus the terms *simple really*, and *I don't think it's a grey area*, offer a black-and-white perspective on the issue. Only one question matters - is something being stolen or not? and if something is stolen, the person involved must be *dishonest* such that punishment or compensation is required. This is notably different to the discourse which is tolerant toward illegal streaming, on the grounds that the mediated sports content is overpriced.

Pirating Hurts Athletes

One major perspective, concerning the protection of copyright, was that illegal streaming ultimately hurts athletes, in this case, Joseph Parker (*Checkpoint*, 1998; "Copyright and counter punches," 2016; "Dean Lonergan on Parker fight streamers: 'They're not the smartest people on the planet'" 2016; "Editorial: Everyone loses from ripoff of Parker fight" 2016; Van Beynen, 2016). Parker appeared on Radio New Zealand's *Checkpoint* (2016, May 24) to make this argument, as well as to talk about his next fight:

John Campbell [00:05]: They'll be wanting to watch, they'll be wanting to scream you on, and if they yell loud enough, you'll hear them. Some of them are going to pay 50 bucks to watch it on Sky. Some of them, I think, will travel to see you do it in person. And others, it seems, are going to be watching it streamed on Facebook. What do you say to the people who did that?

Joseph Parker: For me, it's a little disappointing, and the reason I say that is because we work hard as a team, putting on events, it's a risky business for them to put on this event. And if anything goes wrong, they lose a lot of money. I work hard, I train hard, and I go out to put on a show for everyone. When they stream the fight, they are stealing from us, you know, mostly stealing from me, I'm the one that's going to war. I get why they do it, it's fifty dollars, and that's a lot of money to a lot of people, but they are showing it at pubs, and I think maybe you can text your friend or your family, go to their house and watch it there. That's the way I see it. (*Boxing fight illegal streaming 'stealing' says Parker*, 2016)⁴⁴

⁴⁴ In the *Stuff* article "Joseph Parker fight illegally broadcast to more than 100,000 viewers" (May 22, 2016), this point is also emphasised by Van Beynen (2016). He writes- "People who

Parker's language is a lot less strident than Lonergan's, and he makes an admission that the fight is a large expense for some people. By saying he is going to "war", emphasising the physical sacrifice of boxing, Dean Lonergan also said:

How can they possibly call themselves Robin Hood when the person they are ultimately stealing from is Joseph Parker, a guy who is literally sweating blood? (Cooke, 2016, para. 8)

This reminder of the physicality and dedication that Parker puts into his work suggests to audiences that there are some human consequences to online streaming and that athletes deserve the money that they make off such events. Parker's sentiments here are a more moderate version of the "privacy is theft" viewpoint put forward by others. His more nuanced view is not reflected in any of the other texts.

The claim that it is Parker who loses out through illegal streaming is disputed. In the following piece, "Copyright and Counterpunches", the event promoters also seem to have something at stake:

Lonergan claims the real victim is Parker himself, who "sweated blood" during the 12-round fight and was denied a bigger slice of TV revenue. The reality is Lonergan, as the promoter, misses out too. Perhaps that better explains his foul-mouthed outbursts ("Copyright and counter punches", 2016, para. 12)

A key term in this argument is "*ripped off*". A *The New Zealand Herald* editorial notably declared that "Everyone loses from ripoff of Parker fight" (2016, May 24). Apart from the headline, "*rip off*" was also used in the article itself:

If Duco and its young boxer had a big payday, they are in a business where they have to work long and hard for it. Those who watched for nothing will not want to think about the months of training Parker has put in, they prefer to think it is the business behind him they are ripping off. They should pause to wonder where he would be without a business behind him. (paras. 5-6)

watched the streamed videos were ultimately harming their favourite fighters", Lonergan said. "It takes money out of Duco's revenue streams, and the more money we have, the more we can afford to pay Joseph Parker"

This argument echoes earlier discourse on professionalisation in which paying to watch is articulated as a prerequisite for athletes to get paid. These articles focus on illegal streaming from a business perspective, and do not address the socio-cultural meaning of the fight for New Zealanders and fans.

During 2016, illegal streaming was an ongoing issue in the news media. In July, Parker fought Solomon Haumono. After this fight, seven people who infringed Sky's copyright were "granted an injunction restraining any further infringements and ordered (...) to destroy any copies of the fight and pay damages of \$100 as well as costs of \$2670 ("Sky TV hits back over illegal fight views," 2016). On December 10, the same issue re-appeared when Parker fought Andy Ruiz Jr. (on a Sky pay-per-view for \$59.95). Sky spokeswoman Kirsty Way said that they estimated the number of pirating streamers to be in triple digits. Then, in 2017 ten people faced legal action after streaming a Parker fight against Razvan Cojanu, and Sky also found that people were illegally streaming rugby matches. Fellet identified piracy as Sky's biggest competitor in the CEO's letter to the *Annual Report*. In this letter, Fellet also blamed the news media for negative and biased reporting on Sky's copyright issues (Sky Network Television Limited, 2017). In more recent years, this issue has not been widely reported on. This may be because Sky's offering is now more affordable and streamer friendly, or that illegal streaming has become more normalised and accepted, or that sports broadcasters do not see raising the issue within the media as a useful endeavour.

Vigilante Justice or Theft?

Even though boxing is quite expensive to watch, due to the PPV model, it still retains socio-cultural significance in New Zealand. Hundreds of thousands of people watch the sport (as well as other fighting sports such as Ultimate Fighting Championship). Moreover, digital technology has given audiences opportunities to watch events illegally that they would not otherwise be able to access.

The preceding discussion highlights two major perspectives on illegal streaming. On the one hand, it can be viewed as somewhat justified given the price of the media content. Notably, this is seen as not truly stealing and such language labels rights holders as "greedy". Furthermore, those that pirate the material often may see themselves as acting morally compared to those who exploit copyright over the material. In this case study, Gallo

sees himself as a “*Robin Hood*” while labelling Duco as “*crooks*”. This echoes a perception from fans that the sports media industry is financially bloated and that they have a cultural right to watch sports.

On the other hand, some people do not see illegal streaming as a grey area at all. Rather, they see it like any other form of “*stealing*”. Those with this perspective characterise those who pirate material as “*lowlifes*” and “*parasites*” and tend to use black-and-white terminology. From this perspective, illegal streamers are “*ripping off*” the sports media complex as well as athletes themselves. Mirghani (2010) notes, in her analysis of discourse around copyright infringement, that rights holders use the moralistic language of disciplining and policing, “evoking military metaphors and symbols of war in their public announcements and actions” (p. 115). This is evident in the language employed by Duco’s Dean Lonergan in the hope that he can dissuade the public from engaging in such activities.

Another point, which did not neatly fit within the discourse categories for this case study, but adds to the discussion, is the marketing perspective put forward by philosopher Bill Fish of Radio New Zealand’s *The Panel*. He stated:

[06:20] I remember when Netflix launched in New Zealand, I remember one of things the chief content officer of Netflix talked about was how the best way to combat piracy isn't particularly through legislation or criminalisation, but by increasing the range of options and I think maybe the take home from this is rather than seeing the current situation as there being 21,000 people who didn't pay fifty dollars, I think you can look at it as an untapped market of 20,000 people who are looking for live streaming options to watch Parker. They can probably see that as a real untapped market rather than a problem that they need to clamp down on. (*Streaming from the rich*, 2016)

This quote encapsulates the creep of marketing values into all aspects of life. The growth of digital communication has fragmented audiences and allows for speculation over where the next potential untapped market lies. This kind of statement also assumes a very market-based outlook. The problem is not the commercialisation of sport, but rather the lack of commercial options available.

In New Zealand the discourse around illegal streaming seemed to peak during 2016-2017 and, since then, there have been very few media articles on the topic. There are three

possible and related reasons for this; the prevalence of the practice has waned, it has become normalised, or it is no longer perceived as a source of competition by Sky.

The Entrance of Spark Sport: Live Coverage of Rugby and Cricket

In 2014 publicly traded company Telecom rebranded to Spark, under Managing Director Simon Moutter, to better reflect their digital priorities as a telecommunications outlet. Under Moutter, Telecom became a retail business which offered video-on-demand (Lightbox), the cheap mobile brand Skinny, data analytics, cyber security, cloud IT, and internet services. In 2019, Moutter described Spark as “largely a software company”(Mandow, 2019, para. 14). This is a considerable rebrand for a company which was largely thought of as a telephone service before the digital era. In March 2018, Spark caused a shock when it announced that it had put in a bid for the 2019 Rugby World Cup in Tokyo.

Lopez-Gonzalez et al. (2017) identified a trend whereby telecommunication companies present as content providers as digital technologies become widespread. The strategy of such companies is to preserve and extend their market position by building content around broadband provision and phone plans. The content packages attract and locks in subscribers as a revenue source. In a converged pay-TV and telecommunications market, sports rights content has become central (Smith et al., 2016). Furthermore, for major sports organisations there are more bidders for their rights, and so the price of sports rights have escalated.

On March 29th, 2018, the speculation around Spark and TVNZ winning coverage rights for the 2019 Rugby World Cup in Tokyo was confirmed when Sky announced that it was not a preferred bidder. This caused Sky’s share value to fall by 8% (Pullar-Strecker, 2018a). The rights were primarily digital, with TVNZ obtaining seven live games including the opening match and final. TVNZ was also going to handle the production for Spark and provide a back-up plan if there was any streaming failure. Through the Spark package, there was an early bird price of NZ\$59.99 for all 48 games via Spark Sport, or NZ\$79.99 if the pass was bought after June 2019 (Anuja, 2019).

John Fellet stated that the Rugby World Cup was “not such a good proposition for Sky because the closing stages of the competition, when interest was highest, had to be

shown free-to-air” (Pullar-Strecker, 2018a, para. 8).⁴⁵ However, when Martin Stewart took over as Chief Executive in February, 2019 it was reported that he asked the executive team who had lost the rights to the Rugby World Cup (Jennings, 2019a), meaning he saw it as a significant loss for Sky. He said that in the future Sky would be bidding more competitively (Keall, 2019c).

Spark’s move into sport was not unprecedented as they had already partnered with Coliseum to deliver the EPL. Notably, Spark discussed its strategy in terms of acquiring and retaining subscribers. Jeff Latch, the head of Spark Sport (and former head of TV1 and TV2 at TVNZ), disclosed to *Newsroom* “the reason we are doing this is to bring a whole lot of people into Spark Sport so they can use the platform and see it in all its glory and then we clearly expect and hope that a whole lot of those people stay with us” (Jennings, 2019b, para. 13). Spark also indicated that it would be buying more sports and long-running competitions, with Latch adding that sports being put behind a paywall has had consequences for sports fandom. Additionally, Spark wished to keep a reasonable amount of sport content “free” on the Spark sport platform (Jennings, 2019b, para. 20).

