

**ETHIOPIAN MEDIA INDUSTRY: OWNERSHIP AND
REGULATIONS FROM HISTORICAL POINT OF VIEW**

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This is to certify that the thesis prepared by Kemal Aliyi entitled: *Ethiopian Media Industry: Ownership and Regulations From Historical Point of view* and submitted in partial fulfillment of the requirements for the Degree of Master of Arts in Journalism and Communications complies with the regulations of the university and meets the accepted standards with respect to originality and quality.

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ABSTRACT

Ethiopian Media industry: Ownership and Regulations

From Historical Point of View



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This paper aims at analyzing the history of the Ethiopian media industry from the imperial period to the current federal system - focusing on ownership and regulations. In Ethiopia, the media institutions had been under the monopoly of the government until 1991. The coming of the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) into power in 1991 has laid a historical legal framework for the Ethiopian press, with all its challenges on the ground. However, the Press Proclamations of 1992, 1999, and the Broadcast Proclamation of 2007 have not been able to guarantee journalists and media workers freedom in carrying out their duties with ease.

According to Ethiopia's legal frameworks, religious institutions and political parties cannot own broadcast media. Although the law provides for the private ownership of broadcasting, it is yet to be realized in practice (especially ownership of television), leaving the sector virtually under the control of the government. As a result, it is difficult to call the Ethiopian broadcast media as public media. The private press - newspapers and some magazines - have continued to produce contents which often tend to be highly critical of the government. Some of these papers appear to be pro-opposition parties as their counter-part, the "public media," is pro-government – and thus two opposing polls created in the media industry. What is more, the profession is underdeveloped, and this situation coupled with the low conscientious level of the wider public and the prevalence of weak legal institutions, has made the challenge monumental.

The findings of this study reveal that different factors have contributed to the low level of journalism profession in Ethiopia. Ownership has a big role to play in terms of controlling what and how the media should operate. As noted earlier, except a few FM Radios, the

broadcast media are under the government control and they hardly discharge their watchdog role in exposing officials' misdeeds without a green light from the same. As most of the private newspapers are critical of the government, they are often subject to accusation, imprisonment and intimidation.

On the other hand, the absence of credible national journalists' association has negatively contributed to the profession's predicament. Even though many in the profession believe that having a press council is vital for the development of the profession, it has not yet come to fruition, and the one that is still in the process does not seem to win the trust of some journalists in the private sector. Furthermore, financial problems have posed a serious challenge to the survival of the private newspapers; this in turn has put them under different pressures. Last but not least, there is a lack of clear and shared conceptual understanding of the notion of development journalism among the practitioners of the profession, making coherence difficult among them.

Thus, the paper calls for a sustained deliberation on the issue of journalistic professionalism among the various stakeholders so that the Ethiopian media industry could be transformed. It also calls on media scholars to look into the Ethiopian media predicament seriously and come up with a relevant media model for the Ethiopian context.

Acronyms

Art. Article

CHEDS Centre for Human Environment and Development Studies

EBA Ethiopia Broadcast Authority

ENA Ethiopian News Agency

ENJU Ethiopian National Journalists' Union

EPRDF Ethiopian People's Revolutionary Democratic Front

ERIS Electoral Reform International Services

ETV Ethiopia Television

FBC Fana Broadcast

FDRE Federal Democratic Republic of Ethiopia

ICT Information Communication Technology

MOI Ministry of Information

MoCA Ministry of Communication Affairs

MSI Media Sustainability Index

NAPDM National Amhara Peoples Democratic Movement

NGOs Non- Governmental Organizations

NWIO New World Information Order

OAU Organization of African Unity

OPDO Oromo Peoples Democratic Organization

OPM Office of Prime Minister

SNNDM Southern Nations and Nationalities Democratic Movement

TPLF Tigrean Peoples Libration Front

UNESCO United Nations Economic Scientific and Cultural Organization

CHAPTER ONE: INTRODUCTION

1.1. Background of the Study

Ethiopia was one of the countries in Africa where feudal structure had been deeply entrenched for long. Though the early 1970s popular revolution was able to topple the regime of the Emperor, it soon gave way to Marxist dictatorship. In 1991, the now ruling party, EPRDF, came to power promising democracy after seventeen years of insurgency against a brutal Marxist regime (Tsega and Abebe, 2000, p. 1). This political trajectory has had its toll on the Ethiopian mass media, as the political structure of a society often has a bearing on the media system of that particular country.

A cursory review of the history of the mass media on the continent indicates that mass media institutions, a necessary component of democracy, developed in Europe and was transplanted in Africa during the colonial era. Although whether such transplanted media had served the interest of the continent is debatable, at least today, the media are seen at the forefront of the struggle for democracy in Africa, along with students, civic organizations and political parties Eribo and Jon-Ebot (1997).

What is more, normative theories and concepts that have guided the media are largely the outputs of researches carried out in the western contexts. For example, the normative media theories developed by Siebert, Peterson and Schramm make reference almost exclusively to three countries: USA to which they trace the libertarian and social responsibility theories, Britain to which they trace both the authoritarian and along with USA the libertarian theories, and the Soviet Union (Hallin and Mancini, 2004, p. 10). Similarly, the propaganda model which is concerned with exploring the relationships between ideology, communicative power and social class interests is not tested in Africa (Mullen and Klaehn, 2010, p. 217). Even the recently developed three models of media systems – liberal, democratic corporatist, and polarized pluralist models, have not taken into account the unique contexts of Africa and other developing countries.

It is self evident that in order to arrive at a comprehensive and applicable knowledge of media performance in Africa, one should understand Africa's socio-politics and its contextual underpinnings. Arguing along this line, Hallin and Mancini (2004) note that one

cannot understand the news media without understanding the nature of the state, pattern of relations between system of political interests, and the development of civil society, among other elements of social structure. In a similar vein, Herman-Chomsky's propaganda model fundamentally argues that structural and political-economic elements influence overall patterns of media performance (Mullen and Klaehn, 2010, p. 217).

All these are theoretical insights from outside the continent. According to Eribo and Jon-Ebot (1997, p. xi), there have been four main problems with contemporary studies of the African media. The assumption that the western media are free and should be the guiding light for all others is considered as the first problem; whereas neglecting other forms of communication in Africa like words of mouth, dance, art, traditional literature is another problem. The third problem is concerned with the failure to recognize that the media, in African countries formerly ruled by Europeans, all emerged from colonialism with different communication models and today operate in ways somewhat different from each other. The fourth and last problem is concerned with the absence of a thorough examination of the external factors, along with the internal factors, that affect media performance in Africa.

In light of this, it could be difficult to decide that African media should run according to this or that theory or other specific media system model. Thus, Hallin and Mancini (2004), preferred to judge the function of the media by looking at historical and socio-political conditions when studying a given media environment and argued:

We may judge party newspapers to be of little relevance to the democratic process in Western Europe at the beginning of the twenty-first century, but this does not mean we can dismiss their significance in the different political context in which they flourished some decades ago – or, perhaps, deny that in some other political system they might play an important role today. Any judgment we make about a media system has to be based on a clear understanding of its social context – of such elements as the divisions existing within society, the political process by which they were (or were not) resolved, and the prevailing patterns of political belief (p. 15).

In order to decide where African media is placed and should be placed for better, the four major dimensions discussed by Hallin and Mancini (2004) seem helpful. These dimensions are: the development of media markets, political parallelism (partisanship), the development of journalistic profession and the degree and nature of state intervention. Through these

dimensions, it seems helpful to uncover the political economy of a given country – its media ownership and control.

In broadcast governance and regulation, Hallin and Mancini (2004) identified four basic models: the government model, the professional model, parliamentary or proportional representation model and the civic or corporatist model.

In the government model, directors of public broadcasting are appointed by parliament, not directly by the government, but this in the end, gives the majority party effective control – that can be observed in Ethiopia and other African countries. The corporatist model and, especially, the professional model are not or not well experienced in the continent of Africa. And the parliamentary model, as Hallin and Mancini (2004) argued, is only really distinct from the government model in systems where coalition government and power sharing are typical. In Ethiopia and other African countries, the governmental model played and continues to play a major role in controlling media institutions.

Article 29 of the 1995 Ethiopian constitution provides citizens of Ethiopia the right to hold opinions, thoughts, and free expressions. But the government used article 10 of the 1992 Press Proclamation as authority to restrict the press and prosecute journalists, as Tracy J. Ross reviewed in her *Penn State Law Review* (vol. 114:3, 2010, p. 1050) under the topic “A Test of Democracy: Ethiopia’s mass media and freedom of information proclamation”. She added that at least eight newspapers were closed by government pressure and members of the media fled the country to avoid prosecution, as a result of crackdown.

Scholars like Hallin et al, argue that all modern broadcasting systems require professionals to run them and no system can work adequately if these professionals do not enjoy some degree of independence. In Ethiopia, it is difficult to confidently say that media practitioners are enjoying freedom in their day to day activities. It is also difficult to argue that Ethiopian media practitioners – of government or private – are playing the ethical role the profession demands. As will be seen in the coming chapters, unethical writings of newspapers and their partisanship either with government or opposition group compromised the profession, contributing to the intensification of the crackdown and penalties of the practitioners. Thus, it is of great importance to examine the state of state-media relationship in Ethiopia, the ramifications of such relationships and suggest the way forward.

1.2. Statement of the Problem

Media institutions with professional practitioners and competent information market are imperative for deepening democratic and responsible governance. The failure in doing so will result in unaccountable, irresponsible and corrupt governance. Thus, establishing strong media institutions that are filled with critical professionals is something that needs urgent attention.

Looking back at the history of the Continent, one would observe that the socio-political culture Africa experienced has had its own impact on the Continent's media systems. After the physical departure of European colonial powers, African media became ideological tools of the new African leaders, and were brought under the state control and made to sing the praises of dictators in the name of national unity and development (Eribo and Jong-Ebot, 1997, p. x, and Gregory Pitts, 2000, p. 276). The Ethiopian situation is not an exception in this regard as it exhibits some of the common features other African journalists and African states share.

There are different challenges in the African media especially, in the broadcast stream. One is broadcast governance or assignments according to the observations of Bourgault (1995). Bourgault (1995) argued that assignments to senior management have come largely through two roots – direct appointment through political patronage and advancement through civil service. Politically sensitive management positions, especially the managing director, the general manager, and the manager of news and public information are very often appointed directly by the head of the state or his deputy, an information minister. The more technical specialties in finance, engineering, and broadcast production are more likely to come through the ranks of civil service (Bourgault, 1995, p. 44).

Secondly, the chances for successful watchdog journalism are even more restricted in new democracies where the functional interdependence between politicians and journalists is still overshadowed by the legacy of suppression and censorship during the old regime. Political leaders—even those who are committed to democratic values—find it hard to accept an adversarial press that demands public justification of policy decisions and political conduct. In fact, the relationship between governments and the media in most new democracies is characterized by frequent clashes—quite tellingly dubbed “media wars”—over the

boundaries of government interference into the operation and structure of the media and even the content of news reporting (Voltmer in Norris edition, 2010, p. 141).

However, the independence of public media is important for various reasons, such as those stated by the World Bank – “where public broadcasters are independent and have a clear mandate, they can make a significant contribution to good governance and accountability, broadcasting diversity, and the ability of the broadcasting sector as a whole to play a positive role in society and development” (World Bank, 2008, p. 39).

In Ethiopia, except few FM Radio stations, the broadcast stream is controlled by the government. According to Solomon (2005), there is a very tight form of political control in the activities of journalists working in state broadcasting. Government officials, predominantly from the Ministry of Information, directly and indirectly interfere in the editorial independence of journalists working in the Ethiopian Radio.

