

Unpacking policy formulation and industry influence: the case of the draft control of marketing of alcoholic beverages bill in South Africa

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Abstract

Alcohol is a major contributor to the Non-Communicable Disease burden in South Africa. In 2000, 7.1% of all deaths and 7% of total disability-adjusted life years were ascribed to alcohol-related harm in the country. Regulations proposed to restrict alcohol advertising in South Africa present an evidence-based upstream intervention. Research on policy formulation in low- and middle-income countries is limited. This study aims to describe and explore the policy formulation process of the 2013 draft Control of Marketing of Alcoholic Beverages Bill in South Africa between March 2011 and May 2017. Recognising the centrality of affected actors in policy-making processes, the study focused on the alcohol industry as a central actor affected by the policy, to understand how they—together with other actors—may influence the policy formulation process. A qualitative case study approach was used, involving a stakeholder mapping, 10 in-depth interviews, and review of approximately 240 documents. A policy formulation conceptual framework was successfully applied as a lens to describe a complex policy formulation process. Key factors shaping policy formulation included: (1) competing and shared values—different stakeholders promote conflicting ideals for policymaking; (2) inter-department jostling—different government departments seek to protect their own functions, hindering policy development; (3) stakeholder consultation in democratic policymaking—policy formulation requires consultations even with those opposed to regulation and (4) battle for evidence—evidence is used strategically by all parties to shape perceptions and leverage positions. This research (1) contributes to building an integrated body of knowledge on policy formulation in low- and middle-income countries; (2) shows that achieving policy coherence across government departments poses a major challenge to achieving effective health policy formulation and (3) shows that networks of actors with commercial and financial interests use diverse strategies to influence policy formulation processes to avoid regulation.

Keywords: Alcohol industry, policy formulation, policy analysis, corporate policy influence, marketing policy, marketing regulation, South Africa

Introduction

A large proportion of the global burden of disease is attributable to high rates of alcohol consumption and abuse (Rehm *et al.* 2009). Alcohol is shown to have a strong relationship to

non-communicable diseases (NCDs) (Parry *et al.* 2011). In South Africa, 7.1% of all deaths and 7% of total disability-adjusted life years have been attributed to alcohol-related harm in the year 2000 (Schneider *et al.* 2007). Literature suggests that measures

Key Messages

- There is a lack of research focusing on health policy analysis in low- and middle-income countries and a lack of research on policy formulation processes in particular.
- This study contributes to theory building by successfully applying the [Berlan *et al.* \(2014\)](#) framework to the draft Control of Marketing of Alcoholic Beverages Bill, contributing to building an integrated body of knowledge on policy formulation in low- and middle-income countries.
- The inherently political nature of the policy formulation process shows how government departments seek to protect their own and their constituents' interests and prioritize their own policy objectives, which poses a challenge to achieving policy coherence for health across government.
- Networks of powerful actors, including non-state actors with commercial and financial interests, can use diverse strategies to influence health policy formulation processes in a low- and middle-income country context.

implemented to mitigate mortality from NCDs, such as interventions on tobacco, have been successful in decreasing NCD mortality in South Africa ([Nojilana *et al.* 2016](#)), while salt control and sugar tax is expected to be beneficial ([Dorrington *et al.* 2016](#)).

Beer is the most consumed alcoholic beverage in South Africa covering 49% of the market share, compared with wine (16%) and spirits (15%) ([Truen *et al.* 2011](#)). The manufacturing and retailing of alcoholic beverages contribute to 3.9% of South Africa's 2009 GDP and the production of alcoholic beverages employs almost 30 000 people ([Truen *et al.* 2011](#)). However, the tangible and intangible costs of alcohol-related harm amounted to 10–12% of South Africa's 2009 GDP ([Truen *et al.* 2011](#)).

The international alcohol industry is powerful as it consists of some of the largest companies in the world with a few multinational corporations owning most of the market share ([Jernigan and Babor 2015](#)). Heineken, Diageo (Guinness), SABMiller and the Castel Group control the greater African market ([Jernigan and Babor 2015](#)). Internationally, alcohol companies spend heavily on marketing, and three alcohol companies—Diageo, Heineken and SABMiller—were amongst the top '100 Global Marketers' in 2014 ([Jernigan and Babor 2015](#)).

In South Africa, the total alcohol industry advertising expenditure was R1.7 billion in 2012 ([van Walbeek and Daly 2014](#)). At the time this research was conducted, the South African alcohol industry was dominated by SABMiller, Brandhouse and Distell whose advertising expenditures amounts to approximately 85% of the 2012 total alcohol advertising expenditures in South Africa ([van Walbeek and Daly 2014](#)). In 2000, South African Breweries (SAB) bought US Miller Breweries and expanded to become SABMiller, which made it the second largest beer producer in the world ([Jernigan and Babor 2015](#)). In June 2016, the Competitions Tribunal Commission of South Africa approved a merger between Anheuser-Busch InBev (AB InBev) and SABMiller ([SABMiller 2016](#)), combining the first and second largest brewers in the world ([Jernigan and Babor 2015](#)), suggesting that 30% of the world's beer is expected to be produced from this merged entity ([British Broadcasting Corporation 2015](#)).

To address alcohol-related harms, the South African National Department of Social Development (NDS) and the National Department of Trade and Industry (NDTI), under the directive of the National Department of Health (NDoH), developed a new draft Bill in 2013 called the Control of Marketing of Alcoholic Beverages Bill, which includes provisions to ban advertising, sports sponsorships and promotion of alcoholic beverages as an evidence-based upstream intervention. The intended objectives of the proposed law are (1) 'restricting the advertisement of alcoholic beverages'; (2) 'prohibiting any sponsorship associated with alcoholic beverages'

and (3) 'prohibiting any promotion of alcohol beverages' ([National Department of Social Development \[NDS\] 2013](#)).

Current alcohol advertising standards in South Africa are governed by the Liquor Act (Liquor Act, No. 59 of 2003, 2004), which has limited provisions, only prohibiting alcohol advertising targeting minors and false or misleading advertising. In the absence of comprehensive alcohol advertising laws, the alcohol industry self-regulates their own alcohol advertisements through alcohol advertising codes of conduct ([Parry *et al.* 2012](#)). However, if the draft Control of Marketing of Alcoholic Beverages Bill is adopted and becomes an Act, the current Liquor Act will need to be amended to come in line with this new law. The current study, therefore, investigates the formulation of this new draft Control of Marketing of Alcoholic Beverages Bill.

Globally arguments to ban alcohol advertising are based on evidence that suggests that alcohol advertising recruits new drinkers into the market, targets the youth, encourages young adults to start drinking earlier ([Casswell 2004](#); [Chen *et al.* 2005](#); [Snyder *et al.* 2006](#); [Anderson *et al.* 2009](#); [Smith and Foxcroft 2009](#)), and encourages underage drinking ([Grant and Dawson 1997](#); [Austin and Knaus 2000](#); [Ellickson *et al.* 2005](#); [Austin *et al.* 2006](#)). Although restricting alcohol advertising is potentially one method for reducing alcohol consumption, an integrated strategy—which may include increasing prices, limiting places of sales and education—is necessary to mitigate alcohol abuse ([Babor 2009](#)).