Spark, therefore, recognised the importance of free-to-air sport in terms of its benefits to sports organizations, at least in theory. However, Spark may have used this line of reasoning to legitimise itself as a streaming option. While Spark talked about making sport accessible to New Zealanders, UFB was still in the process of being rolled out to rural areas at this time.⁴⁶ Rural New Zealanders did not feel confident that they would receive it in time for the 2019 Rugby World Cup (“Turnover ball for TV sport” 2018).

The following critical account contains three parts; announcement of the deal, issues around streaming the tournament, and then the acquisition of cricket rights by Spark in the aftermath of the 2019 Rugby World Cup. Analysis of the announcement draws on five news articles from *The New Zealand Herald*, *The Dominion Post*, *Radio New Zealand*, and *Stuff*; as well as two video segments from *Newshub* and *TVNZ’s Breakfast*; and one audio clip from Radio New Zealand’s show *Morning Report*. Descriptions of these outlets are listed in Table 12 below:

⁴⁵ This is a stipulation from International Rugby, whose sponsors wish to make use of the promotional power of free-to-air television to draw attention to its brands.

⁴⁶ In New Zealand, a rural settlement is defined as a town which has 200-999 people, or at least 40 dwellings, as well as at least one public building (Statistics New Zealand, 2020)

Table 12*Media Outlets Included in the Rugby Rights Section of the Entrance of Spark Sport Case Study*

Media Outlet	Media Outlet Description
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>The Dominion Post</i>	A widely circulated daily newspaper in Wellington.
<i>Radio New Zealand</i>	New Zealand's public broadcaster, primarily radio, but features news articles online.
<i>Stuff</i>	Online news website, then owned by Fairfax, which carried content from New Zealand's Fairfax owned press.
<i>Morning Report</i>	Radio New Zealand's most popular segment, which airs from 6am-9am on weekdays and sets the daily agenda for political and current affairs discourse in New Zealand.
<i>Newshub</i>	Previously known as 3 News, MediaWorks owned news network which produces a 6pm news programme as well as online news content.
<i>TVNZ Breakfast</i>	TVNZ's morning news and talk show, covering news, weather, sport and features.

Streaming is the Future

On April, 16th, 2018, Spark was confirmed as the successful bidder for the 2019 Rugby World Cup. That evening, TV3 covered the rights deal on its 6pm news show *Newshub*. One piece on their website was titled "Rugby World Cup deal: Are we entering the future of broadcast sport?" and throughout the clip, the new way of watching sport is a central theme. The reporter states: "[00:26] With one bid deal, Spark hopes to change the way we watch television forever" (Newshub, 2019). The piece then includes part of an interview with Spark Managing Director Simon Moutter, who states, "[00:30] We do not believe in satellites or set-top boxes - we believe that the world will consume video through apps via the internet across multiple devices, and most of the world agrees with us" (Newshub, 2019). This news report also states that reaction to the announcement is split down generational lines, with the reporter stating, "[01:32] The audience for rugby on traditional TV is getting older and older, in fact, insiders say nobody under 30 is really keen on buying a set-top box, but they will buy an app - and that's where Spark comes in"

(Newshub, 2019). The piece then includes comment from former New Zealand Rugby Commercial Manager Trevor McKewen, who states:

[01:48] It's absolutely the future, and the future has been overdue for a long time (...)
Overall, this is a very positive development for sports fans - it's just a matter of whether the older sports fans can get their head around the fact that they are going to engage with a streaming service to watch this entire World Cup. (Newshub, 2019)

Lastly, the piece went to NZRU (Formally NZRFU) Chairman Steve Tew, who stated [02:38] "The world is changing rapidly; all your platforms are streaming all your news" (Newshub, 2019) The "*The world is changing*" phrase is also included in the *Stuff* piece "NZ Rugby boss Steve Tew confident a 'good deal' has been made on RWC [Rugby World Cup] coverage" (2018, April 16), twice.

Like the earlier coverage around Coliseum, the perspective that streaming is a new and welcome era for sports was strongly articulated. There are also parallels here with the entrance of Sky's pay-TV and the professionalisation of rugby. Moutter's statement about "*believing*" in streaming, over satellite and set top boxes, shows his ideological commitment to new technology. His statement that "*most of the world agrees with us*", overlooks the international digital divide among viewers and attempts to establish a frame which positions those who do not adapt to the new technology as outsiders. This is underlined by McKewen's statement that older fans will need to get their "*head around*" streaming. He also uses the phrasing "*it's absolutely the future*", and Tew remarks that "*the world is changing*". Both of these lines strongly legitimise streaming as the appropriate technology for the Rugby World Cup. Very little criticism of the deal was given in the *Newshub* video "Rugby World Cup deal: Are we entering the future of broadcast sport?" (2018, April 16). However, the vox pop which was included expressed mild disappointment at Sky for losing the rights (Newshub, 2019).

By 2018, the use of digital technologies was already significant. However, there was a sector of the population, who lived rurally or had poorer internet, reliant on analogue systems. During this time, it was estimated that 30% of New Zealand households did not have unlimited broadband (Statistics New Zealand, 2018). The pro-streaming discourse can thus be critiqued through its implication of technological inevitability despite concerns around broadband availability.

Sports Watchers Have More Choice and Flexibility

If 'streaming is the future' can be considered an ideology of technological determinism, then the terms 'choice' and 'flexibility' are integral to the ideology of individuated consumerism. In this case study, such terms are articulated as the positives behind the Spark deal and are evident in the *Stuff* piece "NZ Rugby boss Steve Tew confident a 'good deal' has been made on RWC coverage" (April 16, 2018).

Trapped in a passenger jet on the Wellington Airport tarmac, New Zealand Rugby boss Steve Tew used his mobile phone to watch the men's sevens team win Commonwealth Gold.

His ability to stream the game could explain his confidence that under the TVNZ-Spark deal announced yesterday, more New Zealanders than ever will have access to live World Cup rugby...

He cited his journey home from the Gold Coast on Sunday as an example of him being able to see the sevens, when he otherwise might have been unable.

I missed the women's game live, but I managed to watch the last five minutes of the men on my phone while we were taxiing, after you were allowed to turn wifi on, he said. (Norquay, 2018, para. 2-9)

Tew highlights the flexibility that digital streaming has to offer. He emphasises that there is a desire to get more people watching the games, although specific priorities appear to have been changing. Tew wants to emphasise that through digital technology people can watch sport while on the move, his "*mobile phone*" gives him the opportunity to still watch a game while "*trapped in a passenger jet*". A similar view was taken by Simon Moutter from Spark, and in an interview on *Breakfast* (2018, April 16) he says:

[00:49] The intention being to radically change the delivery model for this, make it much more a la carte and make sure you don't have to buy the big buffet of a *whole* lot of things you don't want. You can just buy the Rugby World Cup tournament and deliver it in a modern, choiceful way. (*TVNZ and Spark aiming to give consumers 'choice' and 'control' as 2019 Rugby World Cup comes live with some games free to air*, 2018)

The comparison between the "*buffet*" style and "*a la carte*" mode of watching which was not unique to this article, points to a new media landscape in which individuals can

choose content. Moutter's description of Sparks delivery as "*modern*" and "*choiceful*", complements the "streaming is the future" discourse. Streaming is the preferred choice within the "*modern*" world, and it offers "*choice*". "*Choice and opportunity*" is the key phrase used by Spark spokesman Andrew Pirie in the *Stuff* piece "Spark will have paid through the nose for Rugby World Cup, Sky TV suggests" (2018, April 16). Here, he is reported as saying:

What we do know is that World Rugby have stated objectives about broadening the appeal of rugby beyond traditional rugby followers and our bid emphasises how our approach would give more New Zealanders more choice and opportunity. (Pullar-Strecker, 2018e, para. 4)

The article shows that this deal was about more than who was willing to pay a premium fee for the rights. It was also part of a wider strategy to broaden the appeal of rugby beyond "*traditional rugby followers*". This is because, as audiences fragment in the digital era, sports bodies seem to be searching for new audiences and reducing their reliance on the promotional power of free-to-air, nationally defined television.

The discourse of "*choice*", "*opportunity*", and "*flexibility*" gives the impression that consumers can have individual control over what they watch. Even though this mode of watching disrupts the pay-TV model significantly, the power it gives to consumers is contingent on how much they are willing to pay, and their degree of access to broadband and digital devices.

Rural Broadband is not Adequate for Streaming

One of the major complaints raised immediately after the Spark Rugby World Cup announcement concerned New Zealand's lack of rural broadband. Notably, *The New Zealand Herald* published an article titled "Cup deal 'kick in guts' for rural NZ" (2018, April 16). Furthermore, on the same day, *Radio New Zealand* published an online piece titled "Rural communities worried about missing out on RWC" (2018, April 16). In the audio for this piece, a Canterbury sheep farmer used the "kick in the guts" idiom to describe how rural communities felt. The term "*kick in the guts*" is colloquial rural talk and shows the emotional impact that changes in the delivery of sports broadcasting can have. The article section of this piece also contained an interview with the President of the rural Otautau Rugby Club in Southland.

We've just won the last world cup and we're going in there as one of the favourites. If we, the people of New Zealand can't see it...the Rugby Unions of New Zealand are trying to get the grass-roots rugby up and going and keeping it going - and if we don't get to see the big guys play, then what are we going to watch, and how are we going to inspire our children," Mr Carran said. (Scotcher, 2018, para. 7)

In the same article, the club president was reported to be 'gutted' (Scotcher, 2019, para. 6). As in Chapter Five on anti-siphoning, there is concern that children are not going to watch and participate in sport if they cannot be inspired through the availability of coverage. There is also a concern with the "grassroots" of the game, which was notably absent in the discourse of Spark and the NZRU. While they hoped that the deal with Spark would make the tournament more accessible, those without a fast broadband connection would lose out. Underlying this discourse is a deeper concern; the undermining of national and social inclusion.