On the other hand, Befrdu (2012) argues that the government media has espoused development journalism, while the private media claimed to exercise watchdog journalism with all its challenges. Development journalism seems to be the available option that works in our condition because Western model of journalism was not compatible to our situation while watchdog journalism has a part to play in the realm of development journalism. But, according to Befrdu (2012), the practice of watchdog journalism needs a redefinition in our context.

Another point that should be raised is partisanship which Voltmer (in Norris edition, 2010) argued as bias. Since biased media present political issues from a particular point of view, while ignoring, or even dismissing opposite views, partisanship is seen as an impediment for the media to fulfill their responsibilities to provide reliable information. The audience of a biased newspaper or television channel learns only half of the truth and hence might be less equipped to make informed and effective choices. However, supporting a particular cause is not only an accepted part of press freedom, but also one of several legitimate ways of representing the plurality of viewpoints in the public sphere (Voltmer in Norris edition 2010, p. 143).

Moreover, according to Hallin and Mancini (2004, p.38), where political parallelism is very high, with media organizations strongly tied to political organizations, and journalists deeply

involved in party politics, professionalization is indeed likely to be low: journalists are likely to lack autonomy, except to the extent that they enjoy it due to high political positions, and journalism is likely to lack a distinct common culture and distinct sense of social purpose, apart from the purposes of the political actors with which media are affiliated.

On the other hand, Bereket (2012) observed that lack of logistics, inadequate training, organizational pressure, external interference, absence of incentives, absence of protection for journalists and people's reluctance to be source of information are highly challenging the practice of investigative journalism in government media in Ethiopia. These and related problems can be comprehensively explained if factors like ownership, information market and ideological environment under which the media operate are studied in light of historical contexts. Hence, it is important to examine the state of the Ethiopian media taking into account its socio-political context with particular attention to the state of media ownership and regulatory frameworks.

1.3. Objective of the Study

General Objective:

The major purpose of this study is to examine the Ethiopian media industry with particular focus on media ownership and control.

Specific Objectives:

- To examine the history of the Ethiopian media ownership, control and the degree of state intervention
- To examine the development of the Ethiopian media market
- To examine the development of journalistic professionalism

1.4. Research Questions

1. How is the Ethiopian media linked historically and structurally to the political system?
2. What does the historical development of the Ethiopian media Market look like?
3. What does the development of journalistic professionalism look like in Ethiopia?

1.5. Significance of the study

The researcher of this topic believes that assessing the history of the media ownership, the degree of state intervention, and development of its market would help in reshaping the practice of democracy and extending benefits there from. Moreover, as the role of both the Ethiopian politicians and journalists in strengthening democracy and freedom of the press is examined empirically, the output of the study could help provide directions or pave the way for more sophisticated research.

1.6. Scope of the study

This paper is concerned with analyzing the history of the Ethiopian media ownership and regulatory system along with the media market and the level of professionalization.

The media system under the monarchy, Marxist dictatorship and the current democratic system of Ethiopia are the focus of this paper. The history and practices of the Ethiopian press has its root in the 19th century during the reign of Emperor Menelik II. But, the broadcast industry came later during Hailesillassie I regime – and when Italians occupied the country.

However, the Ethiopian media have gone under serious challenges historically during the tenures of the various regimes that came into power. Though better opportunities are opened for media institutions in recent years, the professional practices of media institutions leave us more to be desired. This study sets out to examine the Ethiopian media system and its interactions with respective political systems, i.e., from the imperial time to the present democratic dispensation with special focus on the media climate since the 1992 historic amendment of press proclamation.

1.7. Organization of the Paper

The paper has five sections. The first section is concerned with introduction of the study. Included in this chapter are background, statement of the problem, objectives of the topic, research questions, significance of the topic and the area to be covered. The second section deals with theories and literatures on media ownership and regulations in different political regimes; and furnishes the theoretical frameworks that inform the study.

Research methodology is discussed in section three of the paper. On the other hand, Ethiopian media ownership and regulation from historical perspective, media market, professionalization and Ethiopian media laws are dealt with in section four. Section five concludes by discussing the major findings and suggesting few recommendations.

CHAPTER TWO: REVIEW OF RELATED LITERATURE

This chapter discusses the relationship between government and media institutions. It revolves around media ownership and regulations in different Ethiopian regimes. It also details media polarization, media freedom and professionalization in different regimes as well.

2.1. Relation of Media and State

Scholars have been studying media and the relations of media institutions with the existing political system. The normative theories of media have dominated the media studies landscape for the past several decades. But, scholars are coming up with modified and better theories and models these days. And the normative theories are being challenged by the works of contemporary scholars. Arguing about the shortcomings of normative theories, Hallin and Mancini (2004) note:

The four theories are of limited use in understanding the European experience. The press always takes on the form and coloration of the social and political structures within which it operates. Especially, it reflects the system of social control whereby the relations of individuals and institutions are adjusted. One cannot understand the news media without understanding the nature of the state, the system of political parties, the pattern of relations between economic and political interests, and the development of civil society, among other elements of social structure (pp. 8-10).

Both authors are also interested in analyzing media systems' historical development as institutions within particular social settings in order to understand why they developed in the particular ways that they did; what roles they actually play in political, social, and economic life; and what patterns of relationship they have with other social institutions.

In view of a better approach for analysis, the two scholars proposed three models which they argue are models of journalism that are empirical, not normative. The three models identified by Hallin and Mancini (2004) are: the Liberal Model, the Democratic Corporatist Model, and the Polarized Pluralist Model. According to these two scholars, the Liberal Model is characterized by a relative dominance of market mechanisms and of commercial media while the Democratic Corporatist Model is characterized by a historical coexistence of commercial media and media tied to organized social and political groups, and by a relatively active but legally limited role of the state. But, the Polarized Pluralist Model is

characterized by integration of the media into party politics, weaker historical development of commercial media, and a strong role of the state.

Since their three models explain the relationship of media with the state within democratic system, they are of limited use for explaining different political systems. Hence, it is important to look at media's relations with authoritarian, hybrid/transitional, corporate democracy and liberal political systems.

2.1.1. Authoritarian System

Siebert (1963), in his analysis of authoritarian theory of the press, put four assumptions: the nature of man, the nature of society and state, the relation of man to the state, and the basic philosophical problem – the nature of knowledge and truth. According to Siebert in the same analysis, man could attain his full potentialities as a member of society. He also argues that through the group could an individual accomplish his purposes. He advanced the proposition that the state, the highest expression of group organization superseded the individual in scale of values since without the state the individual was helpless in developing the attributes of a civilized man. Siebert also argues that the individual's dependence on the state for achieving an advanced civilization appears to be a common ingredient of all authoritarian systems.

From the point of view of authoritarian system, argued Siebert (1963), knowledge was discoverable through mental effort. Men differed widely in their ability to utilize mental processes and in their drive to exert mental effort. Since such differences existed, they should be recognized in social structure. Wise men capable of analyzing and synthesizing should become leaders in organized society. Knowledge thus acquired or developed becomes the standard for all members of society and acquires an absolutist aura which makes change undesirable and stability and continuity a virtue in itself. Siebert went on to say that the idealist in the authoritarian camp believes that unity would come from the realization of the contribution of each to the society as a whole, while the realists recognized that such unity of thought could in most circumstances be attained only through constant surveillance and control.

According to Haifeng (2009), however, government legitimacy in authoritarian countries is often performance (output) based rather than procedure (process) based. Citizens may

support or oppose a regime based on its competence in generating economic growth, maintaining community safety, and bringing about other good social outcomes, rather than on the basis of whether the formulation of a law or policy follows a fair or democratic procedure. Economic and social outcomes, however, depend not only on government competence but also on exogenous events that are out of a regime's control (Haifeng, 2009, p. 9).

Media under an Authoritarian Regime

Recent literature tells us that our world still tolerates authoritarian states. Of 167 countries, according to Democracy Index (2011, p. 2), 52 countries are under authoritarian regimes. China, Russia, N. Korea, Iran, Myanmar, Fiji & Cuba are few to mention.

Huang (2009) argues that a free media is also costly to authoritarian regimes. A relatively free and credible media can inform citizens under an incompetent regime that their grievances are widely shared and then coordinate them in challenging the regime. The media's role in promoting regime changes and democratization movements has been clearly shown in recent decades from Eastern Europe to Central Asia to China (Huntington, 1991; McFaul 2005; Zhao 2001, cited in Huang). In addition, media monitoring would make government corruption harder to conceal and constrain rulers' rent seeking opportunities, therefore, authoritarian rulers like to suppress the media when possible (Huang, 2009, p. 10).

Since China and Russia could be good exemplars of authoritarian regimes, focused discussion is followed on media's relations with these states as follows:

China: According to Sparks (2010), there has been no change in the political structure in China. The Communist Party is still in power, still in rude health, still able to recruit the young and the talented, and still ideologically hegemonic, particularly over the middle class. China, incidentally, provides a conclusive refutation of the frequently repeated assertion that the middle class is the natural bearer of democracy.

According to Kenez (1985 as cited in Haifeng), no one who reads official newspapers in communist countries can fail to notice how stilted, dogmatic, and clichéd their language and contents are. The reportage of preeminent Chinese governmental voices, such as People's Daily and Network News (Xinwen Lianbo), for example, is notoriously formalistic and

ritual, which is in sharp contrast to the lively reporting and discussions of many social and economic issues in more commercialized media outlets. Lower status Party papers in China usually adopt a bizarre ‘socialist face and capitalist body’ approach, filling the first two pages with government rhetoric and propaganda and using the rest for real social news and human-interest stories (Huang, 2009, pp. 5-6).

In the case of recent studies of Chinese media, argues Sparks (2010), the top-down version of conflict resolution has been well explored. It is clearly the case that higher party bodies, wishing to re-exert central control over lower level bodies, have allowed, or encouraged, their media to expose the corruption or criminality rampant at lower levels. On the contrary, the power structure in China is fractured along a number of lines, most obviously geographical, and because of the tiered system of media responsibility these fractures are reproduced to a greater or lesser degree within the press and broadcasting. To be sure, both the traditional media and the Internet are still heavily censored in China (Sparks, 2010, p. 560 and Huang, 2009).

Russia: Censorship and control have been implicit dimensions of Russia’s lived experience for centuries. The political environment had its effect on media development in Russia. The first newspaper in the country - *Vedomosti* - was established in 1702 as a means of informing the population about the plans and requirements of Tsar Peter I the Great. The publication was under the monarch’s full control— he was not only the editor but also one of the most active writers in it. During the Soviet period, the state retained a virtually unlimited control over journalistic institutions and the content produced by them (Ognyanova, 2010, pp. 4-5)

According to Gorny (2006), during Soviet times, information was seen as an exclusive right of the chosen few. The privileged elite had access to forbidden periodicals, books and movies but the masses did not. The audience was considered fragile and so had to be protected from anything seen as even remotely disturbing or alarming. A ban on publishing negative reports and covering domestic catastrophes was imposed on Soviet newspapers. Party officials had access to more detailed and international news, while the common people read inspiring local stories (Gorny, 2006).

The closed, centralized Soviet model relying on complete control over information may in fact have played a major role in the collapse of the Union. According to Castells and Kiselyova (1995 cited in Ognyanova 2010), the communist regime was manifestly unable to adapt to the new information economy.

Moreover, media institutions are also dealing with another system which some scholars call hybrid democracy. This system of governance is characterized by substantial irregular elections and government pressure on opposition parties. Media institutions are repeatedly victims of the system as will be discussed here.