Restricting alcohol advertising is likely to be contrary to the alcohol industry's corporate goals, as they have vested interests in increased alcohol consumption ([Casswell 2009](#)). Banning alcohol advertising in South Africa is seen as a significant step towards strengthening further alcohol regulation for other African countries ([Jernigan 2013](#)). International literature highlights that the alcohol industry influences policy development at national and international levels ([Alavaikko and Österberg 2000](#); [Anderson 2004](#); [Anderson and Baumberg 2005](#); [Baggott 2006](#); [Jahiel and Babor 2007](#); [Babor 2009](#); [Casswell and Thamarangsi 2009](#); [Mosher 2009](#); [Bakke and Endal 2010](#); [Miller and Harkins 2010](#); [Gilmore *et al.* 2011](#); [Gilmore and Fooks 2012](#); [Hawkins *et al.* 2012](#); [London *et al.* 2012](#); [Casswell 2013](#); [McCambridge *et al.* 2013](#); [Parry *et al.* 2014](#); [Paukštė *et al.* 2014](#); [Babor *et al.* 2015](#); [Savell *et al.* 2016](#)). In South Africa, little is known about how actors, including the alcohol industry, has influenced or is influencing the formulation of alcohol policy ([Hawkins *et al.* 2012](#)).

Policy formulation is a stage in the policy cycle ([Sabatier and Jenkins-Smith 1993](#)). Investigation into this stage 'explores who is involved in formulating policy, how policies are arrived at, agreed upon, and how they are communicated' ([Buse *et al.* 2012](#), p. 13). Although some literature has explored the policy formulation

process (Agyepong *et al.* 2012; Berlan *et al.* 2014; El-Jardali *et al.* 2014; Lim *et al.* 2014; Koduah *et al.* 2015; Onoka *et al.* 2015), generally, there is a lack of research focusing on health policy analysis in low- and middle-income countries (LMICs) and a lack of research on policy formulation processes, in particular (Gilson and Raphaely 2008; Berlan *et al.* 2014). Berlan *et al.* (2014) discuss policy formulation as an understudied area of work and suggest that research be conducted in unpacking the activities and processes in the policy formulation stage to provide insight into strategies employed by commercial interests, amongst other research. This study thus fills a gap in addressing research-scarce health policy analysis in the context of an LMIC.

The current study aimed to describe and explore the policy formulation process of the 2013 draft Control of Marketing of Alcoholic Beverages Bill in South Africa between March 2011 to May 2017, to contribute to the field of health policy analysis by building empirically on the work of Berlan *et al.* (2014). Recognising the centrality of affected actors in policy-making processes (Walt and Gilson 1994), the study focused on the alcohol industry as a central actor affected by the policy, to understand how they—together with other actors—may influence the policy formulation process.

As the Berlan *et al.* (2014), framework (as discussed below) has not been used to investigate the policy formulation process previously, the current study contributes to theory building by testing the Berlan *et al.* (2014) framework empirically, thereby contributing to building an integrated body of knowledge on policy formulation. The current study thus shows the intersection of policy actors with sections ('bits') of the Berlan *et al.* (2014) policy formulation process and demonstrates the utility of the Roberts *et al.* (2004) policy strategy typologies (also as discussed below). Both frameworks can be jointly applied to future policy formulation case studies.

Conceptual frameworks

This study combined two conceptual frameworks, the first, Berlan *et al.* (2014), helped to observe and explore policy formulation as a process. The second, Roberts *et al.* (2004), provided a lens to observe the behaviours of actors who may seek to influence the policy formulation process through political strategies.

In the policy formulation framework of Berlan *et al.* (2014), policy formulation is used as a heuristic to delineate the concept of

'policy formulation', which is understood as seven 'bit[s] in the middle' (p. 24) that fall between the agenda setting and policy implementation stages (see Figure 1). As far as the authors of the current study are aware, Berlan *et al.* (2014) is the only narrative synthesis conducted to understand what defines the policy formulation process of health policies. This framework is therefore used to identify which political processes to investigate.

In the political strategy framework, Roberts *et al.* (2004) outline four typologies that health reformers/advocates/lobbyists employ to influence the policy formulation process. This framework is used to identify which stakeholder behaviours to investigate and to make meaning out of such actions. *Position strategies* involve bargaining with other players involved in the policy process to change their position. In this instance 'position' refers to one's support or opposition to the policy of interest. *Power strategies* seek to change the amount of tangible or intangible power a player wields. *Player strategies* attempt to mobilize players who are not mobilized, who may help one's cause, and demobilize players who are a threat to one's cause. Lastly, *perception strategies* seek to change the way people think about and frame problems and solutions for health reform, which is linked to the way people view the problem and solution as being consistent or contradicting national symbols, values or identity (Roberts *et al.* 2004).

Methods

A single case study design was used as this approach allows for an empirical inquiry where the focus is on a 'contemporary phenomenon (the "case") in-depth within its real-world context' (Yin 2014, p. 16), and where the distinction between the phenomenon and its surrounding socio-political and economic context is unclear. Where no tangible boundaries between socio-political phenomena exist, the conceptual frameworks guide data collection and analysis and support analytical generalizability (Yin 2014). The case study approach allows the researcher to investigate the policy formulation process in the setting that most likely gives rise to, perpetuates, and encompasses the nature of the event itself (Gilson *et al.* 2011). Political processes are complex and nonlinear in nature; one does not have control over events or activities (or how often they occurred) and events that cannot be predicted emerge over time. Thus, a flexible research design, such as a case study, is required to allow for changes that may need to be made during the study.

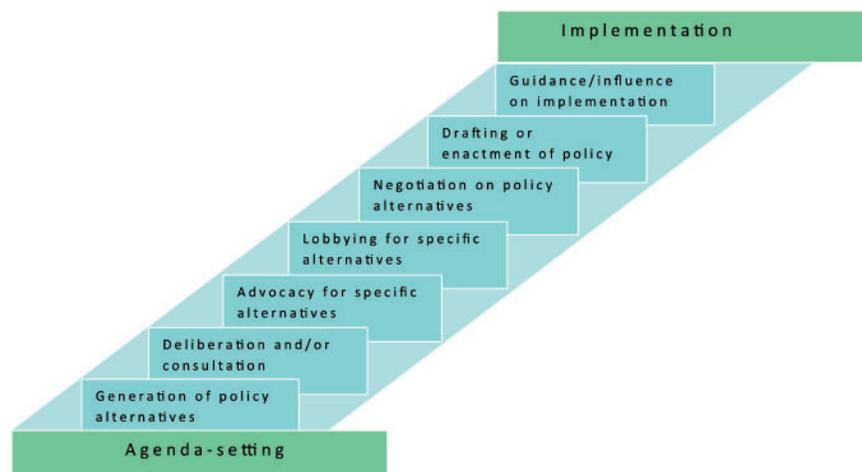


Figure 1. The 'bit in the middle': seven bits of policy formulation. Previously published in Berlan *et al.* (2014) and reproduced with permission.

The case selected for the current study is the policy formulation process of the 2013 draft Control of Marketing of Alcoholic Beverages Bill in South Africa between March 2011 and May 2017. This is the period between the publication of the Anti-Substance Abuse Programme of Action (National Department of Social Development [NDS] 2011), which first declared government's intention to develop legislation to ban alcohol advertising, to the end of the lifecycle of the research project.