In a RNZ *Morning Report* (2018, April 16) bulletin, journalist Guyon Espiner interviewed Spark's Simon Moutter. Espiner here describes streaming issues during the Cup as "[07:21] your worst nightmare and presumably fans worst nightmare" (*Spark, TVNZ to screen RWC2019, but free All Blacks games unconfirmed*, 2018). In response, Simon Moutter remarked that broadband was improving in availability and that Spark was committed to scaling up its delivery of rural broadband by partnering with Vodafone and Two Degrees (*Spark, TVNZ to screen RWC2019, but free All Blacks games unconfirmed*, 2018). He also stated that: "[08:19] there's a lot more New Zealanders who can get a streaming service than own a Sky box. So, this is liberating access to the content, much more so than the current mode" (*Spark, TVNZ to screen RWC2019, but free All Blacks games unconfirmed*, 2018). This point was also made by NZRU chairman Steve Tew, who was reported as saying that he was not concerned over lack of access via streaming as this was already an issue with the Sky model. He said, "Not all of New Zealand gets everything. Everyone's desire here is to get the game in front of as many people as possible, and the world's changing, isn't it?" (Norquay, 2018, para. 6). This admission, that the event was not for everyone, was an attitude that had not been expressed so explicitly before. It shows that the NZRU's stance was far from the principles of cultural citizenship. Tew's argument gave very little room for outrage and complaints, as it assumed that the NZRFU could not produce a better outcome. Unfortunately, the Sky model, which over decades made access to sports exclusive, seemed to have rendered the lack of access to sport a non-issue for many involved in the negotiation of digital rugby rights. For a generation of New Zealanders sport has never been accessible via free-to-air television.

2019 Rugby World Cup Tournament Coverage: Conflicting

Narratives and Representation

The Rugby World Cup 2019 began in Tokyo on September 20th, 2019 and finished on November 2nd. New Zealand's first pool game against South Africa was streamed in New Zealand on September 21st at 21:45 New Zealand time. After the match, there were many complaints about the streaming quality. Spark had to divert its coverage, midway through, to TVNZ's Duke channel, which was prepared as a back-up for any streaming problems. As a result, some customers who did not want to continue with the service were offered refunds ("Spark Sport customer offered 'pathetic' 10% discount after streaming Rugby World Cup issues" 2019).

This following section illustrates how the streaming problems created a counter-narrative against the official discourse, which had pitched streaming as "*the way of the future*" and as offering "*choice*", and "*flexibility*". My analysis section is built upon two news videos from *1 News*; two news articles from *Stuff* and *1 News* online; and on two opinion pieces from *Radio New Zealand* and *The New Zealand Herald*. A description of these outlets is listed below in Table 13.

Table 13

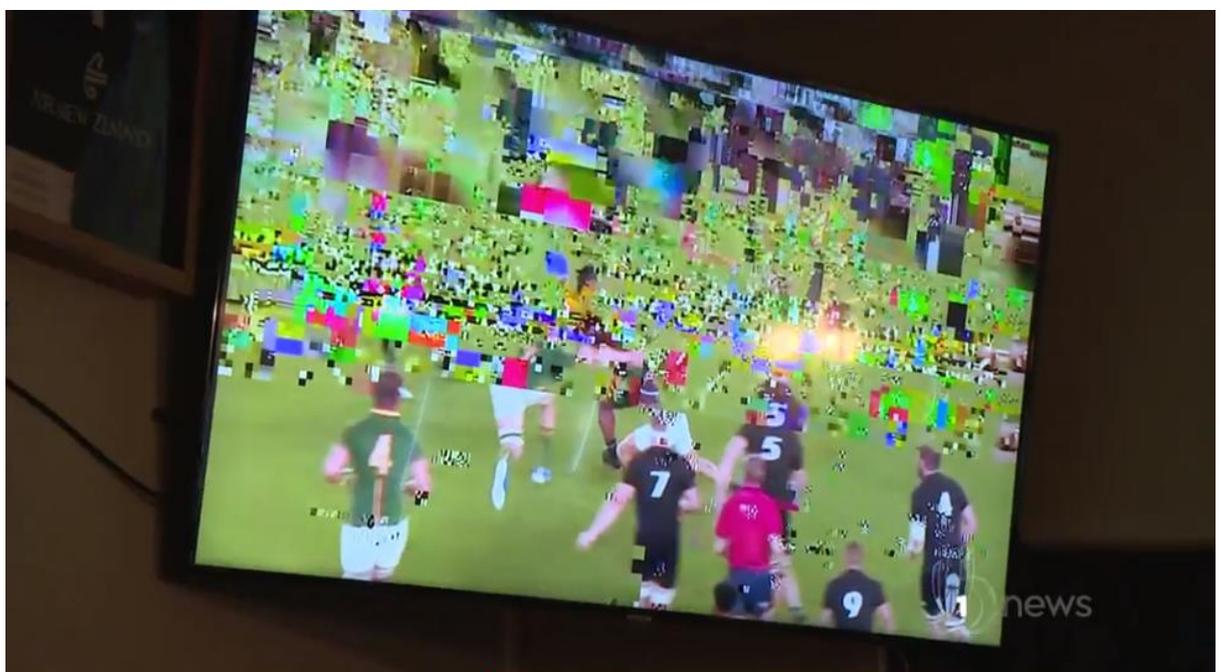
Media Outlets Included in the "Tournament Coverage" Section of the Entrance of Spark Sport Case Study

Media Outlet	Media Outlet Description
<i>Stuff</i>	Online news website then owned by Fairfax, which carried content from New Zealand's Fairfax owned press.
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>Radio New Zealand</i>	New Zealand's public radio broadcaster, but with feature news articles summarised online.
<i>1 News</i>	(Previously One Network News) TVNZ's flagship nightly news show at 6pm, which had an online platform.

One of the most damning media pieces on Spark's coverage of the 2019 Rugby World Cup was on the 1 News 6pm show on the 22nd of September ("Spark Sport CEO says company 'learning' and 'adapting' to new technology after Rugby World Cup streaming issues" 2019). The piece starts with the news anchor saying, "[00:00] Kiwis expect better, that's the response from the broadcasting minister after Spark's Rugby World Cup coverage failed at its first big hurdle". Here, the discourse of cultural citizenship is drawn upon with the presumption that New Zealanders have some rights to watch the games. The piece then goes to the rural Kurow Rugby Club, with coverage of meat on a barbeque and people drinking at a bar. Such images familiarise the viewer with rural New Zealand and the national pastime of watching rugby at local pubs. The voiceover states, "it doesn't get much more rugby heartland than here". The bar's television screen struggling with its Spark stream is then shown (Figure 8).

Figure 8

[01:00] Blurry TV Screen From News Clip Taken from 1 News at 6pm 2019, September 22

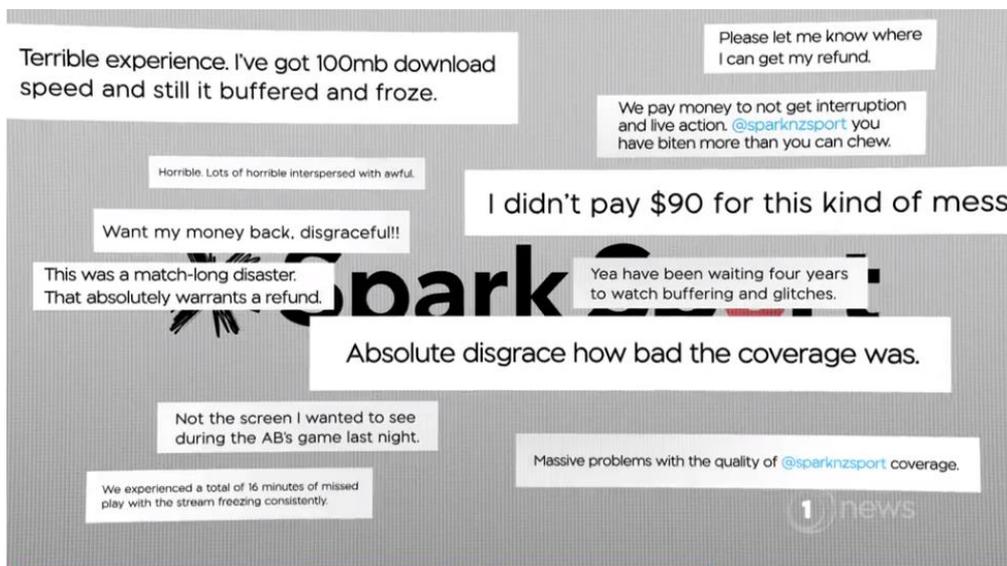


Accompanying this image was a voiceover from the reporter stating "[1:01] Not the best start, the anthem missed". Footage of the bar patrons complaining is included "It has crashed, what's happening? This is rubbish, Spark is terrible". The reporter then states

“They weren’t alone - scrambled screens up and down the country”. Further into the feature, the reporter says, “[01:40] Seething customers with fast internet who paid big dollars went online to complain”. These complaints were also included in a montage laid over the top of Spark Sport’s logo (Figure 9).

Figure 9

[01:41] Spark Complaints From News Clip Taken From 1 News at 6pm 2019, September 22



The comments, including keywords such as “terrible”, “disgraceful”, “disaster”, and “mess”, layered on top of the Spark Sport logo, were damaging for the brand. This was the kind of PR disaster that Spark had wished to avoid. The outrage here was largely directed at Spark for its lack of product delivery as opposed to the lack of free-to-air coverage. The rhetoric drew more on the language of consumer dissatisfaction than cultural citizenship. Customers wanted their money back and complained about how much they had paid for the service, rather than expressing their entitlements as citizens engaged with sport. Such coverage, and associated comments, was evident for other games too. For example, on October 3rd 1 News presented a range of comments taken from Twitter regarding the All Blacks v Canada game, and reported that the Commerce Commission received more than 30 complaints (“Fans vent frustrations at Spark Sport's glitchy RWC streaming of All Blacks v Canada” 2019).

By this stage Simon Moutter had resigned from Spark and Jolie Hodson had stepped into the CEO role. She “fronted” the media and emphasised that the stream worked well for the majority of its customers, and that there was still a back-up plan to switch to TVNZ if such issues kept arising ("Spark Sport CEO says company 'learning' and 'adapting' to new technology after Rugby World Cup streaming issues," 2019). Hodson attributed the poor-quality stream of the opening All Blacks vs Springbok game to a delivery problem from Spark's U.S. streaming partner. She also repeated the line that “sports streaming is the future of how sports will be viewed in New Zealand, it is globally...part of this is about us learning and continuing to adapt the service we provide” ("Spark Sport CEO says company 'learning' and 'adapting' to new technology after Rugby World Cup streaming issues" 2019). Here, the official narrative given by Spark, that streaming is the way of the future, appears as a defensive narrative used against the undeniable fact that a reliable streaming platform has not been delivered.

Two commentators were highly critical of Spark's response to the controversy- Hamish Bidwell's piece for *Radio New Zealand* titled “Spark Sells New Zealand a Lemon” (September 24, 2019) and Damien Venuto's *The New Zealand Herald* article “Who's to blame for Spark Sport woes? Apparently, you are” (October 7, 2019). Both criticised Spark for how they handled the controversy. Bidwell, in particular, takes aim at Spark's “streaming is the future” rhetoric around the deal:

But, hey, who am I to talk? I haven't been bold - or gullible - enough to embrace the future. The future, I tell you!