2.1.2. Hybrid –Democracy /Transitional Systems/

In hybrid regimes elections have substantial irregularities that often prevent them from being both free and fair. Government pressure on opposition parties and candidates may be common. Serious weaknesses are more prevalent than in flawed democracies--in political culture, functioning of government and political participation. Corruption tends to be widespread and the rule of law is weak. Civil society is weak. Typically, there is harassment and pressure on journalists and the judiciary is not independent (Democracy Index, 2011).

The political process in hybrid states is widely seen as a stale, corrupt, elite-dominated domain that delivers little goods to the country and commands little respect' (Carothers, 2002, p. 10, cited in FRIDE Journal, 2008). Ruling elites are as cut off from citizens as they were in the Soviet era by living in their own virtual world where actual policies and official rhetoric contradict one another (Morlino, 2008, pp. 8-9). Out of 167 countries surveyed, 37 countries are led by hybrid democracy. Tunisia, Ukraine and Bolivia are some of the states under such a category, (Democracy Index 2011, p. 2). The following section will focus on Ukraine and Tunisia.

Ukraine: In Ukraine its regional divisions worsened the already existing elite cleavages and prevented the creation of a unified party of power (Roeder, 2002, p. 45, cited in Morlino, 2008). When the Ukrainian people opted for independence in 1991, the nation initially made significant strides towards more press freedom in both print and broadcast sectors. It appeared that Ukraine would thereby implement its new constitutional principles and allow

greater freedom of expression in a more participatory government and economy (Management Systems International, Volume I Final Report, 2001).

According to Management Systems International (2001, p.1), the legacy of the long years of communist rule, however, has proven to be profound. Old habits die hard, particularly those that have been deeply entrenched for so long in the minds of the people and in government practices, including the use of media as an extension of the state's power apparatus.

Economic realities and a lack of business skills also hamstring the media industry. As a result, significantly less income is earned in advertising than what is needed to sustain but a small number of media outlets in an overcrowded media sector. Those independent media that do survive do so by functioning as businesses and usually operate on incredibly thin margins. Others have alternative sources of income in the form of earnings from their own printing presses, related businesses to subsidize media activities or an oligarchic or other financial patron. Some independent media do better in the regions, away from the intense scrutiny that exists in the capital, and by dealing more with local issues, though pressures from local officials do exist as well (ibid, p. 3).

Tunisia: The Tunisian media was once among the most monotone and heavily censored in the Arab world, governed by a system of vicious and rigorous controls over both independent and state-run outlets. The industry was renowned for being micromanaged and under the thumb of a number of governmental bodies with a monopoly on all aspects of media operations. Taking a “carrot and stick” approach to media outlets, the previous regime rewarded those who praised it and sanctioned those who dared criticize it (Fatima el-Issawi, 2012, p. 3).

In the first few months, according to el-Issawi (2012), after the revolution /the fall of the Ben Ali regime, all media outlets, including those that published under the former regime, were quickly transformed into platforms for personal and political account-settling. The lack of experience among local journalists, who had long served as simple conduits for regime propaganda, as well as the absence of any ethical codes of conduct, left those in the media industry ill-equipped to translate their new freedom into professional practices. Most frequently, a new interest in investigative and field reporting manifested itself in an errant

pursuit of sensationalism. Some of the new publications still in existence operate under extremely basic conditions with few journalists on staff and questionable professional standards- dubious editorial qualities that are reflected in tabloid-style publications (ibid, p. 6)

However, one must notice that media institutions are also working under another different environment with more opportunities than those practicing under hybrid regime. And one of such environments could be democratic corporatist system which is functioning, especially, in parts of Europe.

2.1.3. Democratic Corporatist System

Corporatism is a type of organized or coordinated capitalism where power to make important economic policies is transferred from the parliament and government to semi-private organizations; these are based on economic function or industrial sector and include a strong representation of labor interests' (Siaroff, p. 1999, p. 176).

Democratic corporatism, according to Hallin and Mancini (2004, p. 160), was formed out of a process of bargaining among social interests, including most prominently capital, labor, and agrarian interests. A key part of that bargain involved the expansion of the welfare state, and a strong welfare state is among the distinctive characteristics of the countries of Northern and Central Europe.

According to Hallin and Mancini (2004), most of the Scandinavian and/or Nordic countries, as Eva Harrie (2009) call them, such as Finland, Germany, Austria, Switzerland, Belgium, Denmark & Sweden; regulate their media under corporate environment – in which accountability and regulatory control co-exist. Finish media can be the best example in this regard.

Finish media: Newspaper journalism emerged in Finland in the late 19th century as explicit political activity. Its political aspirations centered upon the rise of a nationalistic movement pursuing national sovereignty and independence from the rule of Russia, and the formation of a Finnish-speaking national culture and enlightenment. In addition, news-papers became a prominent tool for the mobilization of the working class and the political Left at the beginning of the 20th century. In the years from 1905 to 1930, newspapers were explicitly

political. The papers and the political parties supporting them fiercely competed over who had the leading status in regions and towns, ideologically as well as economically. In this competition, the bourgeois parties proved to be stronger, which lent support to a gradual shift from a political press towards a more news-based and commercial model. In this framework, Anglo-American ideas about professionalism gained weight, but it was not until the 1950s that the emergence of a newspaper business and the professionalization of journalists actually got going. In addition to commercialism and objective news journalism, the journalism culture has been very much shaped by the development of the welfare state (Adequate Information Management in Europe [AIM], p. 5).

On the other hand, however, there is also the most sophisticated environment for media to regulate freely. Here, the important focus would be the information market and competition, as will be discussed below:

2.1.4. Market-Oriented Capitalist /Liberal System

Liberalism, as a social and political system, has a set of framework for the institutions which function within its orbit and the press, like other institutions, is conditioned by the principles underlying the society of which it is a part (Siebert, et al. 1963, p. 39). The state exists, according to libertarian theorists, as a method of providing the individual with a milieu in which he/she can realize his/her own potentialities. When it fails to further this end, it becomes a handicap which should be either abolished or drastically modified. Liberal philosophy does not accept the proposition that a society becomes a separate entity of greater importance than the individual members which comprise it (ibid, p. 41).

An information policy for liberal democracy “properly includes a discursive search for common goods and agreement, but it also must involve recognition of goods that are not common and about which there must be fair bargaining and compromise” (Netanel, 2001, p. 3 and Claus Offe, 2011, p. 447)

Full democracies [liberals] are countries in which not only basic political freedoms and civil liberties are respected, but these will also tend to be underpinned by a political culture conducive to the flourishing of democracy. The functioning of government is satisfactory. Media are independent and diverse. There is an effective system of checks and balances.

The judiciary is independent and judicial decisions are enforced. There are only limited problems in the functioning of democracies (Democracy Index, 2011, p. 30).

Full democracy is rarely achieved. Only 25 countries out of 167 fall under this desirable category. When we come to realize the media, UK, USA, Canada and Ireland are liberal in their media regulation (Hallin and Mancini 2004, p. 67). However, for the purpose of our analysis here, the USA and UK media regulation would be in focus.

USA: A broader “libertarian” interpretation emerged during the controversy over the Sedition Act of 1798, which made it a crime to publish anything that would “bring into disrepute” the federal government. The Sedition Act was allowed to lapse after the opposition won the election of 1800 and the libertarian theory emerged along with the development of competing political parties. But, the development of the commercial press began earliest in the United States, with the penny press of the 1830s (Hallin and Mancini, 2004, p. 201).

Commercialization not only expanded circulations but transformed newspapers from small-scale enterprises, most of which lost money and required subsidies from wealthy individuals, communities of readers, political parties or the state, into highly capitalized and highly profitable businesses. By the 1870s, the big newspaper companies were among the largest manufacturing companies in the United States. This in turn transformed the political role of the press (ibid, p. 203).

In the United States, according to Hallin and Mancini (2004), local newspapers with cross-class readerships predominate; only the New York City market, where circulation is dominated by the Post and the Daily News, is really comparable to the British newspaper market. Some other large cities in North America— Chicago for example – do have tabloids, but they do not dominate circulation as the British tabloids do (ibid, p. 206).

UK: In Britain, where the liberal political tradition was not yet as fully hegemonic as it was in the United States, the “taxes on knowledge ” held back the development of commercial newspapers until their repeal in the 1850s (Hallin and Mancini, 2004, p. 202). Britain is the highest of the Liberal countries at about 400 newspapers sold per thousand population, comparable to many of the Democratic Corporatist countries, while the United States,

Canada, and Ireland range from 263 to 191 per thousand, circulation rates below those of the Democratic Corporatist but above those of the Polarized Pluralist countries (ibid).

Britain has a class-stratified newspaper market, characterized by a sharp separation between “quality” papers with mainly middle- to upper-class reader-ships and the sensationalist tabloids, which are further differentiated into “middle market” and “mass market” papers (ibid, p. 206).

2.2. Information Polarization in Media Institutions

In the sections above, we have looked at different systems and the role of media institutions within each one of them as well. However, according to Hallin and Mancini (2004, p. 28) there are a number of indicators that can be used to assess how strongly political parallelism is present in a media system. These indicators include:

1. **Media content**– the extent to which the different media reflect distinct political orientations in their news and current affairs reporting, and sometimes also their entertainment content.
2. **Organizational connections** between media and political parties or other kinds of organizations, including trade unions, cooperatives, churches, and the like, which are often linked to political parties.
3. **The tendency for media personnel to be active in political life**, often serving in party or public offices...tendency in some systems for the career paths of journalists and other media personnel to be shaped by their political affiliations,
4. **The partisanship of media audiences**, with supporters of different parties or tendencies buying different newspapers or watching different TV channels, and
5. **Journalistic role orientations and practices**, journalists in some systems, and some historical periods, retain more of the “publicist” role that once prevailed in political journalism– that is, an orientation toward influencing public opinion.

In order to understand the relation of information practices and political parties, one must look at the core means by which media can fail under different pressures.

Instrumentalization has such an effect partisanship play a major role affecting the normal flow of information.

Instrumentalization: According to Hallin and Mancini (2004, p. 37), instrumentalization has to do with the control of the media by outside actors – parties, politicians, social groups or movements, or economic actors seeking political influence – who use them to intervene in the world of politics. They add that privately owned papers have been established primarily or partly to serve as vehicles for political intervention.

Partisanship, as Voltmer (in Norris, 2010) argued, is bias. Since biased media present political issues from a particular point of view, while ignoring, or even dismissing, opposite views, partisanship is seen as an impediment for the media to fulfill their responsibilities to provide reliable information. The audience of a biased newspaper or television channel learns only half of the truth and hence might be less equipped to make informed and effective choices. However, supporting a particular cause is not only an accepted part of press freedom, but also one of several legitimate ways of representing the plurality of viewpoints in the public sphere (Voltmer in Norris, 2010, p.143).

According to the authors of the three media models (2004, p. 37), media organizations are often subject to broader forms of commercial instrumentalization, ranging from more blatant examples such as product placement in film and television programming and demands from advertisers for influence over editorial content, to more subtle kinds of pressures.

Partisanship in Communist Media: - The most extensive and sophisticated system of direct government-controlled media to emerge was that created by twentieth-century Communist States Louw (2001). This media system was built upon Lenin's (1929) interpretation of Marxism. In Lenin's model, the Communist Party represented workers who constituted a majority of the population. The Party needed to capture the state in order to advance the interest of workers in the face of (minority) capitalist exploitation and the repression of workers. According to communists, a media system owned by capitalists would necessarily portray a (minority) capitalist world view. So Leninists argued that the state (after being captured by communists) should establish state-run media systems. In terms of this logic, (communist) government-run media would be more democratic than a capitalist-operated media system because communists controlled the state

and represented the exploited majority. So the communist system produced a government that explicitly intervened in the information production which is ‘meaning-making processes in the words of Eric Louw (2001). This ultimately led to the creation of enormous state-run media systems in the Soviet Union, Eastern Europe and China. But, instead of representing a majority of workers, this system came to represent only the minority, ruling class of the communist states who used repression and ideology to remain in power (Baroh, 1981, as cited in Louw, 2001).