Data collection

This study made use of several qualitative sources of data including in-depth interviews, approximately 240 documents (dated between March 2011 and May 2017), containing relevant internal and external government documents, documents provided by research participants, parliamentary minutes, and online and offline media articles. Publicly available records of government documents are made accessible on the South African Government's websites and parliamentary minutes are made publicly available by an independent non-governmental organization, Parliamentary Monitoring Group (<https://pmg.org.za>). Ten in-depth hour-long, semi-structured interviews were conducted between 2015 and 2016 with purposively selected key stakeholders who were either a proponent of, in opposition to, or neutral towards the draft Bill (one alcohol industry and one media industry representative, one civil society advocate, two public health experts and five National government representatives from Department of Health, Department of Social Development and a representative of senior government leadership).

Documents and interviews were triangulated to ensure consistency within the data, and researcher meetings were held to ascertain whether there was agreement with respect to the findings. Participants' positions toward the draft Bill were identified through a preliminary literature review after which participants were invited for interviews. Snowball sampling was used to recruit further participants. Selection criteria were that participants had experience in interacting with the alcohol industry, had an expert understanding of the alcohol industry in South Africa (as evidenced by authored publications), or were involved in the policy formulation process of the draft Bill. Recruitment was conducted by sending an e-mail invitation to participants. Three invitations to government representatives (Department of Sport and Recreation, Department of Arts and Culture and Department of Trade and Industry) were turned down as the departments to which they belonged were not responsible for the draft Bill and were thus unable to comment on it. Another invitation to the Department of Health was unanswered; the reason for which is unknown.

Although a standard questionnaire for all interviews was developed, each interview was tailored to the particular knowledge and experience of the participant. The conceptual frameworks were used as tools to develop interview questions to inform data collection, and as a deductive framework for coding information on: the policy formulation process, the political strategies employed by actors, and to understand the broader context. Ethical approval was obtained from the institution. Informed consent to interview and audio record each interviewee was obtained after which each interview was transcribed. Each participant was assured of confidentiality and anonymity.

Data analysis

A thematic analysis was used to analyse the data (Miles and Huberman 1994). Data collection and analysis were done

iteratively, using rounds of analysis to inform further data collection. Firstly, a deductive codebook derived from the conceptual frameworks was developed and applied to code interview transcripts and documents. Additional codes were added inductively during the process. Nvivo version 11.3.1 (<http://www.qsrinternational.com/nvivo-product>) was used to code and keep track of the documents and interviews, which also served to build a logical chain of evidence. Coded extracts were then placed into a data extraction matrix to find patterns within each interview, after which a second data extraction matrix was used to summarize each interview to find patterns between the interviews and the documents. Results were presented through the lens of Berlan *et al.* (2014) policy formulation 'bits' and where appropriate using the Roberts *et al.* (2004) framework, examples of the political strategies belonging in each 'bit' were identified. However, due to overlap, the 'bits' 'deliberation and/or consultation for specific alternatives' and 'lobbying for specific alternatives' were combined, since deliberation in the policy formulation process included hearing lobbying arguments made by stakeholders (the *advocacy* 'bit' was not combined, as advocacy included influencing public opinion as well). The final 'bit', 'guiding/influence on implementation', was not included, as the draft Bill has not yet reached this stage. Lastly, discussion themes were deduced based on patterns that emerged from the data.

Results

Generation of policy alternatives

Despite the existence of the current Liquor Act, alcohol advertising remains mostly unregulated (Parry *et al.* 2014). The draft Bill under study presents a major step by the government to regulate alcohol advertising as an alternative to what exists in the Liquor Act, No 59 of 2003. The origin of this 'new' draft Bill—the policy alternative—was the publication of the inter-governmental Anti-Substance Abuse Programme of Action (NDS 2011), which first stated an intention to ban all forms of alcohol advertising, including sports sponsorships (see Table 1 for Timeline Summary).

This Anti-Substance Abuse Programme of Action was the output of the Second Biennial Substance Abuse Summit at the International Convention Centre in KwaZulu Natal Province, South Africa (March 2011), where banning alcohol advertising was considered by a wide range of government actors, global actors, and civil society organizations (NDS 2011). An Inter-Ministerial Committee on Substance Abuse (IMC) had been established in 2010 and provided the direction at the summit (NDS 2011). The draft Control of Marketing of Alcoholic Beverages Bill was drafted by a task team 'from a range of different departments' (Interview 10, 2016, draft Bill proponent), which included NDS and the NDTI, under the directive of the NDoH (NDS 2013).

To support the development of the policy alternative (i.e. the draft Bill), there were three government-initiated research endeavours—namely, 'impact assessments'—conducted on the draft Bill. Circa June 2013, the Forum of South African Directors-Generals¹ requested the first Regulatory Impact Assessment (RIA) on the draft Bill (Interview 10, draft Bill proponent). This RIA was completed in September 2013, by the NDoH and was tabled, together with the draft Bill, at a Cabinet² meeting (the results of the first RIA are not in the public domain). Cabinet responded to the RIA by calling for a second independent RIA (Interview 10, draft Bill proponent). In August 2014, the tender for the second RIA was awarded to DNA Economics, which was completed in January 2015 (Interview 10, draft Bill proponent).

Table 1. Event Summary: events during the policy formulation process of the draft Control of Marketing of Alcoholic Beverages Bill

Policy Formulation 'bit'	Description
Generation of policy alternatives	<ul style="list-style-type: none"> • Establishment of the IMC (2010) • IMC created the Anti-Substance Abuse Programme of Action (2011–2016) at the second Biennial Anti Substance Summit (March 2011) • Appearance of the preliminary impact assessment; concluded that there would be a loss of R1.8 billion to the media industry; a total loss of R2.6 billion from cessation of sports sponsorships and sports development; refers to countries where a ban had limited impact; and that there will be a loss of 2500 jobs (July 2011) • In a presentation to policymakers, the alcohol industry argued for enforcement of existing laws, increased CSR and closer public–private partnerships (11 September 2012) • The draft Control of Marketing of Alcoholic Beverages Bill was presented to at the IMC meeting (March 2013) • Forum of South African Director Generals initially requested the first RIA on the draft Bill (circa June 2013) • The first RIA was completed and together with the draft Bill was tabled at a Cabinet meeting. At this Cabinet meeting a second independent RIA was requested (September 2013) • Industry funded consultancy report; concluded that the total advertising expenditure loss from advertising companies would cost R4.386 billion, South Africa's GDP would lose R7.4 billion in 2011 prices (or 0.28% of GDP), and almost 12 000 jobs would be lost (March 2013) • The second RIA was awarded to DNA Economics (August 2014) • The second RIA was completed (January 2015) • SEIAS on draft Bill was conducted and completed (July 2015). • Minister of Communications instructed the SABC to assess the financial impact the ban would have on the organization (April 2016) • SABC voiced opposition to the ban, claiming they would lose R857 million per annum due to the cessation of liquor advertising (May 2017)
Deliberation and/or consultation and lobbying for specific alternatives ^a	<ul style="list-style-type: none"> • National Council of Provinces (NCOP) Committee on Economic and Business Development met with representatives from the alcohol industry (11 September 2012) • The Sports and Recreation Committee held a meeting to discuss the role of alcohol advertising and sponsorships in the sport sector (29 October 2013) • Publication of the consultancy report investigating the economic impact of banning alcohol advertising (March 2013) • Chairperson of the SABC Board noted that a ban on liquor advertising would not affect the organization (4 July 2015) • SABC voiced opposition to the ban, claiming they would lose R857 million per annum due to the cessation of liquor advertising (May 2017)
Advocacy for specific alternatives	<ul style="list-style-type: none"> • ORESEGO Communications set up a debate in conjunction with the ARA, which was thwarted (August 2013) • Policy anti-champion was bought on board to coordinate lobbying/advocacy campaign in opposition to the draft Bill (2011). • The preliminary impact assessment (July 2011) was widely cited in media articles, press releases and presentations to policymakers, as were the findings from the consultancy report (March 2013) • Owner of a media and communications company placed an advertisement in Sunday World claiming that a health promotion advocate had no credibility (September 2012) • An opinion letter was written in the Cape Times claiming that the credibility of a public health researcher was questionable (July 2011) • An advertisement in the Sunday World, authored by owner of the media and communications company suggested that Soul City (a public health advocacy organization) funded their organization from donors who wish to 'vilify' the alcohol industry (January 2013) • A board member of a major alcohol beverage company in South Africa who was at the same time a senior political-party member, wrote a personal and belligerent letter to a pro-ban public health academic (between 2011 and 2012) • One proponent to the draft bill felt that the alcohol industry attempted to intimidate him (between 2011 and 2012) • The alcohol industry tried to reach out and set up meetings with public health academics (between 2011 and 2012)
Negotiations for specific alternatives	<ul style="list-style-type: none"> • Official ANC discussion documents and parliamentary minutes suggest that the draft Bill ought to be turned into a Money Bill (2015) • Deadlock on the draft Bill due to the SRSA's opposition. Suggestion that draft Bill ought to be turned into a Money Bill (6 April 2016)
Drafting or enactment of policy	<ul style="list-style-type: none"> • The draft Bill was approved for publication in the Government Gazette for public comment. However, it was never gazetted nor released for public comment (Circa September 2013) • The draft Bill was leaked to the public (April 2012)