Lord help me the next time someone says streaming is the future. The future? It's been here for years.

Tricky thing, the future. It can be hard to predict. Just not in this instance.

Spark's coverage was never going to stand up to scrutiny. The system was always going to have problems and people, having paid for the privilege, were always going to voice their disappointment.

It's why media outlets rostered on almost as many staff to monitor the coverage, as they did the All Blacks vs Springboks game itself.

That's not being wise after the event. That's knowing a lemon when you see one.
(Bidwell, 2019, paras. 10-16)

Bidwell is clearly aware and cynical of Spark's 'streaming is the future' narrative. He also notes that, in 2019, streaming was very well established. The issue at hand for Bidwell is not that streaming lacks future viability, but that streaming also means that people will encounter problems and be unable to access games. Furthermore, Bidwell notes:

It's not quite the 1981 Springboks' tour, but there does appear a real ideological divide between those who support the idea of streaming - and are therefore open-minded and intelligent and optimistic - and those backward, complacent old gits who prefer the status quo.

Again technology isn't the issue here. The problem is that people were sold a product that didn't do what it said on the tin. (Bidwell, 2019, paras. 21-22)

Overall, the narrative about streaming being the future created an ideological us vs them divide. It was earlier communicated that streaming would be easy for others to use, and that older generations just had to wrap their heads around it. Such language meant that anyone who did not support the new streaming endeavours were seen to be looking at the issue in a "backward way"; they preferred the "status quo" of analogue TV. This us vs them divide, in regard to those people who do not wish to stream rugby compared to those that do, was also critiqued in *The New Zealand Herald* piece "Who's to blame for Spark Sport woes? Apparently, you are" (2019, October 7). This article states:

In other words, it's important to note that Spark is not to blame; it's those technologically challenged Kiwis who simply can't get the perfect stream flowing. So much for the customer having the benefit of the doubt.

Of course, every company has the right to explain what has gone wrong - but this all just feels a bit like Spark refuses to admit that it hasn't delivered the experience it said it would.

A classic cliché in the marketing world is that a brand is a promise, and Spark has broken the only promise it made to Kiwis. (Venuto, 2019, paras. 13-15)

Here, Venuto (2019) argues that Spark would not admit it was to blame for the issue. It had shifted the blame on to its international streaming partner Akamai, and then to local production partner TVNZ when there was an audio issue later on. Venuto ultimately puts the onus back on Spark, stating that it did not deliver on their promise. This piece was in the business section, and it is interesting to note the marketing rhetoric adopted by the commentator as encapsulated in the phrase “*a brand is a promise*”.

A group of rugby fans unhappy with the service Spark Sport had provided threatened legal action. The group, called The People v Spark Sport, said it would take a class action lawsuit against Spark Sport for NZ\$250 million over the failings of its streaming service. It announced the class action on its Facebook page, saying, customers "who experience any minor or major issues with regards to the Spark Sport App or Spark Services (inc Spark or Spark Sport customer service experiences) during the RWC campaign will be represented at no cost to those customers affected" (Longley, 2019, para. 3).

Not all of the coverage of Spark’s streaming was negative. The *Stuff* article “The highs and lows of Spark Sport’s Rugby World Cup” (2019, October 21), which was written towards the end of the tournament, was more supportive of the coverage, saying that the streaming issues were uncomfortable but that they would improve in time. The article also praised the app for producing a “crispness” and “freshness”, adding:

Instead of everything coming in 30-minute shows, Spark could add 'chunks' to its coverage – five-minute interviews, 15-minute analysis pieces – that gave the viewer a wealth of content to choose from. It’s a model that is superbly suited to cricket, where the capacity for analysis is almost endless. (Cully, 2019, para. 11)

The movement to creating content around the sport, and having smaller ‘chunks’ available, especially for audiences that may not be traditional supporters, appears to be the way that sports broadcasting is heading in the modern digital environment. Some audiences see value in it and some sports organisations believe that it enhances fan engagement with their sport. This is part of a new consumer culture around televised sport in which a proliferation of content is available for engaged fans to consume through their devices.

On November 5th, 2019, Spark revealed some of its overall numbers for the tournament. New Zealanders had signed up for over 200,000 Rugby World Cup subscriptions and a number of fans also purchased single or multiple match passes (Keall,

2019a). These numbers are not comparable to those of Sky because of the difference in broadcasting models. However, from the number of households in New Zealand at the time (estimated at around 1.65 million), Sky attracted approximately 12% of them. Radio New Zealand also published a piece titled “Changing viewing habits could be leading to less interest in RWC” which showed data on New Zealand’s rugby viewing habits. Findings suggested that people were watching in a fragmented way (Some preferred delayed coverage, or highlights on YouTube). Of the people interviewed, 44% were identified as not trying to watch the tournament at all, only 18% said they were making changes in their daily lives to watch it, and only 30% said that the All Blacks winning was important to them (Tunncliffe, 2019). These findings suggest that, over time, rugby has become less important to the lives of New Zealanders, and that the ways that audiences were watching rugby had changed as digital options, outside of the live broadcast of individual games, became available.

Spark Sport Wins the Rights for Cricket

On October 10th, 2019, during the Rugby World Cup coverage, it was announced that Spark Sport had won the NZC rights for six years of international and selected domestic matches. TVNZ was to partner with Spark for certain games such as T20 internationals. This announcement affected Sky’s corporate outlook; its unit share price dropped by 16% and went to a record low of 92c; this was the first time its shares had been priced under NZ\$1 (“Pay-TV wars: Spark Sport nab cricket rights from Sky” 2019). In mid-2014, Sky’s total share value had peaked at a NZ\$2.7 billion market capitalisation, but it was now valued at NZ\$381 million. On October 11th, Sky announced that it had retained exclusive live coverage rights with the International Cricket Council, up until 2023, along with a six-year deal with Cricket Australia (for Cricket Australia’s internationals at home) (McBeth, 2019). In response to Spark’s initiatives, Sky dramatically dropped the price of its streaming app from NZ\$99.99 per month to NZ\$39.99 per month (Keall, 2019d).

Sky had previously said that they “weren't going to drop the ball again” after losing the rights for the 2019 Rugby World Cup with CEO, Martin Stewart, stating, “If someone outbids us, they're going to go broke” (Pullar-Strecker, 2019). However, this rhetoric was rather empty. The Spark deal was seen as a “significant blow” as cricket was New Zealand’s second most watched sport There's no way to sugarcoat this for Sky, said Greg Smith of Fat Prophets. Six years is a big loss, no question it's a big blow” (Bridgeman, 2019).

The themes identified earlier continue into this case study which derives from 11 news articles from *The New Zealand Herald*, *1 News*, *Stuff*, *Newshub*, *Radio New Zealand*,

and *The Bay of Plenty Times*. There is also a radio clip from *Radio New Zealand*. A description of these outlets is outlined below in Table 14:

Table 14

Media Outlets Included in the Cricket Section of the Entrance of Spark Sport Case Study

Media Outlet	Media Outlet Description
<i>The New Zealand Herald</i>	New Zealand's most widely circulating daily newspaper.
<i>1 News</i>	TVNZ owned news platform who produce a 6pm news programme as well as online news content.
<i>Stuff</i>	Online news website, then owned by Fairfax, which carried content from New Zealand's Fairfax titles.
<i>Newshub</i>	Previously 3 News, MediaWorks owned news network who produced a 6pm news programme as well as online news content.
<i>Radio New Zealand</i>	New Zealand's public broadcaster, primarily radio, but features news article online.
<i>Bay of Plenty Times</i>	A daily newspaper in the Bay of Plenty region

Streaming is the Future

When Spark and NZC announced their media rights deal on October 10th, 2019, Spark CEO Jolie Hodson was quoted in a *New Zealand Herald* article "Pay-TV wars: Spark Sport nab cricket rights from Sky" (2019, October 10). She said:

Cricket is an iconic sport that has continued to innovate. So, we're excited to announce this new partnership with New Zealand Cricket, one that cements our place as a significant player in New Zealand's sports viewing landscape.

This partnership with NZC is another major step towards Spark's strategy of building a profitable sports media business that offers viewers a range of premium domestic and international sporting events over Spark Sport at an affordable price and across an array of devices.

At Spark, we believe that streaming is the future of sports viewing, so we are immensely proud to partner with NZC to stream world-class cricket across a range of series.

Spark Sport will give cricket fans access to a range of content including educational and coaching pieces, fan engagement content and review shows.

Plus, Spark Sport will make available a range of highlights programmes on a free-to-view and paid basis. ("Pay-TV wars: Spark Sport nab cricket rights from Sky", 2019, paras. 9-12)

This article was heavily informed by Spark's public relations line and did not include any alternatives point of view to the promotional ideology put forward. The focus had moved beyond broadcasting itself to a "*range of content*". That content is designed around "*fan engagement*", which is different from audience numbers. Engagement is measured by tracking data on clicks and shares to show how fans have interacted with content. Furthermore, the focus on "*engagement*" is interactive, which means the experience of watching sport is more fragmented than before. The "*wider range of content*" also caters to those who would not necessarily watch a long test match, but who might access digital highlights packages, vital moments, or interviews. Spark also made a point of wanting to offer sports for an "*affordable price*" (at the time it was NZ\$19.99 per month, but would go up to NZ\$24.99 per month by the 2019 cricket season).

The discourse of streaming being the future, and the emphasis on new sorts of content, was echoed across many of the articles, with variations on the theme used in much of the reporting on the deal (Foxcroft, 2019; "Pay-TV wars: Spark Sport nab cricket rights from Sky" 2019; Quinlivan & Dexter, 2019; *Spark 'very pleased' with investment in NZ cricket rights*, 2019; "TVNZ to broadcast some Black Caps, White Ferns T20s free-to-air as part of NZ Cricket's new deal with Spark Sport" 2019). In the *1 News* article "TVNZ to broadcast some Black Caps, White Ferns T20s free-to-air as part of New Zealand Cricket's new deal with Spark Sport" (October 10, 2019), coverage of a press conference which featured New Zealand CEO David White was included. White stated that the deal "future-proofs the whole of cricket in New Zealand" and went on to say "Live streaming is the future. It allows viewers to free themselves from fixed linear schedules to watch live, delayed, highlighted or clipped content when and where they choose, and on a wide range of devices" ("TVNZ to broadcast some Black Caps, White Ferns T20s free-to-air as part of NZ Cricket's new deal with Spark

Sport" 2019).⁴⁷ Drawing on the keyword's "*choice*" and "*flexibility*", White says that viewers can "*free themselves from fixed linear schedules*". White also alluded to the changing audience that NZC were targeting with its approach to the T20 format. Thus, T20 on to free-to-air television via TVNZ was described as "the area of the game which introduces new people to cricket" ("TVNZ to broadcast some Black Caps, White Ferns T20s free-to-air as part of NZ Cricket's new deal with Spark Sport" 2019).