Market Oriented/Commercial Media: - Privately-owned media tend to produce discourses that are appropriate for middle-class hegemony. In some societies skewing meaning-making towards those with disposable income is more serious than others. For example, in societies demographically characterized as containing large middle classes (such as Australia), a market-driven media system does not disadvantage the majority of the population. However, in other contexts (e.g. South Africa or Brazil) market censorship can effectively exclude the majority of the population from having their views aired because disposable income is concentrated in the hands of elites (Louw, 1984, as cited in Louw, 2001).

But, according to World Bank (2008), there are also examples from diverse countries of commercial broadcasters, including at local level, that have distinguished themselves with news coverage and investigative reporting that informs the public and sheds light on important inadequacies or malfeasance in government.

The researcher believes that it is important to look more closely at the Mediterranean or Polarized Pluralist Media Model in order to understand the phenomenon of the practice of media polarization and the ramifications of such a practice for the wide public.

Partisanship in the Mediterranean Media: Here the state plays a large role as an owner, regulator, and funder of media, though its capacity to regulate effectively is often limited. Many Mediterranean countries are characterized by a particularly rapid and uncontrolled transition from state controlled to commercial broadcasting, or as Traquina says, they are characterized by “savage deregulation” (Hallin and Mancini, 2004, p. 73).

Here, the delayed development of liberalism is connected with a strong role of the state in society (often in an authoritarian form), a strong role of political parties once the transition to democracy is achieved, a continuing importance of clientelism, and a weaker development of rational-legal authority (ibid, p. 74). The problem is as instrumentalization

and partisanship go up, the journalistic professionalism suffers since it cannot be achieved without enjoying independence.

2.3. Journalistic Professionalism

If journalists are to serve the public rather than particular interests, if they are to act according to specific journalistic standards of practice rather than following agendas imposed from outside, they must act as neutral information providers and avoid identification with particular points of view (Hallin and Mancini, 2004, p. 38).

Where political parallelism is very high, with media organizations strongly tied to political organizations, and journalists deeply involved in party politics, professionalization is indeed likely to be low: journalists are likely to lack autonomy, except to the extent that they enjoy it due to high political positions, and journalism is likely to lack a distinct common culture and distinct sense of social purpose, apart from the purposes of the political actors with which media are affiliated (ibid, p. 38).

However, professionalization can be threatened either by political instrumentalization or by commercialization, and indeed in many cases by both at once. In other words, all over the world, the media are seldom immune from the pressures of either the state or the market—or, in many countries, both (Coronel cited in Norris, 2010, p. 115 and Hallin and Mancini 2004, p. 37).

The Mediterranean or Polarized Pluralist Model, for instance, is characterized by high political parallelism and weaker professionalization with strong state intervention. The North/Central European or Democratic Corporatist Model on the other hand, is characterized by external pluralism – historically strong party press but shift toward neutral commercial press and politics-in-broadcasting system with substantial autonomy. Though professionalization is strong, it is also characterized by strong state intervention but with protection for press freedom and subsidies. However, the North Atlantic or Liberal Model is characterized by neutral commercial press and information-oriented press. It is also characterized by high professionalization. Unlike the Mediterranean and corporate media system which are intervened by state, the Liberal model is market dominated (Hallin and Mancini, 2004, pp. 67).

On the other hand, to keep journalistic profession safe from party and other powerful bodies, journalistic freedom is a must as articulated below:

Journalistic Freedom:

Under the libertarian concept, the functions of the mass media of communication are to inform and to entertain. ... basically the underlying purpose of the media was to help discover truth, to assist in the process of solving political and social problems by presenting all manners of evidence and opinion as the basis for decisions. The essential characteristic of this process was its freedom from government controls or domination. Libertarian theorists assumed that out of a multiplicity of voices of the press, some information reaching the public would be false and some opinions unsound. Nevertheless, the state did not have the right to restrict that which it considered false and unsound. If it did, it would inevitably tend to suppress that which was critical of the state or which was contrary to the opinions of government officials (Siebert ital. 1963, p. 51).

The chief purpose of the media under the authoritarian system is to support and advance the policies of the government in power and to service the state (Seibert ital. 1963, p. 7 and Louw, 2001, pp. 39-54). Thus, journalists are not free to criticize the government or individuals in power. Many European countries approached this model in an early phase of the history of broadcasting, but most eventually developed alternative institutional forms that would insulate public service broadcasting to a substantial degree from control by the political majority. It does still exist in more or less modified form, however, in the newest democracies of Western Europe, Greece, Portugal, and Spain. In the latter case, directors of public broadcasting are appointed by Parliament, not directly by the government, but this in the end gives the majority party effective control (Hallin and Mancini, 2004, p. 30).

On the other hand, the liberal media, or what the authors of the three models (2004, p.31) call the professional model, is exemplified above all by the British Broadcasting Corporation (BBC), where a strong tradition developed that broadcasting should be largely insulated from political control and run by broadcasting professionals. This model is also characteristic of the Canadian Broadcasting Corporation (CBC), Irish public broadcasting, some Scandinavian countries, and public broadcasting in the United States, and thus, journalists enjoy highest freedom compared to other systems.

2.4. An Overview of the Ethiopian Media

According to CHEDS (1994), after the establishment of Mengistu's personal rule in 1977, the press entered its darkest period and was used for the manipulation of citizens. But, motivated by the stated promise that the press will be democratized and that private media ownership will be guaranteed by law, monthly magazines and newspapers began to appear soon after the victorious entry of EPRDF to Addis Ababa.

The country proposed three consecutive proclamations. The first proclamation for freedom of the press was the proclamation no. 34/1992. It was followed by the broadcasting proclamation no.178/1999 which gave birth to the existing another broadcast proclamation no. 533/2007. All have detailed freedom of the media along with obligations of media practices.

2.4.1. Partisanship in the Ethiopian Media

The government media are not truly public-service media. The state media are as biased toward the government as the private media are toward the opposition. They reflect the stance of the ruling party and are not open to alternative political thought. The state broadcast media devote much of their airtime to government activities and inflated success stories. The political opposition is generally not covered by the government media. On rare occasions when they are, the tone and content is mostly negative (MSI, p. 128). Moreover, in Ethiopia context, the ownership of the media industry raises serious questions:

There are serious questions raised by the public concerning the ownership of media companies. Many private newspapers are allegedly supported, if not created, by opposition political parties operating locally and abroad. Most readers do know for certain who owns the papers they read. In the case of the FANA radio station and the Walta Information Center, both are affiliated with the ruling party (ibid, p.129).

What is more, as is discussed in detail in Chapter 4, Ethiopian journalists stand on the opposite side of the isle when it comes to practicing journalism. While the government media fails to serve the wider public by being the mouthpiece of the government, the private press does the same by being largely pro-opposition parties. According to Price et al (2009), since the private newspapers are largely run by the government journalists who were

dismissed by the transitional government, they are intentionally critical of the EPRDF led government. This in turn has seriously affected the profession, jeopardizing its freedom.

Journalistic Freedom: Ethiopia is said to be ‘Partly Free Nation’ in the year 2001, according to the Freedom House survey report, scoring 5 in both political rights and civil liberties (Freedom House report 2002, p. 90). In the year 2007, the country became worst in practicing the free flow of information and was listed with those who were labeled Not Free Nation (MSI, 2006–2007, p. 116). The situation in 2012 is even much worse because the country’s score has sunk down to 6 in both political rights and civil liberties. As to Freedom House, countries with score 1- 2 are free, countries with score 3 – 5 are partly free and countries above 5 score are not free. Accordingly, Ethiopian media industry is operating under a difficult environment.

The ruling party controls state media and their content. In several recent cases, private print outlets have been shut down after running afoul of officials. The government owns the country’s main printing-press operator and has recently used that control to punish papers that have been critical of it. The country’s antiterrorism law has likewise been applied to suppress opposition points of view (MSI, 2012, p. 133).

Since 2006, the Ethiopian government has blocked access to Web sites and blogs that it considers critical of the regime, with the Ethiopian Telecommunications Agency (now Ethio-Telecom) instructing cybercafés to record names and addresses of customers so that they could be punish, including being imprisoned, for any unwanted behavior (Tettey, in Norris, 2010).

2.5. Theoretical Framework

2.5.1. Political Economy of the Media

This study employed political economy of media as an overarching theoretical frame to guide the study as media are often taken to be the product of the socio-political environment it inhabits.

According to Holt and Perren (2009), political economy does not merely pertain solely to economics, but to the relations between the economic, political, technological, and cultural dimensions of the social context in which media industries function. Political economy

should also discern and analyze the role of technology in the production and distribution of products in the media industry. Media industry studies should engage both old and new media, see the convergences and divergences, and track the changes. There is obviously a dramatic transformation going on in media industries with the explosion of new digital technologies that is affecting business and political economy, production and distribution, the forms of texts, and audience reception (ibid:101). Above all, political economy analyses can help determine the limits and range of political and ideological discourses and effects (Holt and Perren, 2009, p. 102). However, under the rubric of political economy theory, particular attention is paid on the interaction of politics and media in Hallin and Mancini's (2004) Polarized Pluralist Media Model.

2.5.1.1 Polarized Pluralist Media Model

The Polarized Pluralist Media Model is characterized by integration of the media into party politics, weaker historical development of commercial media, and a strong role of the state (Hallin and Mancini, 2004, p. 11). It is also characterized by an elite-oriented press with relatively small circulation and a corresponding centrality of electronic media. Political parallelism tends to be high; the press is marked by a strong focus on political life, external pluralism, and a tradition of commentary-oriented or advocacy journalism. Instrumentalization of the media by the government, by political parties, and by industrialists with political ties is common. Public broadcasting tends to follow the government or parliamentary models. Professionalization of journalism is not as strongly developed as in the other models: journalism is not as strongly differentiated from political activism and the autonomy of journalism is often limited (ibid, p. 73).

The state plays a large role, according to Hallin and Mancini (2004), as an owner, regulator, and funder of media, though its capacity to regulate effectively is often limited. Many Mediterranean countries are characterized by a particularly rapid and uncontrolled transition from state controlled to commercial broadcasting.

Since the media developed in Southern Europe as an institution of the political and literary worlds more than of the market, it has slight similarity with that of Ethiopia though it also substantially differs in many ways.

CHAPTER THREE: METHODOLOGY

3.1. Research Method

This study aims at analyzing the history of the Ethiopian media ownership and regulatory system along with the media market and the level of professionalization. To this end, the study has employed historical research method where analysis of documents and, to some extent, in-depth interview constituted as data collection tools.

3.2. Data Gathering Tools

Data were collected in two major ways – by gathering documents on the Ethiopian media industry and in-depth interview and group discussions both with media practitioners and regulatory bodies of media industry. Accordingly, the media laws enacted since 1992 were gathered and incorporated in this research. The proclamations No. 34/1992, 178/1999, 533/2007 and 158/2008 are dealt with likewise. Though the proclamation No. 158/2008 is not directly connected to the media industry, it is incorporated into this research because of some effects it holds on the accountability of Ethiopian Broadcast Authority (EBA).

In the second phase of the investigation, some authorities from EBA were contacted for in-depth interview and group discussions were conducted with their experts in order to explore the topic deeply. Besides this, media practitioners and journalists from both government and private media houses were interviewed.