^aThis section joins 'deliberation and/or consultation' and 'lobbying for specific alternatives', as they were found to have similar processes.

Table 2. Government and industry initiated research into the ban on alcohol advertising

Government initiated RIAs	Industry initiated research
NDoH RIA (July 2013)DNA Economics RIA (2015)NDoH SEIA (2015)	Preliminary Impact Assessment (2011)Consultancy Report (2013)

After the second independent RIA was completed in February 2015, Cabinet developed a new policy appraisal unit, under the directive of the Department of Planning, Monitoring and Evaluation (DPME), called the Socio-Economic Impact Assessment System (SEIAS) to replace the RIA process (Department of Planning Monitoring and Evaluation 2015). The development of this new unit was not directly linked to the draft Bill but was a new approach to legislation in general. The SEIAS, which differs from an RIA, is intended to take into consideration a wider perspective on how regulation may affect society, such as the impact on social cohesion, the RIA is said to lack comprehensiveness as it overlooks regulations' unintended and intangible consequences (Interview 4, 2016, neutral towards draft Bill). A participant described the SEIAS as mandatory for all future legislation (Interview 4, 2016, neutral towards draft Bill). The NDoH subsequently conducted a SEIA on the draft Bill and this was completed in July 2015 (Interview 10, draft Bill proponent) (see Table 2). The results of the second RIA and the SEIA are not in the public domain and it is unclear how the results were used in decision-making processes pertaining to the draft Bill.

Although the South African Broadcasting Corporation (SABC) was not originally opposed to the draft Bill, in April 2016 the Minister of Communications instructed the SABC to assess the financial impact the ban would have on the SABC (Muthambi 2016; Parliamentary Monitoring Group 2016b)—which is another example of research informing the policy alternative relevant to this 'bit'. Following this assessment, in May 2017, SABC voiced opposition to the ban, claiming they would lose R857 million per annum due to the cessation of alcohol advertising (Mkhwanazi 2017). Documents received via e-mail from the Department of Sport and Recreation indicate that the department is also concerned about the draft Bill as they are worried about the negative impact the ban will have on their sources of funding: '[t]he successful implementation of the National Sport and Recreation Plan will depend on the availability of resources' (Department of Sport and Recreation [SRSA] 2016, 5 May).

The alcohol industry argued to maintain the status quo alternative (i.e. no draft Bill). On 11 September 2012 in a presentation to policymakers, the alcohol industry urged government to rather enforce regulations already in place and pointed to the significant contribution to addressing alcohol abuse made by industry through corporate social responsibility (CSR):

[t]he liquor industry was therefore appealing to the government to adopt a 'balanced approach', so that it could operate in a mainly self-regulated environment, combined with strict enforcement of legislation, increased corporate social investment contributions and closer partnerships with government bodies (Parliamentary Monitoring Group 2012).

Identification of the industry as part of the solution (such as providing partnerships and corporate social investment) to alcohol-related harms can be seen as a strategy to reshape the perception of the role of the industry as a partner rather than an outsider.

To support their policy alternative, the alcohol industry commissioned one piece of research and funded another piece of research (see Table 2); first, interviews revealed that the alcohol industry funded a marketing analyst to conduct a preliminary impact assessment in 2011 showing the economic consequences of a ban

(Moerdyk 2011a,b). This report concluded that there would be a loss of R1.8 billion to the media industry; a total loss of R2.6 billion from cessation of sports sponsorships and sports development; makes reference to countries where a ban had limited impact; and that there will be a loss of 2500 jobs (Moerdyk 2011a,b). Second, a consultancy was commissioned to investigate the economic impact of banning alcohol advertising (Fieldgate *et al.* 2013). The commissioned study published in March 2013 concluded that the total advertising expenditure loss from advertising companies would amount to R4.386 billion, South Africa's GDP would lose R7.4 billion in 2011 prices (or 0.28% of GDP), and almost 12 000 jobs would be lost (Fieldgate *et al.* 2013). Evidence is thus used to reshape perceptions of costs and benefits of regulating alcohol advertising and to reframe the problem of alcohol advertising as an economic issue.

Deliberation and/or consultation and lobbying

This section covers two 'bits': 'deliberation and/or consultation' (government discussing the draft Bill with those internal and external to the government); and 'lobbying for specific alternatives' (Berlan *et al.* 2014). The draft Bill was discussed with the alcohol industry on at least two occasions where they lobbied strongly against the draft Bill. As mentioned above, on the 11 September 2012, the National Council of Provinces (NCOP) Committee on Economic and Business Development³ met with representatives from the alcohol industry (Parliamentary Monitoring Group 2012). At this meeting, alcohol industry representatives argued that the ban would be ineffective, would negatively affect the economy, and would lead to job losses. Also as mentioned above, the alcohol industry lobbied for self-regulation, enforcement of existing laws, increased CSR and closer public-private partnerships (Parliamentary Monitoring Group 2012), of which in this context, can be seen as position strategies, as they seek to change policymakers' level of support away from the draft Bill.

Another consultation occurred on 29 October 2013 when the Sports and Recreation Committee⁴ held a meeting in Cape Town to discuss the role of alcohol advertising and sponsorships in the sport sector (Parliamentary Monitoring Group 2013b). In this meeting, BMI Sports Info (BMI-Sport Info (Pty) Ltd 2013)—an advertising research consultancy—and the alcohol industry (Industry Association for Responsible Alcohol Use 2013) made presentations on how the ban would be ineffective in curbing alcohol-related harms and would negatively impact: the economy, the alcohol and advertising industries, sports, arts and culture sector, and the SABC (Gosling 2013; Parliamentary Monitoring Group 2013b; Presence 2013). The above presentation relied heavily on the consultancy report commissioned by the alcohol industry (Fieldgate *et al.* 2013), which investigated the economic impact of banning alcohol advertising, thus reframing the problem of alcohol advertising as an economic issue to reshape perceptions about the costs and benefits of enacting the draft Bill.