In the *Stuff* article "Fans still grumble but New Zealand Cricket 'delighted' with Spark Sport numbers" (2021, January 24), there is a section titled "Elderly struggle, while youth 'snack' on social clips". This details White's acknowledgement that "the move to a digital platform is a challenge for some of the older generation. But we've got to make the game for the future as well" (para. 39). He emphasises that people like to consume content differently in the modern media environment: "People like to snack, watch bits and pieces" (para. 45). NZC also pointed out that at the start of the season it had 50,000 subscribers to its official YouTube channel, but that this had grown to 825,000. They added, "and that's important that we do look at the young people and the fresh audience going forward, because that's the future of New Zealand cricket" (Goile, 2021, para. 42). This extract provides critical insight into the changing political economy of sports broadcasting. While the television model of sports broadcasting was largely built on exclusive live broadcasts of whole games, the new model is built around clips, highlights, and split attention. Cricket New Zealand was also using YouTube to promote content, not through live broadcasts, but by offering clips of interviews, highlights, and post-match conferences. While this content is very accessible to younger, and possibly more detached, fans, delivery was not necessarily inclusive. If the elderly struggle to watch through streaming platforms then cultural citizenship is eroded, but that issue was not addressed. These clips are also described as "*social*", implying that they are able to be shared via social media platforms which is another key part of engaging audiences with content. There is a fundamental contrast in how streaming technologies deliver content to audiences in that, in previous times, there was more of a unified imagined community. The fragmented nature of streaming, however, makes it more difficult to find a national audience as the audience becomes split along generational and geographical lines.

In addition to White suggesting that people like to watch cricket in a more fragmented and less committed way, Spark's spokesperson emphasised the range of content that Spark Sport would provide:

⁴⁷ This is also repeated in the *Stuff* article "Spark Sport wins New Zealand Cricket broadcasting rights for six years" (2019, October 10).

Spark Sport will give cricket fans access to a range of content including educational and coaching pieces, fan engagement content and review shows. Plus, Spark Sport will make available a range of highlights programmes on a free-to-view and paid basis. (Foxcroft, 2019, para. 9)

Going back to the siphoning of cricket onto Sky in 1998, there was a concern then that young people who did not have Sky would not engage with the game. However, in the digital era, there are some easily accessible avenues for fan engagement which may interest young people, but these are less collective than in the pay-TV era. In 2019 there was a sharing of free-to-air content, in particular T20, which would capture audiences not otherwise known to be interested in cricket. With this kind of deal, NZC was able to both promote the game to a national audience while also keeping some exclusivity for content that required a paid subscription.

Rural Fans Miss out

While NZC and Spark had a positive outlook on their deal, not all fans were pleased and there was a counter-narrative. This was somewhat subdued, however, with most coverage focusing more on what was said at the press-conference announcement of the Spark cricket rights deal. On October 10th, 2019, Newshub published an online article titled “Cricket: Fans outraged as Sky lose broadcasting rights to Spark Sport”. This article largely focused on social media outrage at the deal, showing a video of Newshub’s 6pm news. Excerpts from the posted bulletin included the following comments:

Good for Sky Sports but another disappointment for the 40,000 rural homes that will not be able to watch our national game.

Awful decision for the future of cricket in NZ.

How many pixels in a cricket ball compared to a rugby ball. (Quinlivan & Dexter, 2019)

Furthermore, *Radio New Zealand* published an article titled “Unhappy Spark Sport customers horrified it now has cricket rights” (2019, October 11). Outrage from fans was also featured in the *Bay of Plenty Times* piece “Howzat! Fans react to Spark Sport snagging

cricket rights from Sky” (October 10, 2019). It stated that *The New Zealand Herald* had received many complaints about the deal with Spark, especially from rural people:

Rurally based cricket fan Lyn said they had a poor Wi-Fi connection and had already missed out on the Rugby World Cup coverage.

"My reaction? Awful and gutwrenching," Lyn said.

Robin England also weighed in: "Living rural and having limited rural broadband to be able to stream means we will have to top up and that costs us a fortune.

"So, looks like we can no longer support cricket in New Zealand now." Jeanette Holman was as equally dismayed about the prospect of having to stream the cricket.

"Gutted they can't get Rugby World Cup right ... dreadful coverage ... come on Sky get your act together ... how did you drop the ball again?" she said. (paras 6-10)

People who struggled with their internet connections, particularly rural dwellers, felt excluded by the deal. Some went as far as to say that they could “*no longer support cricket*”. Emotive terms such as “*awful*” and “*gutwrenching*” were used, echoing the emotive language used in Chapter Five - when cricket first moved behind a paywall. Rural communities have historically placed great importance on sport at a community level and, in this deal, that priority was sacrificed to gain a wider, younger, more cosmopolitan audience. NZC saw this initiative as necessary for the future of the sport. Additionally, over time it was possible that these rural communities could gain better connections and technological capabilities with which to stream cricket.

The perspectives of people unhappy with the deal were largely included as vox pops or taken from social media. However, they were placed low in the hierarchy of sources, and not represented at all by experts or industry insiders. Additionally, these perspectives were based on individual reactions which did not contest the ideology of digital sports rights.

Spark and the Changing Ideology of Sports Content

On October 14th 2019, Sky won the SANZAAR rights for another 6 years and New Zealand Rugby also took a 5% share in Sky (Pullar-Strecker & Nadkarni, 2019).⁴⁸ This brought Sky shares up by 19% that day, taking the share price to NZ\$1.06 by 2pm (Pullar-Strecker & Nadkarni, 2019). NZRU Chairman, Brett Impey, mentioned “that reaching rural New Zealand was a critical part of the discussion” and added “the technology wasn't there yet when it came to delivering its services to rural sections of society and that Sky has proven itself a capable broadcast partner” (“NZ Rugby denies conflict of interest after acquiring Sky shares” 2019, para. 7). This deal secured Sky’s continued presence in the sports broadcasting market and put hyperbolic predictions of its imminent demise to rest.

Sky also adjusted their pricing and packages under the new management direction of CEO Martin Stewart, and, after he stepped down, Sophie Moloney. It offered a digital subscription to Sky Sport Now for NZ\$39.99 a month or NZ\$399.99 annually. Comparatively, Spark Sport was NZ\$24.99 a month (as of October 2021), so the price of Sky was competitive, especially as it offered more sport than Spark Sport.

In this case study, Spark Sport imposed the ideology of streaming as the future, and this was repeated in media coverage of the issue. The keywords are listed in Table 3. In this, streaming is articulated as modern, future focused, and offering more “*choice*” and “*flexibility*”. Pay-TV, however, is rendered as “*backward*”, “*traditional*”, and “*fixed*” in its schedule. This ideology was contested by some opinion writers, especially in regard to the streaming problems that Spark had reaching rural communities. Furthermore, media coverage also voiced the complaints about these problems raised via social media. However, most of this outrage was from the consumer dissatisfaction angle with people requesting refunds and saying that Spark had not delivered on their promises. With streaming capabilities improving, especially during 2020 and 2021 when people had to work more from home because of Covid-19, it is likely that technical issues with Spark Sport decreased. Meanwhile, more people could make greater use of Sky’s digital platform, Sky Sport Now.

Table 15

Keywords Around Digital Mediated Sport

⁴⁸ South African, New Zealand, and Australian Rugby, who run international competitions Super-Rugby and The Rugby Championship (Tri-Nations).

Keywords associated with digital streaming	Keywords associated with pay-TV
<i>Future</i>	<i>Traditional</i>
<i>Modern</i>	<i>Backward</i>
<i>Choice</i>	<i>Buffet</i>
<i>Flexibility</i>	<i>Fixed linear schedule</i>
<i>A la carte</i>	<i>Status quo</i>
<i>Content</i>	<i>Broadcasting</i>
<i>Engagement</i>	

On June 18th, 2021, *The New Zealand Herald* reported on NZC's view that a combination of streaming and free-to-air had enabled it to expand its audience and grassroots participation (Keall, 2021a). By 2021, the Black Caps and White Ferns garnered a collective audience of 1.9 million on TVNZ. Furthermore, Spark also offered a data platform Qrious which gave NZC greater access to metrics associated with "email campaigns, traditional and social media, ticketing, merchandise, and community registrations". This meant that NZC could target its campaigns to increase fan engagement (Keall, 2021a), and complement the language used around streaming which emphasised "*engagement*" over audience aggregates and "*content*" over "*broadcasting*".

Conclusion

The digital streaming of content has been reshaped in the sports media nexus. Most significantly, this has allowed new streaming companies to enter the space of sports broadcasting, adding competition to monopolistic pay-TV markets. This has also created challenges to the notion of copyright, as it is now more difficult to block the flow of content across digital channels. While digital technologies have been revolutionary, the sports broadcasting market could still be considered converged, with linear-tv watching still being a popular and necessary mode of delivery.

The opportunities for streaming created by digital technologies have been destabilising for Sky, who built its business on exclusive access to live sport. In preceding case studies, a strong anti-Sky sentiment is identified. This can be attributed to Sky's historical market dominance and its hierarchical treatment of certain sports. In New Zealand, streaming services seem to have an interest in working with TVNZ to provide some free-to-air coverage, possibly to prevent a backlash over streaming's lack of inclusivity.

Furthermore, sports organisations are also interested in such partnerships because they need to balance promoting their sport via free-to-air television with optimising the price of their sports rights through exclusive coverage.

The rise of digital media also brought copyright issues for sports broadcasters. Sky's copyright clash with mainstream media outlets over the 2016 Rio Olympics reveals different perspectives on copyright and fair use. Sky believed that they must protect the Rio Olympics rights that they had bought, most news media reportage and commentary saw them as restrictive because, under 'fair dealing', some footage can be exempt from copyright. Sky's stance on this issue was labelled by the news media as "*unduly restrictive*" and "*out-of-touch*". Notably, there was a promotional logic influencing the way that people were thinking about copyright in the digital era. Some media insiders believed that the sharing of content was inherently promotional of sport and should be embraced.

The attempt to restrict copyright infringement is also evident in the controversy concerning the alleged piracy of the 2016 Joseph Parker vs Carlos Takam fight. This discussion shows that illegal streaming is a contested topic and regarded as quite normal behaviour by some. In this case, there was a belief that copyright infringement was somewhat justified due to the high price of access to a PPV boxing event. Those that pirated material described Sky and boxing organisers Duco as "*greedy*" and "*crooks*". On the other hand, Sky and Duco made the argument that those "pirating" sports, were "*stealing*" and "*ripping off*" Joseph Parker. While this was heralded as a big issue in 2016 and 2017, more recently it has not been prominent in New Zealand sports media coverage.