3.2.1. Document Analysis

Document analysis, according to O’Leary (2004), is a research method in which one collects, reviews, interrogates, and analyses various forms of text as a primary source of research data. In further argument, in document analysis, we are talking about documents as a source of data, similar to data gathered in surveys, interviews, and observations. This can take the form of previously gathered census data, newspaper articles, historical archives, or company minutes – the list goes on and on. The main point of distinction, however, is that the ‘documents’ are pre-produced texts that have not been generated by the researcher. Rather, the researcher’s role is limited to gathering, reviewing, and interrogating relevant documents (O’Leary, 2004, pp. 177 and Singh, 2006, pp. 115 – 117).

So, documents on the history of the Ethiopian media written and documented in different forms were part of this research paper. Moreover, media laws enacted since 1992 and their ties with civil law before and nowadays (after the revision of the civil law in 2004) were all incorporated. The proclamation No. 158/2008, by which the Ministry of Communication Affairs was established, was also referred to because of its connection with media regulation.

3.2.2. Interviews

Interviews provide a way of generating data by asking people to talk about their everyday lives. Their main function is to provide a framework in which respondents can express their own thoughts in their own words. They generally take the form of a conversation between two people (although they can involve larger groups - focus groups). Since everyone has the experience of talking to people, there is a tendency to assume that conducting interviews is easy to do and requires little skill. However, interviews are not just conversations. They are conversations with a purpose - to collect information about a certain topic or research question. These 'conversations' do not just happen by chance; rather they are deliberately set up and follow certain rules and procedures (Miller and Brewer, 2003, p. 166). Accordingly, two forms of interviews were conducted in this study: in-depth interview and focus group discussion.

3.2.2.1. In-depth Interview

In-depth interviewing is the most commonly used data collection approach in qualitative research. This is hardly surprising, given the common concern of qualitative researchers to understand the meaning people make of their lives from their own perspective. The in-depth interview takes seriously the notion that people are experts on their own experience and so best able to report how they experienced a particular event or phenomenon. If we interview different people about the same event or phenomenon, we will inevitably get a range of perspectives. Where the research question requires it, the perspectives of members of a range of groups, such as clients and workers, or teachers, students and parents, should be obtained (Darlington and Scott 2002, pp. 48).

Depending on the benefits of in-depth interviews, some important officials and media managers were interviewed for an hour each, at least on average. Thus, some officers from

the Ethiopian Broadcast Authority, ERTA Management, FBC directorate, *Reporter* newspaper management and the management of *Ethio-mehedar* newspaper were purposely selected for the interview. These interviewees were selected because the researcher believes that their insights were important for the purpose of the study. Since EBA is the higher regulatory body of media industry, it was important to include its management. ERTA, especially, ETV is the only TV that serves at the national level. Hence, it also was important to incorporate their views. Both FBC and *Reporter* newspaper were chosen because of their influence and longevity in the market compared to others. *Ethio-mehedar* was selected because journalists who had worked in different media houses (both government and private) were working there at the time of the investigation.

3.2.2.2. Focus Group Discussions

Focus group interviews have been in use for a long time in the social sciences; apparently they were used by Malinowski (1922) in his anthropological research. This technique was also used by Merton et al. (1956) to study the impact of political propaganda, and now finds broad application in market research, in which ‘focus groups’ are used to assess consumer reactions to new products, advertising campaigns, etc. Focus groups may take many forms, but essentially the technique involves engaging a small number of people (usually 4–8) in an informal group discussion ‘focused’ around a particular topic or set of issues (Corbetta, 2003, pp. 276 and Drew et al., 2006, pp. 50).

Accordingly, group discussions were conducted with experts of EBA – those who were concerned with PR, inspection and control, law and administrative issues. Similarly, journalists and media practitioners were involved in the focus discussion.

3.3. Sampling

3.3.1. Literatures on the Ethiopian media

Scholarly works of different individuals on the area of the Ethiopian media history; ownership and regulations; professionalization and technology; historical partisanship; obstacles of free press; the role of private and government (public) media; the information market; and pressures from political parties, were all paid attention to as much as possible.

3.2.2. Laws and Proclamations

Media law is a recent phenomenon in the history of Ethiopian media industry. The possible laws that can be subject to discussion start from 1992 and go forward. Accordingly, this study has incorporated all press proclamations put forth since 1992. Press proclamation No. 34/1992, Broadcasting Proclamation No. 178/1999, Broadcasting Service Proclamation No. 533/2007, and Government Communication Affairs Office Establishment No. 158/2008 has been incorporated in the analysis.

3.2.3. The Regulatory Bodies of the Ethiopian Media Institutions and Practitioners

The current Broadcasting Service Proclamation No. 533/2007, in its different articles, gives the power of press monitoring and control to the Ethiopian Broadcast Authority (EBA). Depending on what they are provided with, two officials from EBA have been interviewed. Moreover, three of the staff members, who were working in legal, public and monitoring and control department, were also incorporated in group discussion.

In addition to that, some media houses were part of this research. Accordingly, FBC (one participant), ERTA Management (one participant), MCC - *Reporter* Newspaper (one participant) and *Ethio-Mehedar* Newspaper (three participants - who were in different media houses before) took part in the interview. Some individual media practitioners were also contacted and most of them requested for anonymous participation. In general, 14, and of them, three media practitioners requested for anonymity.

CHAPTER FOUR: DATA ANALYSIS AND PRESENTATION

This section deals with data on the Ethiopian media industry. The historical regulation of media under different regimes of the past; the guiding laws of information gathering and dissemination; and the information market along with the ownership are all the focus of this section. Moreover, media polarization and the effects of partisanship with the interest group would have another focal place under this section.

4.1. Ethiopian Media Industry

4.1.1. Historical Background of the Ethiopian Media

The press has a short history in Ethiopia, going back to only the beginning of the 20th century. Among its pioneers was the Eritrean intellectual Blatta Gebre-Egziabher Gila-Maryam, who started circulating his views on national and international issues after escaping from an Italian prison near Aseb, where he had been detained on charges of spying for Menelik. Two weeklies, *Aemiro* and *Berhanena Selam*, began to appear soon after. The latter, patronized by the then progressive prince Ras Tefferi, the future Emperor Haile Sellassie, had its heyday in the second half of the 1920s when it served as a forum for the progressive intelligentsia, whom Tefferi had drawn over to his side in his struggle against the conservative Empress Zawditu and the nobility allied to her. This was one of the brightest moments of the Ethiopian press, when vital national issues were freely discussed and debated. Unfortunately, it was short-lived (CHEDS, 1994, p. 19).

Shimeles (2000) referring to different sources, argued that the earliest issue of the publication appeared around 1901, written by hand and with a circulation first of 24 copies and, then, 200 following the importation of a copying machine. *A'emro* passed through periods of temporary suspension and revival, owing to financial difficulties, shortage of newsprint and the Italian aggression.

Berhanena Selam survived the next five years, as a typical government paper for Fascist Italy. That became the norm for the press from 1941 to 1974, when it engaged in unabashed adulation of the emperor and blind defense of the status quo. Then came another spell of liberty with the popular upsurge of February 1974. The tide of repressed feeling was so high that not even the seizure of state power by the “Dergue” could check it. Free expressions of

views on various aspects of the revolutionary process continued well into 1975. In a way any element of self-restraint was discarded as most writers were writing under pseudonyms (CHEDS, 1994, P. 19).

According to MOI (1966, p. 9, 11, cited in Shemelis, 2000), in the post-liberation period, the publication 'industry' witnessed a comparatively significant expansion in terms of the number of periodicals produced and the size of their circulation. Such influential and long-lasting weekly papers as *Addis Zemen* and *The Ethiopian Herald* came onto the scene in 1941 and 1943, respectively. Both became dailies after December 1958. In 1952 *Yezareyitu Etyopia* was added to the list of newspapers (Shimeles, 2000, pp. 6-7).

Deneke (1991) and MOI (1966) as cited in Shemelis (2000) argued that the expansion of the capacity of the Berhanena Selam Printing Press in 1965 and the increase in the number of new printers installed were but important additions to the development of the print medium. However, the real turn for the newspaper enterprise came in the late 1950s and early 1960s with the establishment of the Economic Commission for Africa (1958) and the Organization of African Unity (1963).

There was, in this period, according to Shemelis, a larger number of both daily and weekly newspapers and other press products, all, with the exception of a few, being government-owned and catering to a limited circle of an elite readership - mostly top bureaucrats and members of the urban-based intelligentsia (Shemelis, 2000, p. 9).

Radio broadcasting was introduced to Ethiopia with the coming of fascist Italy and it was handed over to the government after the victory. Afterwards, there were 4 major radio institutions. The station in Addis Ababa, Asmara and Harari were regulated under the Ministry of Information. Besrate- Gebriel was the other one (Mammo Wudeneh, 2007 P. 49). Television broadcast was started to celebrate the foundation of the Organization of African Unity (OAU) in 1963; it was limited to Addis Ababa and the surrounding areas. However, the media have faithfully served the government who owned it while neglecting the wider public. The profession of journalism suffered from intrusive censorship as well as from a lack of any rudimentary training. Moreover, the alternation of regimes contributed to the dismissal of experienced journalists and replacement of them by government trusted individuals, which in turn, weakened the profession for worse [Nebeyu, 2011, p. 286].

Regarding the beginning of Television Broadcast in Ethiopia, Emrakeb Assefa (2007) chronicled 50 Years of African Journalism in the following words:

Ethiopians were introduced to television when the late Emperor Haile Selassie, one of the forefathers of the African Renaissance, proudly televised the historic opening of the Organization of African Unity (OAU) in 1963. African leaders met in Addis Ababa as a testimony to breaking free from the yoke of colonialism, and that historic congregation was one of the first programs aired ... at the Haile Selassie I Theatre (now National Theatre) (p. 114).

At the moment, according to the information from the Ethiopian Broadcast Authority, there are 23 federal and regional government print papers. Furthermore, 19 newspapers and 22 magazines are privately owned and are on duty from 2008 – 2012/13. According to the Ethiopian Broadcast Authority, the privately owned media accounts for 64.1% and the remaining 35.9% is owned by the government (Ethiopian Broadcast Authority News Magazine, Vol. 1 No. 13 Dec. 2012 and In-depth Interview with Authorities).

However, Nabeyu Eyasu (2011, p. 286), who has been working as journalist from the Emperor to the EPRDF rule, argued that even if some private newspapers and magazines appeared during the Emperor, they were forced to disappear soon. Between 1974- 1976 [during Derg Regime] the private magazines appeared but were eliminated sooner. When the EPRDF came to power, many private newspapers and magazines appeared. But, the euphoria was short-lived as the EPRDF soon began to punish, intimidate, accuse and imprison journalists.

Here, one can understand that the private newspapers and magazines did not surface with the coming of the EPRDF; they were there both in the time of the Emperor and the Derg regime. The difference is that unlike in the current EPRDF government, private newspapers and magazines did not last long during the two previous regimes. Irrespective of allowing the existence of the private press, journalists in the private press have not been immune from intimidation, accusation and imprisonment under the EPRDF government.

4.1.2. The History of Press Laws in Ethiopia

Since the democratic dispensation came to Ethiopia late, one cannot find any press laws or proclamations as such during the two previous regimes (the time of the Emperor and Mengistu's dictatorship) except the fact that there were mentions of press regulations in

other civil laws. However, the 1992 press proclamation under the EPRDF led government was the first that provides for press freedom. Because it was the first press proclamation in the history of the country, not only for its being first in its provisions, but also for its legacies in begetting consecutive proclamations afterwards, some of its provisions are discussed here.