A segment of the alcohol industry's presentation was presented by a director of SABMiller who also served as a commissioner on the South African 2010 National Planning Commission, which is an advisory body tasked with developing 'a long term vision and

Table 3. List of sources where reports were cited^a

Preliminary Impact Assessment (2011)	Econometrix Report (2013)
Moerdyk (2011b)	Hedley (2013)
'Alcohol ad ban will cost ...' (2011)	Watermeyer (2013)
Ban on booze ... (2011)	'Alcohol ad ban will be ...' (2013)
'Alcohol ad ban would cost jobs' (2011)	Alcohol ads ban may cost jobs (2013)
Prince and du Plessis (2011)	Moorad (2013)
Grootes (2011)	Phakathi (2013)
Maxwell (2011)	Strydom (2013)
Maphai (2012)	Nevill (2013)
Paton (2012)	Merten (2013)
'State's alcohol ban ...' (2013)	'Banned booze ads ...' (2013)
Watermeyer (2013)	Bailey (2013)
Wright (2014)	Gleason (2013)
Thamela (2016)	Ensor (2013)
	'Benefits of ban ...' (2013)
	'Ban on alcohol ...' (2013)
	Williams (2013)
	'Sacci queries alcohol ...' (2013)
	SACCI (2013)
	McQuaid (2013)
	Presence (2013)
	Child (2013a)
	Hans (2013)
	'Booze ads ban could ...' (2013)
	Industry Association for Responsible Alcohol Use (2013)
	Parliamentary Monitoring Group (2013b)
	Wright (2014)
	Khuzwayo (2014)
	Davids and Aarti (2015)
	Speckman (2016)
	Thamela (2016)

^aThis list is not exhaustive.

strategic plan for South Africa' (National Planning Commission, n.d.). This reflects a potentially problematic dynamic in policy processes where actors have access to multiple policy spaces where their relationship between private interests and public goals may conflict. Having access to policy elites is a potentially significant power resource for those with commercial interests.

Consultations also took place with state actors who could potentially be financially affected by the draft Bill, such as the SABC. Parliamentary meeting minutes taken on 4 July 2015 note that Chairperson of the SABC Board, Ms Zandile Tshabalala, relayed that the ban would not affect the SABC, 'management had convinced the [SABC] board that a ban on liquor advertising would not affect it so much, as it would allow for bringing other adverts on board' (Parliamentary Monitoring Group 2014b). This meeting thus suggests that the SABC was not originally opposed to the ban. However, as mentioned above, subsequently, SABC voiced opposition to the ban, claiming they would lose R857 million per annum due to the cessation of liquor advertising (Mkhwanazi 2017).

Additionally, to create further opportunities to deliberate, the alcohol industry sought to create their own platforms to engage with government officials to disseminate their messages. For example, in response to the proposed draft Bill, ORESEGO Communications, in conjunction with the Industry Association for Responsible Alcohol Use (ARA), set up a 'debate' and panel discussion with 'civil society,

business, government and the alcohol industry' on 'reviewing the merits and demerits of banning alcohol advertising' in Johannesburg on 27 August 2013 and invited the African National Congress⁵ (ANC) Education and Health Sub-committee of the National Executive Committee⁶ (NEC) to participate (ORESEGO Communications 2013). The invitation included as possible keynote speakers, the Minister of Health, Dr Aaron Motsoaledi—who is particularly supportive of the draft Bill (Interview 7, 2016, proponent of draft Bill) and the Chairperson of the ANC Education and Health Sub-committee of the NEC, alongside the authors of the consultancy report, the ARA Chairman and the International Centre for Alcohol Policies (ICAP)⁷ President. However, the NDoH withdrew after civil society complained to the NDoH, which led to the cancellation of the event (Interview 7, 2016, draft Bill opponent). Although the alcohol industry tried to create their own opportunities to deliberate with the NDoH, civil society also used power strategies to shut-down the alcohol industry's lobbying activities.

Advocacy for specific alternatives

Advocacy for specific alternatives deals with changing the minds of those internal and external to government⁸ by presenting alternative options for the policy's content (Berlan *et al.* 2014). One participant implied that the alcohol industry developed a well-coordinated lobbying/advocacy campaign in opposition to the draft Bill, '... me and perhaps likeminded people of the public health community could see the industry was building a campaign to support their efforts to undermine government policy in this area' (Interview 3, 2016, draft Bill proponent). An individual in the advertising industry acted as a 'policy anti-champion' for this 'anti-draft Bill policy movement'. This individual was consulted by the alcohol industry for her efforts, '... I was paid for— [the campaign] was paid for by the fund that came from the liquor industry, somebody had to pay for it; because I said, "I am not doing this for nothing ..."' (Interview 8, 2016, draft Bill opponent). Such behaviour is an example of a power strategy as the policy anti-champion had well-established relationships with individuals in the advertising and media industry throughout her career, networks the alcohol industry lacked,

I met the people at [a large alcohol beverage company]; and that's where it started ... but that they had a problem, and that is that they didn't know whether they would be able to get the media on their side of this thing. And that's when I started the project. (Interview 8, 2016, draft Bill opponent)

This policy anti-champion's role was to access and co-ordinate all the players in this advocacy and lobbying project, 'so it became a situation where my job had to be [to] try and make sure that we were all speaking with one voice' (Interview 8, 2016, draft Bill opponent).

The campaign sought to highlight to the public the negative impact of the ban by publishing articles in the media and giving interviews about the anticipated adverse effects of the draft Bill. The preliminary impact assessment, noted above, was widely cited in media articles, press releases and presentations to policymakers, as were the findings from the consultancy report, as illustrated in Table 3. Evidence is thus used to shape perceptions of costs and benefits of regulating alcohol advertising.

Under the 'advocacy for specific alternatives' formulation 'bit' (which sought to influence public opinion), three interviewees suggest that ad hominem attacks and an advertisement to discredit a civil society organization were player strategies used by those opposed to the draft Bill to demobilize those who were pro-ban. For example, the owner of a media and communications company

placed an advertisement in Sunday World (Matsepe 2011) claiming that a health promotion advocate had no credibility to lead research on the ban of alcohol advertising as she is Muslim and thus had ulterior motives behind her advocacy. In another example, an opinion letter was written in the Cape Times (Moerdyk 2011c) claiming that the credibility of a public health researcher is questionable as he possesses ‘pompous academic superiority’ (p. 8), which is interfering with his judgement on the link between alcohol advertising and alcohol abuse, and suggested that this public health researcher is an ‘anti-alcohol extremist’ (p. 8). A few years later, an advertisement in the Sunday World, authored by the same owner of the media and communications company above (Matsepe 2013) suggested that Soul City (a public health advocacy organization) funded their organization from donors who wish to ‘vilify’ (p. 9) the alcohol industry.