Coliseum was the first digital streaming service to challenge Sky's dominance in sports broadcasting. However, it provided a niche offering as the EPL is not widely watched in New Zealand. In the reporting on Coliseum, the emergence of technological determinist language is evident with words and phrases such as "*online content is the way of the future*". The words "*exciting*" and "*ideal*" were also used to discuss the possibilities of streaming. However, a counter-narrative also developed which argued that New Zealand did not have the nation-wide streaming quality or broadband availability needed for the streaming of sport. These narratives continued with the emergence of Spark Sport. With the support of the NZRU and NZC, Spark put forward the narrative that "*streaming is the future*" and that "*the world is changing*". Furthermore, pay-TV was characterised as "*passive*", "*monopolistic*", and full of "*unwanted content*". Digital streaming was also described as offering "*choice*" and "*flexibility*". Such discourse could be regarded as 'celebratory' discourse, in which new

technology is an unquestionable good. This discourse aligns with the ideology of capitalism, which regards technology as a fix for societal problems.

There was also a counter-narrative based on the poor level of broadband access that some New Zealanders experienced, particularly in rural areas. This discourse contained highly emotive language such as describing the deal as a “*kick in the guts*”. This standpoint centred on grass roots, rural sport, however, as shown in the Spark Sport cricket rights case study, these heartland audiences were starting to be seen by sports associations as less important.

Sport media rights refer to the live exclusive broadcast, but also include highlights, analysis, interviews, and other surrounding content. As the Spark Sport cricket case study has shown, there was an emphasis on the changing ways in which audiences were watching sport. For example, David White from NZC stated “people like to snack, watch bits and pieces” (Goile, 2021). This terminology exemplifies the changing landscape of mediated sport. The focus on content, highlights, short clips, metrics, and data signifies the emergence of a new political economy of sports broadcasting which seeks to maximise attention in online settings. Through the digitisation of media sports content, secondary content such as highlights packages and documentaries also become an important avenue of commodification. Furthermore, the aim for Spark was not so much to control sports content, but to expand its activities in data and user surveillance while retaining its dominance as a telecommunication company. In this sense, there is, what Hutchins (2019) recognises as a feedback loop “in which popular content and advertising connects with the expansion of networks, user numbers, data, platforms, and mobile-led consumption opportunities” (p. 475), at play with the Spark Sport app. The collection and use of data behind the digital sports media economy will also deepen the processes of commodification even further, as digital media collects and monetises user data to find new avenues of commercial expansion.

This preceding analysis identifies significant challenges to sports television in the digital era, and problematises the concept of cultural citizenship in an era where people do not have equal access to streaming platforms. Chapter Eight will consider the themes of cultural citizenship and global capitalism across all of the case-studies. Here, my central argument is that global capitalism imperatives have hollowed out the cultural citizenship dimension of media sport.

Chapter Eight: Sport's Retreat from Cultural Citizenship and the Ascension of Global Capitalism.

Sky Television was the first and only significant subscriber-based pay-TV company to be established in New Zealand. Before, sports broadcasting was primarily shown through New Zealand's free-to-air broadcaster TVNZ. Sky bought exclusive rights to rugby in 1996, at the same time rugby went professional, and this deal, and the ones that followed, changed the way that sport in New Zealand was consumed, although not everyone was able to access it. The first question of this research addresses the changes that Sky enabled; how did Sky influence the socio-cultural significance of televised sport in New Zealand?

In regard to sport, cultural citizenship can be defined as "the rights and responsibilities regarding access to, and representation in, sports culture" (Rowe, 2016, p. 12). Putting this into practice consistently is challenging as it comes up against the hegemony of capitalism and national cultures. Sport reflects the constant tension between practices of commodification under global capitalism, and the cultural life of communities and citizenries. The second question of this research asked how these tensions between global capitalism, and cultural citizenship played out through New Zealand's sports broadcasting landscape and associated discourses.

To investigate these questions, three major research methods were used. Firstly, document analysis underpinned the political economy overview of sports broadcaster Sky. Secondly, selected case studies focused on historical sports rights controversies and the discourses related to them, in news coverage. Each of the selected case studies gives a snapshot of sports' significance in New Zealand at given historical junctures. To this end, I endorse Williams (1976) view that keywords provide a conceptual map which can be used to record, investigate, and present socio-cultural issues. By tracing keywords, common-sense assumptions about culture and society can be interrogated over time. Additionally, interviews were used to gain information not available through documents and media.

Before summarising the empirical chapters, the theoretical foundation of this research needs to be re-iterated. Chapter Two considered the positioning of sport within global capitalism and global media. It considered that, while mediated sports retain a local element, they exist within a global commercial media system financed by global capital, which has profound effects on how given sports are organised and represented. The sponsorship of athletes, teams, tournaments, and events by TNC's means that sport is part

of a wider global circuit involving production, marketing, and consumption. In this context, the plans and strategies of sports administrators acknowledge the need to maximise the commercial value of teams and tournaments. Furthermore, in the digital era, telecoms and ICT companies have moved into producing and distributing media content.

Chapter Two also outlined how global capitalism and global media facilitated the globalisation of media sports. Major leagues, such as the EPL and NBA, have positioned citizens as consumers who self-identify through their consumption of leisure and entertainment. Notably, pay-TV has been vital to the changing nature of fandom through being the funding arm of the commercialisation of sports, and also, by effectively pricing the working class, who may have been loyal to a local team, out of watching televised games live. In reaction to this, some countries have implemented anti-siphoning regulations. However, as discussed in Chapter Five successive New Zealand governments have not enacted such regulations.

The local relationship between New Zealanders and cultural identity was examined in Chapter Three. Competitive sporting codes came to New Zealand as British colonists, from Victorian Britain, brought with them rugby and cricket, as well as rowing, racing, and other less popular sports. New Zealand took to rugby as its national winter sport and cricket as its national summer sport. It is important to note that these sports were historically tied to masculinity and generally deemed unfit for women's participation. Hall (2017) writes that in Britain "national identity has been consistently constructed through the virtues said to be characteristic of certain kinds of men who become, for this very reason, the bearers of the national story" (p. 140).

The mediation of sport is central to its national cultural importance. Sport in New Zealand was first written about in the press, then broadcast via the radio, and then, from the 1960s, broadcast on television. Mediated sporting events were of national significance to New Zealand's cultural identity, and many New Zealanders can fondly (or not so fondly) recall key moments of sporting history witnessed either at the events themselves, or via television. The remembering of these events is an essential part of the association between strangers or an imagined community (Anderson, 1983). However, there was always a hierarchal nature to national sport in New Zealand, with Pākehā men privileged over other athletes.

Chapter Three sets out New Zealand's sporting history before the entrance of pay-TV provider Sky, and shows how New Zealand's national identity developed around sport. In the 1980s New Zealand's sporting traditions became more commodified, through an alliance of

sport, media, and sponsorship. Sports events then became organised around a media schedule, and there were technical breakthroughs in production and post-production which enhanced the televisual experience of watching sports events. These were top rating programmes on television, and New Zealanders began to watch more international sports coverage (Henley, 2012). New Zealand's then amateur sports were pressured to adapt to the transnational professionalisation of sport, for example, NZC adapted to the aggressively commercial rating imperatives of World Series Cricket by contracting its players (Henley, 2012). By the end of the 1980s, some amateur athletes were being paid professionally overseas or being paid in New Zealand via travel or equipment (the term 'shamateurism' was used to describe the pretence of amateurism in some sports).

In the late 1980s, pay-TV was developing internationally and New Zealand entrepreneurs, Terry Jarvis and Craig Heatley, decided to develop such a network in New Zealand. Chapter Four gives a political economy overview of Sky, showing the successive changes in ownership which reflected global media trends. Sky's corporate performance was examined over four distinct periods. Firstly, from 1987-1990 Sky relied on government deregulation in order to purchase UHF channels for transmission. It negotiated its initial programming from global media giants in the U.S., such as CNN and ESPN. The latter took a 5% stake in Sky and also a seat at Sky's board. TVNZ also had a 25% stake in Sky during this time. Sky launched its initial three channels in May 1990. Secondly, from 1990 to 1997 it adopted a more international ownership model, initially with the HK partnership signed in 1991. This brought in American CEO Nate Smith and COO John Fellet, who managed to boost the company's subscribers while giving out decoders for free. It was not until Sky bought exclusive rights to rugby that it gained a sustainable level of subscribers. In its boom period from 1997-2013, it grew its sports portfolio as well as its subscriber numbers and profits. Then, from 2013 to 2021 Sky declined in dominance due to market fragmentation. It currently remains in a stable position. Companies such as Netflix and YouTube disrupted Sky's hold on premium content, especially in movies and TV series. However, Sky has adapted to the new situation by offering digital subscriptions at a lower price than its former analogue subscriptions. The challenges that Sky started to face in the digital era were detailed in Chapter Eight.

Chapter Five covers the siphoning of New Zealand sport onto Sky, and the attempts to introduce anti-siphoning legislation. New Zealand's pay-TV era started when Sky bought exclusive, international and domestic, rugby rights. Following this deal, Sky would go on to buy the rights to an increasing number of sports including cricket, netball, rugby-league, the Commonwealth Games, and the Olympics. Rugby's exclusive live rights going to Sky was

hugely controversial. It made front page news in *The New Zealand Herald* and *The Press*, and was discussed by the sitting Prime Minister, Jim Bolger, on *Radio New Zealand's Morning Report* (1996, February 13). To legitimise the new deal Sky and the NZRU advanced the view that professionalism was inevitable. They argued that, if athletes were going to be paid, then audiences needed to pay. In the words of Richie Guy, the Chairman of the NZRU, "At the end of the day, the consumer will pay" (*Morning Report*, 1996b). Evidently, there was a fear that New Zealand's top athletes would travel overseas to play professionally. As a result, Sky developed messaging, including advertising, to present itself as the "saviour" of New Zealand rugby through the funding of All Blacks salaries. For example, a Sky advertisement, taken out in *The New Zealand Herald* on the day of the announcement (13th February, 1996), reads "Sky halts export of prime N.Z. beef" and "Thanks to SKY, we can all breathe a sigh of relief" (DDB, 1996). Key terms of the pro-Sky perspectives included "market", "marketplace", "consumers", and "product". These words give insight into how sport was being conceptualised by those who were shaping New Zealand's sports media discourse. They also show the creep of global business into the language of rugby.