Press Proclamation No. 34/1992

Art.3 sub-articles 1 and 2 of this proclamation provide that Freedom of the press is recognised and respected in Ethiopia and declares that censorship and any restriction of a similar nature are prohibited. Art. 8 sub-articles 1 of the proclamation declares the right of the press to have access and disseminate information. Sub-article 4 (a) notes that the publisher or the editor of any press may not be compelled to disclose the source of any news or information which has been used in the preparation of his/her press.

On the other hand, Art.10 sub-article 1 declares that every press has the duty to ensure that any press product it circulates is free from any content that can give rise to criminal and civil liability. Moreover, sub-article 2 declares:

Any press shall have the duty to ensure that any press product it issues or circulates is free from: a) any criminal offence against the safety of the State or of the administration established in accordance with the Charter or of the national defence force; b) any defamation or false accusation against any individual nation/nationality, peoples or organization; c) any criminal instigation of one nationality against another or incitement of conflict between peoples; and d) any agitation for war.

Arti.19 of this proclamation also declares that the government officials shall have the duty to cooperate with the press in furtherance of the principle that the people have the right to know about the operations of government and the accountability of government officials.

However, Arti. 20 of this proclamation had generated intense acrimony between media practitioners and scholars on one hand and the government on the other. Sub-article 1 of this article declares:

... where any press is found to have failed to carry out its duties under sub-articles 1 and 2 of Article 10 of this Proclamation, the person liable pursuant to sub-article 3 of Article 10 shall, without prejudice to the liabilities and penalties under the Penal Code, be punishable with imprisonment for not less than one (1) year and not more than three (3) years or with a fine of not less

than Birr ten thousand (Birr 10,000) and not more than fifty thousand (Birr 50,000) or with both such imprisonment and fine.

In addition, sub-article 2 notes that where any press is found to have contravened the provisions of Articles 6 and 7 of this Proclamation, the proprietor, the publisher or the editor-in-chief of the press shall be punishable with imprisonment not exceeding two (2) years or with fine not exceeding birr ten thousand (Birr 10,000).

Sub-article 3 and 4 respectively discussed: where any press is found to have failed to carry out its duties under sub-article 2 of Article 11 and Part Four of this Proclamation, the proprietor, publisher or editor -in-chief of the press shall be punishable with imprisonment not exceeding one (1) year or with a fine not exceeding birr five thousand (Birr 5,000) or with both such imprisonment and fine; whosoever violates or obstructs the implementation of this Proclamation, otherwise than is provided for under sub-articles 1, 2 and 3 of this Article, shall be punishable in accordance with the Penal Code.

Here, the point that should be noted is the creation of linkage between press activity and related wrongs with the penal code. According to Tsega Maria & Abebe Genamow (2 000), Art. 256, 269 and 480 of the Penal Code can be cited as an illustration of provisions designed to have such effect. The press proclamation in Art.10 and 20 has reincarnated the penal code provisions and made them regulate the present conditions of the press in Ethiopia. Thus, as long as the conditions laid down in Art. 10 and 20 of the press proclamation cannot be given an interpretation which is outside the framework of the 1957 penal code, a press product with a content of ill-will or disaffection against the government or its officials is prosecuted in a court of law - will be convicted guilty of violating the penal code (Tsega Maria & Abebe Genamow, 2000, p. 4).

Broadcasting Proclamation No.178/1999

This proclamation gave the EBA power to regulate the country's media institutions. Art. 4/1 of the law states that the Ethiopian Broadcasting Authority is established as an autonomous Federal Administrative Agency having its own legal personality. However, the Agency is accountable to the Prime Minister according to the provision given under Arti. 4/2. Thus, this proclamation was different from that of the 1992 only for the inclusion of the phrase

“Broadcast Authority.” This is because the duties and responsibilities of the press and the related penalty remained the same as provided in the Press Proclamation No. 34/1992.

Broadcasting Service Proclamation No. 533/2007

This proclamation does not differ from its predecessors that far; the only difference appears to be in terms of its accountability to the Ministry of Information as provided under Arti. 2/19. For the surprise of the media practitioners and scholars working on it, this was repealed after a year when Government Communication Affairs Office was established in 2008. Accordingly, the Ethiopian Broadcast Authority became accountable to the Office of the Prime Minister as it did under the proclamation No. 34/1992 and proclamation No. 178/1999.

Government Communication Affairs Proclamation No. 158/2008

As discussed above, when the Government Communication Affairs Office was established, the Transitory Provisions are declared under Arti.11/1. It states: “... regulatory powers given to the Ministry of Information with respect to press are hereby vested in the Ethiopia Broadcasting Authority.” But its sub-article 2 declares that the Ethiopia Broadcasting Authority shall be accountable to the Prime Minister.

Moreover, Arti. 49 sub-article 1 declares that the relevant provisions of the Press Proclamation No. 34/1992 shall be applicable to broadcasting services. One must notice here that the provisions under Arti. 10 and 20 of the Press Proclamation No. 34/1992 are still in place which have been criticized by Tsega Maria & Abebe Genamow (2000) as discussed earlier.

4.1.3. The Media and State Relationship

One of the private newspapers argued that the profession of journalism has been used as an instrument to praise the Emperor and governors in the past; and did the same thing even for dictatorship. According to this newspaper, the media were also used as tools to disseminate Fascist propaganda during the occupation of Fascist Italy. The newspaper also condemned the current government journalists that they are tools of the government wearing the title ‘developmental journalist’. They are the contemporary parrots (Ethio-Mehedar, Vol. 1, No.

15, April 2013). On the other hand, one of the former journalists, and prominent author wrote their relation with the government in the following words:

Though we did not have the chance to work for newspapers with public or private stand from Emperor Menelik to now, we [who had worked for government newspapers] have been able to hear many and various issues from public, government officials and foreign individuals. We have seen secret records, comments and writings. No doubt that we had accomplished our responsibility had we shared to the mass what we heard, saw and read, not the whole, but at least some of them (Mamo, 2007, P. 384).

On the other hand, Tadewos Tantu, a columnist of Ethio-Mehedar newspaper listed individuals said to be ‘Parrots’ in different regimes. He listed the early journalists who were working on Addis Zemen – the government daily newspaper. Of course, some of them are also listed in the works of Price ital (2009). According to Tadewos, the individual journalists worked hard in the service of the imperial rule and have continued to praise the dictators afterwards. Moreover, most of these individuals tried even to have acceptance by the EPRDF when it came to power. They used to praise EPRDF leaders as they did for their ancestors (In-depth Interview with Tadewos, May 30, 2013, Ethio-Mehedar, Vol. 1, No. 15, April 2013).

What is more, the Ethiopian Broadcast Authority (EBA) PR Department notes that there are problems regarding professional reporting, institutional equipment, and awareness in media regulation. One of the participants in group discussion added: “Depending on the experiences of other countries, we have been trying to facilitate occasions of awareness– on private, public and community media;” though he was not willing to mention the so called ‘role model countries’ for their improvements (Group discussion with EBA, February 5, 2013). But, British and South African media have been reported to have been the best models for ETV on different occasions. In addition to that, ETV reported few years ago that they had shared experiences with the Iranian media.

Another problem is related to the autonomy of EBA – which is the higher regulatory body of the Ethiopian media industry. EBA claims that it is an autonomous organ free of pressure:

Regarding our autonomy, we have been accountable to the Prime Minister at the beginning. Afterwards, we came under the Ministry of Information. But now, we are accountable to the Prime Minister according to the Proclamation No. 158/2008 article 11/2 by which Government Communication Affairs

Office was Established. Though we are accountable to the ruling party, we have not faced any pressure against our autonomy and we have smooth relations with the Prime Minister (Group discussion with EBA, February 5, 2013).

In general, the relation of media and state can be likened to the relation of son and father, or daughter and mother. The Ethiopian press accomplishes what the state orders like the son does follow orders under the pressure of the father. Similarly, the media do not dare to touch whatever the state prohibits just like a daughter loses her confidence as a result of her mother's stern warning. Furthermore, the private media institutions are also handicapped by the restrictions of media laws. Before the Derg regime, the press was directly tied to the Emperor though it was said to be accountable to the MOI. And the socialist ideology dominated the press when the military government replaced the Emperor. The president would order the press whenever he liked to do so.

But, the press started a new era with the coming of the EPRDF to power although it remained accountable to the ministry of information. Gradually, the Ethiopia Broadcast Authority came to exist being accountable to the Office of the Prime Minister. Thus, the Prime Minister has an opportunity to control the press through the EBA while MOI can also exert another pressure at the same time. The following diagram simplifies the relation of media and the state in the history Ethiopia.

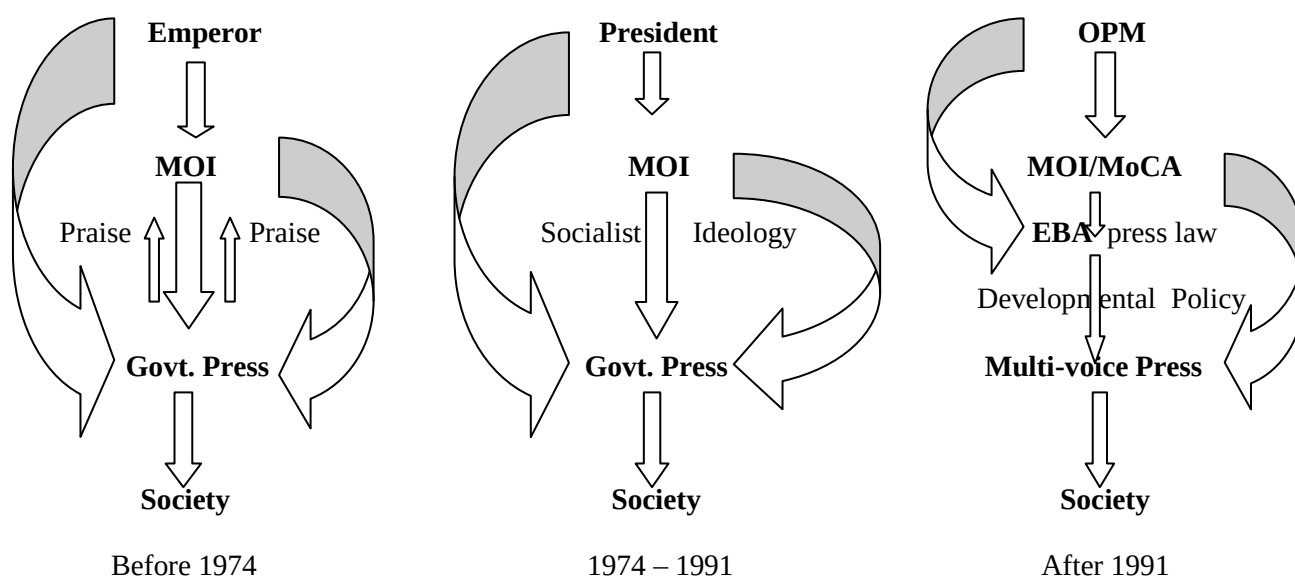


Diagram 1: The history of Ethiopian media industry

4.1.4. Ownership and Professionalization

Ownership

The private media is of recent phenomenon in Ethiopia. According to Berhane G. Mariam (2002),

After many decades of total government control over the mass media, the EPRDF government appeared to promise a new era of freedom of expression by abolishing formal censorship bodies that existed for many decades during the previous regimes. It seemed that the EPRDF government has chosen stability and freedom of expression. ... Ethiopia's first independent tabloid newspaper began to appear and foreign magazines and newspapers were available. The 1992 press law has allowed an independent and privately-financed press alongside the governmentally-funded official media, which included the semi-autonomous channels of Ethiopian television service, radio, Ethiopian News Agency (ENA) and a number of private newspapers (p. 642).