On another occasion, a board member of a major alcohol beverage company in South Africa who was at the same time a senior political-party member wrote a personal and belligerent letter to a pro-ban public health academic ‘... he wrote the stinking letter to me ... —it was very personal and acrimonious ...’ (Interview 3, 2016, draft Bill proponent). Moreover, one proponent of the draft bill felt that the alcohol industry attempted to intimidate him,

there was a delegation who came to complain about me [at my place of work]. It was six people from the liquor industry ... and they flew down with an advocate and they, they wanted to meet [my head of organisation at my place of work] and complain about newspaper articles, which I had been quoted in. They went and they brought all of them, put them on the table. (Interview 3, 2016, draft Bill proponent)

All those subject to these instances were supporters of the draft Bill.

In a different approach in trying to promote another policy alternative, the alcohol industry attempted position strategies, as they tried to reach out and set up meetings with public health academics to change their attitudes towards the draft Bill

... they wanted to meet with me, they've tried twice to meet me with; and they've tried to meet with other people in South Africa. AB InBev [Anheuser-Busch InBev] has—have hired a guy who is a health promotion expert who used to work for WHO ... and they ... want to ... meet with various [researchers] in order to promote their Smart Drinking campaign ... (Interview 3, 2016, draft Bill proponent)

The alcohol industry was trying to propose—as an alternative to address alcohol abuse—a Smart Drinking campaign, which it announced in 2015, the campaign aimed to reduce alcohol-related harm by 2020 by at least 10% (AB InBev 2015).

Negotiations for specific alternatives

Negotiations on the content of the draft Bill took place at various stages with actors outside of government and between government departments. For example, potential loss of revenue for the National Department of Sport and Recreation (SRSA), prompted a participant to note that there would be certain possibilities for finding alternative sources of funding for the SRSA, ‘there are various options on the table ...’ (Interview 10, 2016, draft Bill proponent). Consistent with this, official ANC discussion documents and parliamentary minutes suggest that the draft Bill ought to be turned into a Money Bill⁹ (African National Congress 2015). For example, this Bill might include a 2.5% levy on alcoholic beverages to fund

sporting events (Parliamentary Monitoring Group 2014a, 2013a, 2016a; African National Congress 2015).

Another meeting where negotiations occurred was with the Sports and Recreation Committee on 6 April 2016 (Parliamentary Monitoring Group 2016a). Meeting minutes note that there was a ‘deadlock’ on the draft Bill due to the SRSA’s opposition—but this deadlock could be broken by National Treasury who could—using their mandate—turn the draft Bill into a Money Bill, thereby recuperating the potential losses from the ban (Parliamentary Monitoring Group 2016a). However, the National Treasury is said to be unsupportive of making the draft Bill a Money Bill, the reasons for which are unclear (Parliamentary Monitoring Group 2016a).

Drafting or enactment of policy

This step is defined as ‘activities relating to drafting, passing, enacting, or adopting legislation’ (Berlan *et al.* 2014, p. 31). Despite a 2013 statement by the Department of Government Communication and Information System (GCIS 2013), stating that the draft Bill would be Gazetted for public comment, it never was, ‘I know that it was supposed to be published for public comment; it has not yet been published for public comment’ (Interview 5, 2016, draft Bill proponent). Therefore, the draft Bill has not yet reached the final stages of the enactment ‘bit’.

However, in April 2012 the draft Bill was leaked to the public (‘Leaks an attempt ...’, 2012; Paton 2012; ‘State’s alcohol ban ...’, 2013). The NDoH intended to present the draft Bill to parliament in its current unchanged form—being a total ban of alcohol advertising, ‘so [NDoH] didn’t feel [they] wanted to put a watered down bill on the table to parliament; which would then potentially be further watered down’ (Interview 10, 2016, draft Bill proponent). According to this respondent, the next step in the policy formulation process is to submit the draft Bill, ‘to the inter-ministerial committee again’ (Interview 10, 2016, draft Bill proponent) and then, ‘probably submit it to Cabinet again’ (Interview 10, 2016, draft Bill proponent).

In an example of a position strategy, the policy anti-champion suggests that there are teams of people waiting and ready to act when the draft Bill is debated in parliament (an activity relating to the passing and enacting of South African legislation), ‘So they will be preparing their lobbying arguments if you like ... people from ... Sports Sponsorship, Sports marketing, media companies all those [from advertising and alcohol companies]’ (Interview 8, 2016, draft Bill proponent). It appears that the alcohol industry prospectively sought to use CSR as leverage to negotiate within the parliamentary process in order to reach compromises, as the policy anti-champion noted,

And they will all be talking about the compromise of the same thing [such as] ... sponsoring clinics; and sponsoring rehab places ... getting celebrities to actually talk about the dangers of drinking ... promoting; and also running advertisements on the dangers of drinking driving. (Interview 8, 2016, draft Bill opponent)

Discussion

This study aimed to describe and explore the policy formulation process of the 2013 draft Control of Marketing of Alcoholic Beverages Bill in South Africa between March 2011 to May 2017 to contribute to the field of health policy analysis by building empirically on the work of Berlan *et al.* (2014). Recognising the centrality of affected actors in policy-making processes (Walt and Gilson 1994), the study focused on the alcohol industry as a central actor

affected by the policy, to understand how they—together with other actors—influenced the policy formulation process.

In unpacking the policy formulation process, key factors identified that shape policy formulation include: (1) competing and shared values—different stakeholders promote conflicting ideals for policy-making; (2) inter-department jostling—different government departments seek to protect their own functions, potentially hindering policy development; (3) stakeholder consultation in democratic policymaking—policy formulation requires consultation even with those opposed to regulation; and (4) battle for evidence—evidence is used strategically by all parties to shape perceptions and leverage positions.

As far as the authors are aware, this research is the first to use the *Berlan et al. (2014)* framework to explicitly map out a policy formulation process and demonstrates the utility of the framework for analysing policy formulation processes. Below we discuss each theme in turn.

Competing values and shared values

In response to the development of the draft Bill, it appears that stakeholders (both internal and external to government) with shared values formed two implicit clusters, which promoted conflicting ideals for formulating the draft Bill: the anti-ban cluster (alcohol industry, advertising industry, media industry), in this particular policy process it appeared as though the Department of Sports and Recreation had a particular leaning toward the anti-ban cluster; and the pro-ban cluster (public health researchers, civil society health promotion advocates, NDoH and National Department of Social Development).¹⁰ Forming clusters is a power strategy, as clusters or coalitions increase the tangible and intangible power that actors wield (*Roberts et al. 2004*).

Internationally, strategies used by the alcohol industry to influence policy include forming alliances with stakeholders within the same industry and with other industries (*Paukštė et al. 2014; Savell et al. 2016*) by making use of lobbyists and advocates (*Casswell and Thamarangsi 2009*) and front groups, such as the Portman Group in the UK (*Baggott 2006*). A study shows that the alcohol industry was successful in influencing the Lithuanian government to overturn a proposed ban on alcohol advertising through the use of alliances with other interest groups, comprehensive lobbying with government bureaucrats, and attempts to undermine evidence through the use of the media (*Paukštė et al. 2014*).

In this research, the anti-ban cluster focused mainly on economic arguments whereas the pro-ban cluster focused mainly on (non-economic) health arguments. This shows how the interests of actors may determine their positions on policies and subsequently how they may move to oppose or support it (*Onoka et al. 2015*).