These perspectives were confronted by the argument that some rugby games should be kept free-to-air for everybody to watch. Not everyone in New Zealand could receive coverage via Sky at the time, even if they could afford it and were willing to pay. New Zealand First MP Tau Henare argued that rugby was a "national cultural icon", a "national treasure", and a "birth right". Calls on heritage and tradition were also part of arguing for free-to-air rights. The nostalgic remembering of rugby and its place in the New Zealand lifestyle was also articulated by Prime Minister Jim Bolger, as well as by citizens in their letters to the editor. Free-to-air perspectives were associated, in media coverage, with ordinary people. Their reactions to the deal were publicised but not cited as primary sources. Consequently, free-to-air perspectives were marginalised in their media representation while the pro-deal perspectives were given authority by powerful sources.

In 1998, exclusive live cricket rights went to Sky with a deal that would start in 1999. By this stage Sky covered 74% of New Zealand, however, satellite technology would soon allow the entire country to receive Sky's signal. Notably, there was less controversy over this deal than there was for rugby; this was the beginning of a gradual dissipation in outrage over the loss of sports rights in New Zealand. After two decades of neoliberalism then third-way policies, it is likely that people had become used to a system which prioritised markets over regulation. To legitimise the deal, Sky and NZC argued that cricket needed more investment, and that Sky were integral to it. Its supporters also re-iterated that sport had become a

business. For example, in an opinion piece of the time the summation “business is business, and elite sport in New Zealand is still a voluptuous cash cow” (“Cricket’s ball in Sky’s court” 1998, para. 2) highlighted business’ paramount role. TVNZ, which had to return a dividend to the government, was unable to afford the cricket rights. Once again the discourse advancing fairness and accessibility as principles of free-to-air coverage, received marginal media coverage.

New Zealand’s best chance at getting anti-siphoning regulations would have resulted from the Review of Regulations for Digital Broadcasting and the Future of Content, instigated in 2006 under the then Labour government. In the review, as well as in media discourse surrounding it, it argued that regulations were a “*threat*”, that Sky “*invests*” in sport, and that this investment was vital to the New Zealand sports economy. On the other hand, other media players argued that Sky was too dominant as New Zealand’s only pay-TV operator, too dominant over sports content, and that there should be greater regulation in the provision of sports content. Unlike the other case studies from this chapter, these free-to-air perspectives were given by authoritative sources, including academics who gave media comments, as well as TVNZ and TV3 who had made submissions. However, with a Labour cabinet reshuffle, in which the broadcasting minister changed from Steve Maharey to Trevor Mallard, the review stalled (Parussini, 2021). Then, when the National Party gained power in 2008, the review was re-directed to focus on market competition, which disregarded many submissions that had been made. Sky lobbied against regulations in the provision of sports broadcasting. In 2009 the government then announced that the market was ‘workably competitive’ and no further action was taken. This endpoint for the review shows the government choosing a market-based, rather than a regulatory, perspective in accordance with the prevailing global capitalist ideology.

In 2011, exclusive rights to international and domestic coverage of netball were bought by Sky, but compared to the other case studies, there was very little coverage of this in New Zealand’s media. While exclusive pay-TV rights were normalised by this stage, the silence around the event exemplifies the secondary news coverage that women’s sport often receives. In 2011, women’s sport received 11% of the nation’s sports media coverage (McFadden, 2021), higher than the global average but still abysmal (McFadden, 2021). In this case study, netball was argued to be nationally significant, but this was not tied to the need for free-to-air coverage. By this stage, the pay-TV situation was entrenched in New Zealand as New Zealanders had been paying for live sport for 15 years.

Chapter Five reveals declining concern over the loss of free-to-air sport. There were many factors involved in this decline, most fundamentally the surrounding capitalist hegemony across all areas of life promoting commercialism and individuated consumerism, which naturalises paying for live mediated sports content. At a political level, New Zealand's government has had a hands-off approach to media, and politicians have been influenced by corporate lobbying (Parussini, 2021). Lastly, through media coverage, the views of Sky and sports associations have pushed the narrative that pay-TV is a necessary funding arm for New Zealand sports.

In April 2009, Sky won rights to the 2011 Rugby World Cup which was going to be hosted in New Zealand. However, there was still a free-to-air component to be bought. Sponsors of such events want to maximise the audience viewership and are opposed to exclusive deals with pay-TV operators, however, they are also less important to pay-TV providers than seasonal competitions, which bring in long-term subscribers. In regard to free-to-air rights, Māori TV shocked other media players when it was discovered that it had put in a bid, using NZ\$3 million from Te Puni Kōkiri (Ministry of Māori Development). Had this bid been successful, 5-10% of the commentary would have been in te reo Māori. There was some mainstream support for this initiative. For example, both the *Sunday Star-Times* and *The New Zealand Herald* had editorials that suggested Māori development was “good for national identity”, and that Māori culture was an important part of New Zealand's heritage ("Boost for Maori bid welcome" 2009; "Maori TV offers flair and pride to rugby showcase" 2009). However, there was also a deliberate PR campaign to undermine Māori TV on the grounds that it lacked total nation-wide coverage, even though no free-to-air provider could provide this (Parussini, 2021). Furthermore, there was a reactionary streak within New Zealand which objected to the idea of listening to te reo Māori, a national language of New Zealand. In this chapter, the language of cultural citizenship, which tends to state that the coverage should be available to *all* New Zealanders, was used against Māori TV's bid. The implication was that Māori TV coverage was not for all of New Zealand. As a result, the National Party, which previously had a hands-off attitude to market intervention, intervened. The National Party initially put forward a TVNZ-led counter bid before Prime Minister John Key lent support to a joint bid which included Māori TV, TVNZ, and TV3. All three free-to-air broadcasters were given some games, with Māori TV receiving the most. This intervention fuelled further accusations of racism, as some felt that no intervention was necessary (Gower, 2009b; McCarten, 2009). Scherer et al. (2013) argued that, while the National government had a deregulatory approach to media markets, its response to the Māori TV bid shows that it was capable of highly politicised intervention in certain circumstances.

From the early 2000s there was a global shift in communications infrastructure and media use habits. The internet has had a profound effect on the way sport is produced, distributed, and consumed. Furthermore, since sports rights have gone digital, they have become the target of telecommunication companies who perceive that such content can provide them with a competitive advantage in the digital services market (Evens et al., 2013). New media services and platforms have also advanced streaming rights, thereby, increasing the number of sports rights competitors. Consequently, sports media has become indistinguishable from the global entertainment industry (Evens et al., 2013).

The control of sports content has been fraught in the digital era. The analogue-broadcast, centrally controlled model of production, confronts the open network of communication facilitated by digital technology. In Chapter Seven two case studies focus on the struggle to control sports content. In the case of Sky's copyright clash with news media companies over the Rio Olympics, there was debate over how much Olympics coverage Sky could keep on its own. NZME and Fairfax refused to sign Sky's NARS and made the case that they could show Sky's broadcasts in the news in accordance with the fair dealing provision of copyright law. The news media characterised NARS as "*restrictive*", "*heavy-handed*", "*anti-competitive*", and "*out of touch*" in a modern era where it is difficult to control footage. It was also argued that NARS contravened the Olympics charter which states that the aim of coverage deals is to ensure the fullest reach to the widest possible audience (*What is the IOC's policy on broadcasting the Olympic Game*, 2021). Sky also argued that NARS rules were generous by international standards. Media commentator Bill Ralston encapsulated the analogue-broadcast way of thinking, by stating: "Whoever gets exclusive rights to broadcast the whole thing ... has got to protect their investment, they can't have all these other guys horning [sic] in on it and trying to make a profit out of it when they've spent all the money themselves" (Grant, 2016b, para. 10). This 'protecting investment' approach contrasts with commentary from another media expert, Tim Murphy, who stated:

The attempt to control footage after the live event runs counter to prevailing winds in global sports, with bodies like the NBA seeing footage as advertising for their product, which now proliferates on YouTube. Sky's stance appears to hark back to a pre-internet era, when footage was far more easily controlled. (Murphy, 2016)

These contrasting opinions epitomise the difference between mass broadcasting and the digital era. The first opinion argues for restricting the supply of media sport to make it exclusive, whereas the latter advocates the free flow of content through digital channels, while also perceiving content through a promotional lens.

Copyright can be infringed upon in a variety of ways. However, the most prominent avenue for sports streaming copyright breaches concerns the sharing of live streams via peer-to-peer networks or user-generated-live content sites. Watching sport via these sites is normal for younger audiences and, therefore, they do not see it as a criminal activity. This illegal watching of sport is the focus of the Chapter Seven's case study regarding the pirating of the Joseph Parker vs Carlos Takam fight in 2016. Here, there is a clash of perspectives on the morality of illegal streaming. Firstly, there were those who had a soft approach to copyright infringement who argued that those who did were responding to the high price of media content. Within this soft-on-illegal-streaming perspective, boxing promoters Duco and pay-TV operator Sky were described as "*crooks*" who were "*robbing people*". The man who conducted the live stream of the fight via Facebook described himself as "*Robin Hood*". Letters-to-the-editor also suggested that the promoters were "*greedy*" and that people were being "*ripped off*". However, those who believed that illegal streaming was in fact "*stealing*" argued that there should be consequences for it.

In New Zealand two main streaming entrants have emerged, Coliseum and Spark Sport. Coliseum became the first company in New Zealand to create a new sports streaming platform when it purchased the rights to the EPL. This was met with general excitement from New Zealand's news media, but some people had concerns around streaming; these were also represented. At this stage, there was a strong anti-Sky sentiment which had developed throughout the news media, however, they were generally favourable to Coliseum's perspective that streaming was the way of the future. The keywords used around the streaming model were "*exciting*", "*ideal*", "*flexibility*", and "*choice*", whereas, the keywords used to describe Sky were "*passive*", "*monopoly*", and "*empire*". They were also said to have a *stranglehold* on sports content.

When Spark made a successful bid for the 2019 Rugby World Cup it was legitimised by the claim that "*streaming is the future*", with NZRU boss Steve Tew commenting that "the world is changing" (Norquay, 2018). The pro-streaming perspective, which was displayed by Spark, the NZRU, and some journalists, advanced the view that consumers would be given more "*choice*" and "*opportunity*", and that the new option was "*modern*". However, those in rural areas were disappointed because they had poorer access to broadband. Furthermore, when the tournament streamed in 2019, the experience and the narrative around it contradicted the official discourse of Spark and the NZRU. There were images of blurry screens, and news articles including criticism, from social media, about coverage. People expressed disappointment toward Spark and demanded refunds. Two opinion pieces from *The New Zealand Herald* and *Radio New Zealand* criticised Spark for not being accountable

for the streaming problems which occurred throughout the tournament. They also criticised Spark for not delivering to the standard that had been publicly promised.