However, there are serious questions raised by the public concerning the ownership of media companies. Many private newspapers are allegedly supported, if not created, by opposition political parties operating locally and abroad. Most readers do know for certain who owns the papers they read. In the case of the Fana radio station and the Walta Information Center, both are affiliated with the ruling party (Interview session with Ethio-Mehdar Manager May 30, 2013, MSI (2008), p.129). But, Program Management of Radio Fana - now FBC, does not accept such characterization.

Radio Fana is historically related to the EPRDF who is the ruling party now. It was founded by the four major institutions that represent each four parties who made coalition to create EPRDF – “TERET” from Amhara Liberation Movement, “EFFORT” from TPLF, “BIFTU” from OPDO and the other from SNN Movement. It was given to these organizations as endowment for their contribution to EPRDF. For your surprise, these institutions do not share our profit and they also do not support us with money. They just founded it and left us in order to help sustain ourselves with the revenue we generate (In-depth Interview with FBC Program Directorate Director, April 30, 2013).

In spite of the fact that FBC is historically related to the ruling party, according to the Program Director, it is working in a professional manner. It was legally established, gives trainings to its reporters, and at the same time, it has its own editorial policy. However, the Program Director admitted that they support the government policy because they believe that the policy is right and would help the development of the country. He said: “The government is working to eliminate poverty and we support it” (April 30, 2013).

According to Media Sustainability Index (2008), there is no foreign investment in the media in Ethiopia, as the law only allows Ethiopian citizens to invest in media. The current Broadcast Proclamation Arti. 23 sub-article 2's sub-articles (a) and (b) prove this survey. But, according to Media Sustainability Index (2008), the ban of foreign investment deprives the Ethiopian media of finance, modern management, and experience they badly need, but allowing considerable foreign ownership could mean putting vital national security interests in foreign hands.

According to Berhane G. Mariam (2002), the Ethiopian mass media infrastructure is less developed and the media is independent and non-government only in name. The authorities have continued not to tolerate press freedom and are used to circumscribe their critics. A number of journalists continue to suffer imprisonment and tremendous hardships in their attempts to maintain freedom of the press under the country's strict press law. They face a continuous cycle of arrests, trial, imprisonment, and are placed under intolerable pressure due to their failure to escape the punishment treadmills (Berhane, 2002, p. 644).

Professionalization

Few Ethiopian journalists have professional education in the field. According to Press Reference, only a couple of people in all of Ethiopia hold advanced degrees in journalism. Many reporters operate as spokespeople for particular political views, rather than as journalists. But, according to the participants of interview sessions, this is not that much significant problem at this moment. They added that the industry is almost full of professionals except compromising of the profession because of financial and ideological benefits. Self-censorship is also a big problem, because some journalists would rather maintain peace between themselves and the state and thus avoid reporting any facts that may force ugly confrontations. Among the independent papers, which are under less pressure to show deference to government accounts of events, an equally unprofessional skepticism about the government pervades political reporting (<http://www.pressreference.com/Co-Fa/Ethiopia.html> Skjerdal, 2010) and Group discussion with practitioners, May 30, 2013).

On the other hand, reporters are usually recruited straight from university language and journalism departments, and editors often complain that they are not prepared to work on investigative reports. Editors are relatively better equipped in terms of education and

experience to engage in specialized reporting, but staffing limitations do not allow them to go out to report stories themselves; they must rely on novice reporters to gather information (MSI 2012, p. 141). In addition to that, ERTA Management observed that universities are training their students about liberal journalism not developmental one. He added: “the liberal model of journalism cannot help our context since the middle class is few and the lower class is numerous” (Interview with ERTA manager, June 28, 2013).

According to Tadewos - a private newspaper columnist, there are at least three major causes for the weakness of the Ethiopian journalism: 1) lack of journalism knowledge on the part of the practitioners and/or not making use of it while having one; 2) the borderless and pervasive propaganda of the system; 3) lack of awareness on the part of the society and the deafening silence of intellectuals (In-depth Interview with Tadewos, May 30, 2013, *Ethio-Mehedar*, Vol. 1, No. 15, April 2013).

Apart from being constrained by the unclear media laws that have been discussed above, the absence of strong and independent organ to help journalists practice the profession confidently has compounded the problem. As a result, the profession of journalism remains weak in Ethiopia.

Media Sustainability Index (2008) noted a similar thing regarding the Ethiopian media. It stresses the absence of representative media trade associations. There are six legally registered professional associations, but these do not represent either the majority of journalists or their interests. Rather, they are organized along political lines. They are not willing to work together, and they often accuse each other of not being independent. Three of the six organizations claim to broadly represent journalists’ interests, and the other three cater to specialists or particular beats: a photo journalists association, women journalists association, and journalists working on HIV/AIDS and the environment. All are registered with the Ministry of Justice (In-depth Interview with EBA February 5, 2013 and MSI 2008, p.131.). EBA authorities argue more:

Regarding the freedom of media practitioners, it is clearly stated in Article 19 of the FDRE constitution. The right for association is also provided in the other article as well. So, the government tried to organize them as an association but they were not willing. However, there are dispersed associations of media practitioners in this country – about 5 or 6 in number. There is also broadcast association. Since they do not agree to work together,

they are not as strong association as they should be. Whenever international institutions like the World Bank and UNESCO show willingness to fund them, the fund returns without being used because of their disagreement to work together. In short, we have awareness regarding the issue of the press council though such disagreements have continued to create obstacles. The government appreciates the merit of having the press council and that is why we observe a press day in our country (Group Discussion with EBA, February 5, 2013).

The Ethiopian National Journalists Union (ENJU), which claims to have more than 300 members, is the only functioning association with members from both private and public media in the capital and regional states. The ENJU charter states that only journalists can be members; it classifies publishers as business entities and do not qualify for membership. By doing so, the ENJU hopes to fend off any conflict between business and professional interests within the association (MSI 2008, p.131).

Both the group discussion made with the Ethiopian Broadcast Authority and the survey of Media Sustainability Index (2008) show us that despite calls by local journalists and international media organizations for these associations to come under an umbrella union, the groups continue to work separately, each seeking the demise of the other. Relations between the leaders of the larger associations have grown particularly hostile over the years. Consequently, many prominent journalists in the private media have refused to join any association (Group Discussion with EBA February 5, 2013, and MSI 2008, p. 131).

The following points put clearly the problem of the Ethiopian journalistic profession:

The Ethiopian Free Journalists Association and the Ethiopian Journalists Association have lost members to the ENJU. Both are essentially defunct and are believed to maintain ties with the political opposition. ... None of the associations is engaged in or capable of providing legal and professional support for journalists, though the Environment Journalists Association does a better job of facilitating career development opportunities for its members (MSI 2008, p.131).

However, the government and some private media practitioners, along with scholars working on communication area, are reportedly trying to initiate the formation of comprehensive press council that would work responsibly and impartially at the national level. But some private media houses and individual journalists are skeptical about the neutrality of the emerging 'press council'. They argue that government interest is reflecting from the beginning. They are also doubtful that those who are currently leading the steering

committee are committed to protecting the autonomy of the council. One of the private newspaper journalists argues that he is really happy with the formation of the Ethiopian Press Council. But he doubts its autonomy because he does not believe that one of the two members leading the steering committee would be impartial and professionally capable to lead the council. Even though the researcher was not able to talk to the person just mentioned by the interviewee, he was able to talk to the Vice-chairperson of the steering committee who said the following:

The press council being initiated now is the outcome of voluntary media houses. We cannot force anyone who does not want to be its member. I am happy if all media houses are included because it will safeguard them from different pressures. By any means, we cannot oblige media houses to be included; you can take sport journalists for instance, they may give us their back because they have no pressure from political entities. Moreover, the press council being initiated has an organizing committee – Mimi Sebhat is a chairperson and I am Deputy Chairperson (In-depth Interview with Amare, Deputy Chairperson, June 14, 2013).

He also commented on the issues related to the disagreements with Mimi Sebhat and rival media houses in the following words:

I am working with Mimi, but, it is not because I like her ideology. We are struggling to make our press council standardized in accordance with world experience, especially, that of Europe. One may not like Mimi but she has her own media house which may be bad or good. We are working to include all media houses and excluding Mimi's media house cannot make us complete and comprehensive. Look, whenever you choose a friend to accomplish a task which needs also the participation of the one you hate, I am sure the task would be incomplete. In addition, the press council would have its own code of conduct. When all members agree on the provisions of the code of conduct, it would decide how member media houses and journalists should work and benefit from the press council. Anyone who disagrees with the provisions can withdraw. But, in my opinion, it is highly beneficial if all concerned bodies could participate. You see, you don't become neighbor often by choice- and you have to learn to live with your neighbor in order to continue life, otherwise you cannot share their tent at the time of emergency.

Most of the journalists who took part in the interview would still like to see the press council established despite their misgivings its potential independence and they concur that the press council is important in order to address issues related to the profession.

4.1.5. Development of Information Market

Ten years ago, Berhane G. Mariam argued that even if government pressure is frequently applied on national media, the print press is active and often publishes articles, which are extremely critical of the government. But there are also some complaints that important news does not get reported while the Ethiopian media is often controlled and inadequate. Because of this, educated Ethiopians have long relied on overseas media for news about their country. For example, News Week, the Economist and others are widely read in Ethiopia. Furthermore, international short-wave broadcasts such as the BBC, Voice of America, Deutsche Welle, CNN and other foreign channels have large audiences in the country, particularly during the time of crisis when local media are either shut down or fail to report local news. Although hardly neutral, state media take advantage over private ones:

While editors and publishers have often been detained, the survival of any credible print media remains uncertain. By contrast, Ethiopia's state-controlled mass media continue to function and enjoy advantages not available to the independent press. However, government sponsored news is less expensive and more accessible to the population, but its context is hardly neutral in its coverage. The pro-government media does not publish news about the opposition and is often hostile to the independent press (p. 645).

On the other hand, Media Sustainability Index (2008, p. 127) noted that lack of technological instruments hurt the information market in Ethiopia. Though Media Sustainability Index further noted that there is a serious lack of recording equipment and computer databases among private newspapers five years ago, most of the participants of this research argued that the problem is insignificant at the moment. They added that they do not go off the record during interviews which may leave them defenseless in libel cases and it is possible to make retrieval of background information (Group Discussion with private journalists, May 30, 2013).

Regarding broadcast media, currently ETV is reporting that it is transforming itself from Analog to 'Digital system'. Fana Radio – now FBC, also boasts that it is investing in handling technology infrastructure and plans to be top in East Africa. Therefore, the outdated Broadcast production equipment noted by Media Sustainability Index (2008) in ETV, Walta News Agency and Radio Fana are being reversed by the 'digitalization' of

information production (In-depth interview with FBC Program Director, April 30, 2013 and ERTA Manager, June 28, 2013). ERTA Manager notes,

For your surprise, we have visited Aljazeera TV station recently. We observed that the technology and media equipment they have are all with us in ERTA. Our TV Station is well equipped with technology now. I mean by this that we do not have problems regarding media technology. Our fear is that many of our customers may not afford to buy the latest receivers the technology needs. On the other hand, the problem, however, is how to present the reality. BBC reports seem neutral because they know how to present. Our problem is that our reporters lack knowledge as to present the reality. Moreover, everything ETV presents is true though the way we present may still be poor.