The results of this case study are consistent with international literature (e.g. *Bakke and Endal 2010; Miller and Harkins 2010; Hawkins et al. 2012; McCambridge et al. 2013; Casswell 2013; Paukštė et al. 2014; Savell et al. 2016*), which shows that powerful industries opposed to alcohol advertising regulation use various political strategies to attempt to negotiate compromises on the draft Bill in their favour. Industry influence is evident not just when attempting to regulate alcohol, but for other ‘unhealthy commodities’ (*Stuckler et al. 2012; Moodie et al. 2013*) implicated in ‘industrial epidemics’ (*Jahiel and Babor 2007*).

Perception strategies to avoid marketing regulation argue for targeted interventions that address personal responsibility through educational programmes (*Hawkins et al. 2012; McCambridge et al. 2013; Savell et al. 2016*), portray industry advertising self-regulation

as sufficient (*Anderson and Baumberg 2005; Anderson 2007; Hawkins et al. 2012; McCambridge et al. 2013*), promote the alcohol industry as an ally in combatting alcohol abuse thereby encouraging partnerships with government (*Hawkins et al. 2012; McCambridge et al. 2013; Savell et al. 2016*), support enforcement of existing regulations (*McCambridge et al. 2013; Savell et al. 2016*), and call for increased investment in CSR (*McCambridge et al. 2013*).

CSR was used in multiple ways in this study as a perception strategy, power strategy, and position strategy to negotiate a compromise on the draft Bill. This is consistent with studies suggesting that industries generally use CSR to promote a positive public perception of their industry (*Hawkins et al. 2012; Jones et al. 2015*). By constructing a positive image in the eyes of policymakers, industry can gain access to policy elites and, with this access, ensure it is consulted when regulations are formulated (power strategy) (*Fooks et al. 2011; Gilmore and Fooks 2012*) and has an opportunity to change actor positions on policy (position strategy) (*Roberts et al. 2004*). However, research consistently suggests that CSR usually promotes interventions that are of low or no effectiveness and merely supply the alcohol industry with free publicity for CSR objectives (*Anderson 2004; Babor 2009; Casswell 2009; Miller et al. 2011; Matzopoulos et al. 2012; Yoon and Lam 2013*).

Intra-governmental jostling

The current study highlighted intra-governmental jostling within the policy formulation process as government departments sought to protect their own interests and constituents. Even within government, departments do not necessarily agree on national policy objectives, which can slow policy processes. For example, the Department of Sport and Recreation opposed the draft Bill because it was seen to threaten sports funding. Similarly, the SABC was concerned about the ban because it may have a negative impact on their funding. However, they also appeared to attempt to arrive at a workable compromise between departments, as seen with discussions on alternative sources of funding for the Department of Sport and Recreation if the draft Bill was to be implemented. Therefore, consistent with the literature, although it is the government’s role to produce public health policies, different governmental departments may need to protect their own functions, which may be in competition with public health goals. Such competition between government departments shows the inherent political nature of policy-making and the difficulty in maintaining consistent policy goals across government (*Smith and Joyce 2012; Liverani et al. 2013; Lencucha et al. 2015; Hawkes et al. 2016*).

Intra-governmental jostling also implied conflicting criteria by which government departments prioritize policy objectives. Therefore, there is a need for ‘policy coherence’; defined as ‘the systematic promotion of mutually reinforcing policies across government departments and agencies creating synergies towards achieving the defined objective’ (*Organisation for Economic Co-operation and Development 2001*, p. 104). Similarly, ‘Health in All Policies’ is an approach to policy-making that mutually enforces health as an essential human right to be considered in all government policies and an essential element for sustainable economic growth (*Stähl et al. 2006*). However, recent literature suggests there is a trade-off between health and commercial interests, showing the difficulty in achieving ‘Health in All Policies’ from the whole-of-government (*Lencucha et al. 2015*). Similarly, as shown in this study, inconsistency between economic and health policy objectives can be attributed to political economic forces (*Blouin 2007*)—as curbing

alcohol-related harm negatively affects the alcohol industry's sales and profits (Gilmore *et al.* 2011). Such power imbalances emphasize the challenge facing governments remaining responsive to public interests rather than being swayed by special interest groups (Lim *et al.* 2014).

Stakeholder consultation in democratic policy-making

Consistent with Berlan *et al.* (2014), the policy formulation process used various mechanisms within the state to consult stakeholders. Due to the nature of democratic policy-making, the policy formulation process necessitated stakeholder consultation, including consultation with those opposed to the ban, such as the alcohol industry.

Casswell (2009) notes that, as the alcohol industry has vested interests, it will use these consultative platforms to dissuade governments from introducing regulations. Public-private stakeholder consultation required in policy formulation—as seen in the current study—has the potential for conflicts of interest (Gilmore and Fooks 2012; London *et al.* 2012). Research suggests that the alcohol industry's attempts to establish platforms and partnerships are an indirect way to influence policy (Gilmore and Fooks 2012; Savell *et al.* 2016) and represent power strategies where industry seeks to access political institutions and policy elites (Roberts *et al.* 2004). Under neoliberalism, greater involvement of the private sector in decision-making and promotion of public-private partnerships have become the norm, as governments seek input from the private sector to inform policy decisions (Miller and Harkins 2010).

These types of democratic consultations would typically not be readily extended to the tobacco industry (Smith *et al.* 2016). Termed 'tobacco exceptionalism' (Collin 2012, p. 277), the tobacco industry is seen as a pariah that knowingly advocates and lobbies against public health measures (Smith *et al.* 2016). Although some literature shows the similarities between tobacco and alcohol industries (Bond *et al.* 2010) and the food and tobacco industries (Brownell and Warner 2009), the alcohol and food industries are still treated differently (Collin 2012). It is suggested that tobacco is treated as a pariah because it was discredited by revelations of its egregious use of political strategies (Smith *et al.* 2016). Literature suggests that policymakers should restrict interaction with corporations with vested interests (Casswell 2013; McCambridge *et al.* 2013).

The global alcohol industry has promoted themselves as, and have sometimes become, partners in developing and implementing alcohol policies (Bakke and Endal 2010; Casswell 2013) as a power strategy to increase its access to policy elites. However, there is an indication of progress in treating these 'unhealthy commodity' industries consistently, as the World Health Assembly in 2008 successfully downgraded the alcohol industry to that of consultative instead of collaborative (Casswell and Thamarangsi 2009). However, there have been renewed calls for the WHO to develop a stronger framework to regulate engagements with non-state actors because of failure to avoid conflicts of interest in decision-making at a global level (Buse and Hawkes 2016; Third World Network *et al.* 2016).

Battle for evidence

Throughout the policy formulation process, what constitutes the 'correct' evidence to support or oppose a ban on alcohol advertising is a point of contention.

A key component of the alcohol industry's advocacy/lobbying strategy was to accrue evidence in opposition to the ban. This was carried out by commissioning their own research, such as the 'preliminary impact assessment' and the consultancy report. The former

lacked a methodological description, and the latter was shown to have considerable methodological flaws (Parry and London 2013). Funding research to generate evidence and its subsequent dissemination could be considered a perception strategy as it sought to reframe the problem, and its solution, by creating a narrative that banning alcohol advertising would only hurt the economy without being effective in curbing alcohol-related harm.