The digital streaming of sport has changed the way that people engage with sports content. While broadcasts remain the premium product, digital streaming allows for extra on-demand content to be developed, such as highlights, player profiles, and interviews with athletes. While the Rugby World Cup tournament was still on, Spark Sport won the NZC rights for six years of international and selected domestic matches. Additionally, they partnered with TVNZ for certain games such as T20 internationals. Spark then used the “*streaming is the future*” argument it had used previously, and promised to offer “*a range of content*” and to increase “*fan engagement*” (Foxcroft, 2019). It is important here to recognise that it is not just the distribution model that had changed: audiences were engaging with the content differently. David White, CEO of NZC, commented “People like to snack, watch bits and pieces” (Goile, 2021). This shows that the strategic goals for NZC, regarding its sports rights, went beyond the broadcasting of games to incorporate highlights and short clips of games. Rural fans were disheartened by this development and described it as “*gut wrenching*” and “*awful*”. However, NZC did see a boost in its participation numbers after streaming cricket through Spark Sport and sharing games with TVNZ.

One of the challenges of web content is that users have short attention spans and quickly go between pages and sites (Hutchins & Rowe, 2012). By capturing attention, companies are able to gain political, social and financial reward. Furthermore, by making content which can be easily shared on social media, organisations are also able to increase advertising exposure and avenues for monetisation, especially with the availability of metrics to measure fan engagement. Online platforms allow for a mix of content which incorporates the live broadcast as well as more customised content for niche audiences (Hutchins et al., 2019).

Digital streaming has also allowed for the increased datafication of audience consumption. For example, Spark’s data platform Qrious can give access to metrics that allow NZC to have greater knowledge of how its fans interact with its content. The datafication of sport pivots the sports content away from collective experience to a more personalised one. Furthermore, the quantitative data gained by these sports associations and streaming platforms can be used to justify new business strategies and decision-making (Hutchins et al., 2019). Notably, at the point where my case studies started, there was an experience of national audiences watching sport collectively, although this had been subject to commodification. With digital technology and the fragmentation of sports content,

mass audiences themselves have become problematic in that media choice has expanded and television can be watched in a non-linear way.

Despite the discourse around Sky being out of touch with the contemporary digital environment, it has proved to be more resilient than many analysts and commentators (One News, 2013, Plumb, 2013) predicted. New Zealand currently has a converged market with both Spark Sport and Sky providing sports content. Sky has steadily been increasing their digital customer base with their digital service Sky Sport Now. Sky's decline in customers went from 5.4% from 2019-2020 to 3.8% from 2020 to 2021 (*Aotearoa New Zealand Media Ownership*, 2021). Additionally, it currently has a forecast net profit, for the year, of NZ\$47.5 million (Pullar-Strecker, 2021). In 2022 they are also set to release a new Sky Box which will host third party apps such as Netflix and Spark. The technical issues with streaming mean that broadcast television remains a staple of sports watching in New Zealand, although it seems that the streaming audience is growing every year. Currently, both broadcasting and streaming have relevance, with the latter being the growing trend. Nevertheless, both Spark Sport and Sky offer a package akin to a "buffet" of sport as opposed to "a la carte", with Sky having a far larger share of sports rights.

During the time of Sky's pay-TV dominance, other changes within New Zealand have drastically reshaped the sports landscape. For example, in 1986 the Asian population of New Zealand was 46,035, and by 2019 it was approximately 540,000 making up 12% of the national total (Chang et al., 2019). Now, Asians are the third largest group, after Pākehā and Māori, and Pacific Islanders now make up 8% of New Zealand's population (Statistics New Zealand, 2019). The growing diversity of New Zealand, may mean that rugby and cricket are becoming less culturally potent sports. Other sports, such as basketball and soccer, have risen to prominence and connect New Zealand fans to a more global sports media landscape. While New Zealand's socio-cultural understandings of sport have been deeply affected by the movement of sport onto pay-TV and the further commodification of sport through streaming, there have been demographic changes in the ethnic composition of New Zealand have also changed New Zealanders relationship to sport.

Since the 1990s, when pay-TV became pre-dominant as the model for sports broadcasting, some progress has been made in equity for women's sport. While not wanting to overstate this progress, it is notable that the NZRU and NZC now consider the coverage of the women's teams when they discuss broadcasting deals. Furthermore, in 2022, New Zealand will host the Women's Cricket World Cup and the Women's Rugby World Cup, and in 2023, New Zealand and Australia will be hosting the Women's FIFA competition. Such

events are an opportunity for New Zealand to expand its cultural appreciation of sport to be more gender inclusive. Additionally, some hope can be found in the fact that women's sport now comprises 15% of sports news content, making it quite normalised in everyday coverage (McFadden, 2021). In terms of cultural citizenship, media and sports associations have been taking some steps to ensure that women's sport is given fairer representation- overall, women's sport has become more important to New Zealand's sports culture.

However, even as New Zealand has made progress in gender inclusiveness, access to live mediated sport has little hope of improving. Scherer et al. (2013) suggest that New Zealand's viewing rights may have been permanently restructured as consumer choices prevail over "common rights of cultural citizenship" (p. 403). Indeed, a whole generation of New Zealanders has no memory of watching live rugby on free-to-air television. Thus, the arguments that rugby on free-to-air television is part of New Zealand's heritage and tradition, originally put forward when the live rights went to Sky, are not necessarily relevant to younger New Zealanders. Furthermore, it is increasingly normal to pay for media content in the digital environment. As a result, the discourse around free-to-air television, which argued that sports should be accessible for all, has gone from partly counter-hegemonic to barely visible as the ideology of consumer choice becomes increasingly ingrained in public life.

Since the entrance of pay-TV and the concurrent professionalisation of New Zealand sport, the commercial element of media-sport has predominated. In the 1990s, there was cultural memory of free-to-air sport via TVNZ. This was seen as an important cultural past-time and part of the New Zealand way of life. The importance placed on access to sports then led to concern and outrage over its loss. However, this cultural memory has been lost. Over the past three decades younger generations have not grown up with free-to-air sport and the older generation has become used to paying for sport media. This trend aligns with the commercialised world that sports media watchers live in. Social media is saturated with advertising and commercial content, and the option to "shop now" is only one swipe away. Sport is just one avenue of mediated commercial content competing against other forms of content in an attention economy (Davenport & Beck, 2001).

The digital era of mediated sports content, originally celebrated for its revolutionary potential to offer choice and flexibility, was largely overstated. Unlike free-to-air programming for national audiences, digital sports media has benefitted from the pay-TV model, and purchasing mediated sports content was further naturalised. On the other hand, digital media allows the infringing of copyright, which is conducive to the open network of the internet. Neither of these options facilitate an engagement with sport that aligns with the ideals of

cultural citizenship, as content is not provided for free. Even if free-to-air content was the cure, the fragmented nature of modern audiences goes against the notion of shared cultural citizenship in relation to sport.

This thesis, which has developed a historical analysis of live sports coverage in New Zealand through the opposing standpoints of global capitalism and cultural citizenship, opens up potential avenues for future research. Thus, considerations of sport and cultural citizenship should focus more on the value of diversity than has previously been the case. This could be done from a feminist perspective, by critiquing the political economy and media coverage of women's sports events, as well as their public reception.

Rowe (2016) shows that within a multi-cultural nation citizens may engage with international sports events that do not fit mainstream cultural tastes. While New Zealand's small population does not allow for such events, more research could be done on understanding how minority ethnicities relate to sport. For example, Chang et al. (2019) shows that golf is important to the Korean identity in New Zealand and, for many Korean migrants, golf has become an attractive sports and leisure activity (Chang et al., 2019). Studies of this kind would expand New Zealand's understanding of cultural citizenship and national identity. Aside from gender and ethnicity, there are also other aspects of diversity to consider such as sexual orientation and disability. For example, Bruce (2012) analyses the discourse of nationalism used in the reporting of disabled athletes in the Paralympics. Shaw (2018) explores New Zealand sport's policies towards the inclusion of gay and lesbian athletes. Both studies add to New Zealand's academic literature on sporting identities which more often centre around men's rugby. Interviews with key sports organisations, as well as fans, could be used to gain valuable insights into cultural citizenship from diverse perspectives.

Lastly, in the digital environment, there are further avenues for sports media to expand and commodify. Virtual reality, online gaming, direct-to-consumer platforms, online betting, and datafication are all subjects for political economy of communications sports research. Hutchins et al. (2019) argue that the "society-making" function of media is increasingly displaced as the "seemingly inexorable drive towards datafied and atomising 'segment-making' media continues and accelerates" (p. 989). The political economy of communications research is needed to critique such processes from the perspective of citizenship (Hutchins et al., 2019). In the Māori world, culture is regarded as taonga (a treasure) worth protecting. In this respect, research ought to reflect upon and protect the cultural significance of sport among communities and citizenries.

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Appendix A

Letter of ethics approval

10 December 2020

Wayne Hope

Faculty of Design and Creative Technologies

Dear Wayne

Re Ethics Application: **20/363 The political economy of sports broadcasting I
Aotearoa/New Zealand: A case study of Sky TV**

Thank you for providing evidence as requested, which satisfies the points raised by the Auckland University of Technology Ethics Committee (AUTEC).

Your ethics application has been approved for three years until 10 December 2023.

Non-Standard Conditions of Approval

1. Inclusion in the Information Sheet of the research location.

Non-standard conditions must be completed before commencing your study. Non-standard conditions do not need to be submitted to or reviewed by AUTEK before commencing your study.

Standard Conditions of Approval

1. The research is to be undertaken in accordance with the [Auckland University of Technology Code of Conduct for Research](#) and as approved by AUTEK in this application.
2. A progress report is due annually on the anniversary of the approval date, using the EA2 form.
3. A final report is due at the expiration of the approval period, or, upon completion of project, using the EA3 form.
4. Any amendments to the project must be approved by AUTEK prior to being implemented. Amendments can be requested using the EA2 form.
5. Any serious or unexpected adverse events must be reported to AUTEK Secretariat as a matter of priority.
6. Any unforeseen events that might affect continued ethical acceptability of the project should also be reported to the AUTEK Secretariat as a matter of priority.
7. It is your responsibility to ensure that the spelling and grammar of documents being provided to participants or external organisations is of a high standard and that all the dates on the documents are updated.

AUTEK grants ethical approval only. You are responsible for obtaining management approval for access for your research from any institution or organisation at which your research is being conducted and you need to meet all ethical, legal, public health, and locality obligations or requirements for the jurisdictions in which the research is being undertaken.

Please quote the application number and title on all future correspondence related to this project.

For any enquiries please contact ethics@aut.ac.nz. The forms mentioned above are available online through <http://www.aut.ac.nz/research/researchethics>

(This is a computer-generated letter for which no signature is required)

The AUTEK Secretariat

Auckland University of Technology Ethics Committee