Both these industry-funded reports were widely cited in the alcohol industry's advocacy/lobbying campaign, and the dissemination in media was an example of a player strategy, as it sought to mobilize the public in opposition to the ban. Despite international research suggesting alcohol advertising encourages underage drinking (Grant and Dawson 1997; Austin and Knaus 2000; Casswell 2004; Chen *et al.* 2005; Ellickson *et al.* 2005; Austin *et al.* 2006; Snyder *et al.* 2006; Booth *et al.* 2008; Anderson *et al.* 2009; Smith and Foxcroft 2009; Hastings *et al.* 2010; de Bruijn *et al.* 2012; Jernigan *et al.* 2017), the alcohol industry creates a counter-narrative, couched in research language, to argue that there is insufficient evidence to show that the ban will be effective and that alcohol advertising does not increase consumption, a strategy found both in South Africa and internationally (McCambridge *et al.* 2013; Savell *et al.* 2016). Manufacturing doubt—itself a perception strategy—is used globally (Casswell and Thamarangsi 2009) and such strategies are synonymous with those used by the tobacco industry (Michaels 2008; Casswell and Thamarangsi 2009).

Moreover, it appears that the SABC who was first neutral toward the ban, changed its position to be against the ban after it assessed the draft Bill's financial impact on the SABC, which confirms the many roles of research in policy formulation including that actors can be heavily influenced by research (Berlan *et al.* 2014).

Policymakers run the risk of giving all 'evidence' equal weighting regardless of the quality, sources of funding, or producers. Although the South African Government has recently made efforts to develop guidelines for developing evidence-based policy (Wills *et al.* 2016), international literature suggest that the use of guidelines is not a panacea to ensure good quality evidence, as policy-making is an inherently political process that involves bargaining, priority setting, and policy alternatives (Smith and Joyce 2012; Liverani *et al.* 2013; Hawkes *et al.* 2016). In addition to guidelines, Hawkes *et al.* (2016) suggest establishing institutions to enhance government capacity to develop evidence-based policy (Hawkes *et al.* 2016), such as has been proposed for a 'Health Development and Promotion Foundation' in South Africa (Perez *et al.* 2013). As it is not possible to remove the inherently political character of policy-making, the evidence used in policy decisions need to be transparent and contestable in the public domain (Hawkins and Parkhurst 2015). Lastly, researchers and industry should declare conflicts of interest to allow policymakers to discern whether the researchers or funders of the research have vested interests in the issue (Gilmore and Fooks 2012; London *et al.* 2012).

The applicability of the frameworks used

This research illustrates the utility of the two conceptual frameworks applied to a case study on policy formulation processes. The Roberts *et al.* (2004) framework helped to successfully identify political strategies used by the alcohol industry and others, within the context of a policy formulation process (Berlan *et al.* 2014). However, the broadness of Roberts' typology of political strategies meant that, depending on the context or intention, the same behaviour could be interpreted as falling under different political

strategies. For example, commissioning research could seek to change perceptions and/or seek to change positions on the draft Bill.

As the case study shows—and as *Berlan et al. (2014)* suggest—the policy formulation process is ‘fluid’ and occurs in a nonlinear, haphazard manner, such that some ‘bits’ occur simultaneously, are bypassed, or are then later revisited. For example, the NDoH drafted the draft Bill before there were negotiations. This fluidity means that there is considerable overlap between the bits, which creates a challenge when discerning which events belong to which bit. For example, the bits ‘deliberation and/or consultation for specific alternatives’ and ‘lobbying for specific alternatives’ were combined.

We recommend that future research into the policy formulation process consider applying *Roberts et al. (2004)* typologies to interpret actor behaviour and use the framework of *Berlan et al. (2014)* to dig deeper into the research questions *Berlan et al. (2014)* pose in the concluding section of their paper. Utilising these frameworks would further develop our understanding of the complexities of policy formulation processes in LMICs and start to build a body of research on how to meaningfully engage with all relevant actors in policy processes while maintaining health in all policies.

Limitations

This research was not able to capture all the policy formulation processes taking place in this case study. In real-world research, there is more information than is possible to uncover. To manage this, we use theory to impose a lens; inevitably others may observe differently through a different lens. Moreover, as some of the events took place five to six years before the interviews, it was challenging for some participants to recollect the details and exact chronology and dates of events. Therefore, this study is the ‘tip of the iceberg’ and the reality is that much more is occurring in the background of the policy formulation process than is observable.

Some important stakeholders from government declined to be interviewed. However, to manage this limitation a range of different stakeholders with different perspectives were interviewed, and an extensive documentary review was undertaken to ensure triangulation of results. Theory was used to guide the process and aid analytical generalization.

Conclusion

This study contributes to theory building by testing the *Berlan et al. (2014)* framework empirically, thereby contributing to building an integrated body of knowledge on policy formulation. This is achieved by showing empirically the intersection of policy actors with the ‘bits’ in the *Berlan et al. (2014)* policy formulation process and the utility of *Roberts et al. (2004)* political strategy typologies. Both frameworks can be applied to future policy formulation case studies.

This study illustrates that (1) consistent with international literature, the findings highlight the inherently political nature of the policy formulation process, showing how government departments protect their own and their constituents interests and prioritize their own policy objectives, pointing to the need for policy coherence across government departments if we hope to achieve health in all policies; (2) consistent with international literature, networks of powerful actors, including non-state actors with commercial and financial interests, can use diverse strategies to influence health policy formulation processes in an LMIC country context and (3) industry strategies include: commissioning and funding research, using the

media to disseminate evidence in favour of policy preferences, reframing ideas in terms of economic costs and benefits, leveraging actors who may help, using consultative platforms to attempt to change policymakers’ level of support away from the draft Bill, contesting the legitimacy of civil society organizations and academics, funding a lobbying/advocacy campaign with which to influence policymakers and public opinion, and proposing alternatives policy options such as CSR and partnerships to change positions on the draft Bill.

By exploring the industry and other actor roles in relation to the development of the draft Bill, this study sheds light on the political dynamic of health policy formulation. This research used a case study related to alcohol policy in South Africa—a middle-income country in the African region—by elucidating the political nature of health policy formulation. The study may generate insights into similar strategies that might be used in resisting efforts to regulate risk factors for other NCDs in other LMICs.

Notes

1. Forum of South African Directors General consists of the most senior government officials from each department, which is chaired by the Director General in The Presidency.
2. Cabinet consists of the President, Deputy President, and the Ministers from each department in the South African Government.
3. The South African Parliament is made up of the National Assembly and the National Council of Provinces (NCOP), the latter of which is mandated by the Constitution to ensure that National government takes provincial interests into consideration during legislative processes.
4. The Sports and Recreation Committee is a National Assembly committee.
5. The African National Congress (ANC) is currently the ruling party in South Africa.
6. The National Executive Committee (NEC) consists of the most senior leaders in the ANC.
7. The International Centre for Alcohol Policies (ICAP), which recently changed its name to International Alliance for Responsible Drinking (IARD), is constituted of the world’s largest alcohol beverage producers with the aim to influence alcohol policy development worldwide (*Anderson and Rutherford 2002*).
8. As suggested by Vernick (1999, as cited by *Berlan et al. 2014*), we define ‘advocacy’ as influencing both policymakers and public opinion, whereas ‘lobbying’ is defined as influencing policymakers only.
9. A Money Bill is a type of Bill that involves the appropriation of money, for example, taxes, levies, and may involve earmarking funds for particular use.
10. Contact the corresponding author for stakeholder map.

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