ETV Manager argued that though they have experienced poor professionalism until recently, now their newsroom is almost full of professional journalists. He added that a few gaps related to the profession have been overcome through different trainings. However, the newsroom is limited to the feedbacks from parliament, regional media and different associations who are considered to be stakeholders. Though the ERTA Management admitted the problems regarding taking feedback from the mass audience, the attempt to get rid of interest groups is hardly seen in their newsroom. The major principle ETV usually focuses on is the editorial conference in which editors take part not reporters. Since they do not have adequate feedback from the mass except occasional phone-ins and emails, the newsroom is not able to embrace the heart of the mass.

Another problem that prevails in the Ethiopian media industry is related to conducting research which is noted by Media Sustainability Index six years ago, and in fact the problem has still continued. Print and broadcast media outlets do not conduct research to tailor their production to audience needs. Most papers do not have strategic plans; the few papers that have prepared plans typically do not incorporate market research into the process. Call-ins are the common research tools employed by FM stations because it saves time and money (MSI 2008, p. 130 and In-depth Interview with FBC Program Directorate Director, April 30, 2013).

On the other hand, Private Newspapers argue that they face problem in publishing their newspaper. According to some private newspaper managers interviewed, Berhanena Selam is partial towards newspapers – it publishes selectively. Some argued that they are

prohibited from publishing their newspapers with Berhanena Selam Printing Press. In fact, one of the private newspaper managers notes the following:

... Companies fear to advertise their products through our newspaper because they think that their organization will be closed if they do so. Thus, we are not able to be strong enough financially. Similarly, there is another problem related to readers though it is also connected to the newspapers practices. Newspapers used to lead the readers towards sensational issues - which are only bold on the front page but either absent or diverted in the body of the newspapers. Due to such problems, the newspaper that strives to work properly and professionally suffers hardship (Million, May 30, 2013).

In addition to that, getting license is problematic. It takes years in order to have a private newspaper. Regarding this, one of the prominent newspaper managers notes:

The information market is also in a serious problem in our country. In other countries, you can publish your own newspaper after having license. You can just prepare it on your laptop and give it to the publishers. In our country, contrary to others, you will be obliged to have the latest printers and desktops, photocopy, standardized office with standardized structure. To tell you the truth, it took us three years to open our newspaper (Amare, June 14, 2013).

4.1.6. Challenges of the Private Media

There are many problems with the Ethiopian media industry. The truth is repeatedly distorted and the society is continuously ill-served. A journalist who has worked for three consecutive regimes wrote:

As a matter of chance, since I have been working in media institutions from imperial rule to the current EPRDF led government, I know that unwittingly journalists used to distort the truth beyond the ethics of journalistic profession. Since we didn't have any choice, we used to distort the truth which contributed to the weakness of the profession; no doubt we used to hurt the society for the sake of earning our living. It was like a dream come true when the revolution broke out between 1973– 1976 because we were able to express our feelings freely. In the early years of the EPRDF rule, we were able to serve the people we used to unwittingly hurt in the past. We used to pay a little bit of sacrifice. However, the blocking of free press, accusation from the government, monetary punishment, intimidation and distortion increased from time to time, which in turn, eroded the free press (Nebeyu, 2011, pp. 286 -87).

Editorial policies at all private and government media, including the state-run Ethiopian TV, often claim editorial independence. In practice, however, government media experience frequent interference from editors who dictate what news and feature stories should be

produced, and how. Powerful businesses also are increasingly interfering with content and editorial independence, and some newspapers have fallen under the influence of businesses with which they have signed advertisement agreements (In-depth interview with anonymous private journalists, May 30, 2013).

Challenges abound in the private press in different forms. Inadequate fact-checking and self censorship are some of them:

After the proclamation of the Press Freedom Bill, new, independent newspapers and magazines developed, especially in Addis Ababa. These offer the minority point of view often left out of government-owned publications, but suffer from inadequate fact-checking and occasional censorship, as well as the government's refusal to allow representatives from non-official papers at its press conferences (<http://www.pressreference.com/Co-Fa/Ethiopia.html>).

In addition to that, one of the private newspaper managers notes:

... The government categorized us as opposition media after we opened our private newspaper. And we are starving from the shortage of information from government offices because they would not allow us penetrate into the source. But, we used to write some issues we get at least from few sources. On the contrary, since the opposition parties are close and willing to give us information, we can write more things related to them. As a result, the government condemns us as pro-opposition parties (Million, Ethio-Mehedar Newspaper Manager, May 30, 2013).

On the other hand, as the Ethiopian society at large has little or no respect for journalists, no social protection of free speech exists. The society is not conscious enough to safeguard media practitioners and the profession as well. In some circumstances, the journalists themselves are not committed to practicing the profession responsibly. Some private media are subject to the opposition parties' interest. And the media house in which the government loses interest is subject to closure. Besides, legal infringements on the right to free expression, which is protected by the constitution, reflect the low status of the media in the country (In-depth Interview with Tadewos, May 30, 2013; Amare [Managing Editor, MCC] June 14, 2013).

Overall, it could be argued that the private media is challenged in many ways. Even though media laws declare freedom of expression, in practice it is eroded by intimidation and punishments, and the government is not willing to allow private journalists who are thought to be against the state access to information – which in turn hinders private journalists from

producing complete and balanced information. It pushes the private media houses to chronicle one-sided stories coming from the opposition since these are the people the journalists have steady access to. In the end, such a practice would lead to the erosion of public confidence in the profession.

4.1.7. Challenges of Government Media

Nebeyu Eyasu (2011), a former government and private journalist, describes working as a journalist in a government media as being in prison. As far as he is concerned, the most painful thing has been not being prohibited from reporting the truth, but reporting it with distortion. He wrote, “We were told what to report and what not to report. In Ethiopia ... you have to be a propagandist whether you like it or not. But we have to notice that unlike many journalists who feel headache of such unethical practice, there were some cadres who are pleased to practice it” (p. 287).

On the other hand, the political opposition is generally not covered by the government media. When they do on rare occasions, the tone and content is mostly negative. The state media does not conduct in-depth reporting, but cultural programs are well prepared and produced and are popular among the urban audience. Private media have national coverage but mainly concentrate on issues involving the capital (In-depth Interview with Million [Ethio-Mehdar Newspaper Manager], May 30, 2013, MSI 2008, p. 128).

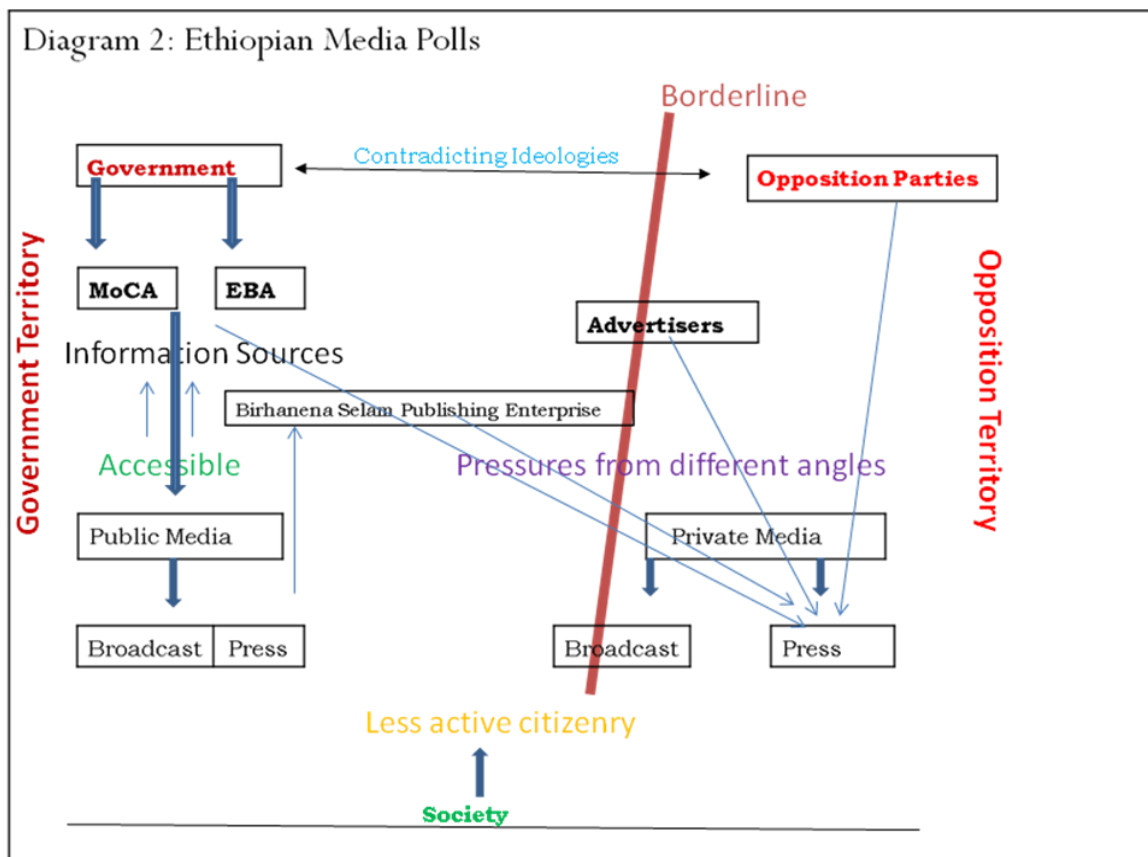
Million Dagenew, one of the private media Managers shared his experience:

I have worked in both government and private media houses. I am a professional journalist because I graduated from the School of Journalism and Communication. When I was working in a government media house, I was not able to serve the society using the real profession of journalism. And that is why I decided to work in private newspaper today. Of course, here, I have got the opportunity of practicing free information which I was not allowed in the government media house (May 30, 2013).

Although many private newspapers are operating in Ethiopia today, most of them are starving from lack of information from government officials. The government dailies like Addis Zemen and the Ethiopian Herald take advantage over the private ones in accessing and receiving information from government officials. ENA on the other hand criticizes the private press that they do not subscribe to them. According to ENAS’ news production Directorate, without subscription, it is difficult to get their releases (Interview with Tadesse

(ENA) May 30, 2013). Unlike Million's argument noted above, the private information practice is not that much satisfactory because he himself was arrested by the police on November 02, 2013 in case of Laga Tafo Laga Dadhi officials' misbehavior that he disclosed. The challenges are not limited to the government media but also extended to that of the private media; 'do this and do not do that' is the harsh pressure exerted by officials not only in the public media but also in the private media.

Moreover, the government media practitioners used to escape dangers from officials in two ways: one is self-censorship and the other is total praise of the government activities wittingly or unwittingly. An anonymous journalist, who was working in government media pointed out that self-censorship is just to escape hazards that could come because of exposing officials' misbehavior. Those who praise the activities of the government also know well of their doing. But they enjoy privileges in exchange for doing so. Thus, public media seems out of the professional domain in the Ethiopian context.



4.1.8. Partisanship and Information Polarization

According to Price et al (2009), the background of the private journalists and the role of government have contributed to the polarization of the Ethiopian media since the coming of the EPRDF into power. The late Prime Minister Meles would seldom speak with or even acknowledge private journalists. By failing to engage with the private press, or the arguments they make, the government has done little to create a political mainstream or facilitate a dialogue. The following point illustrates how private media began in 1992:

Many of the journalists, who lost their jobs, went on to start private publications that were deeply critical of the government. *Tobiya*, one of the first newspapers that appeared after the EPRDF seized power, became one of the most dynamic, experienced and influential publications in the immediate post-conflict period. The paper began in 1992 with 15 former journalists who had previously worked for the Ministry of Information during the Derg as well as some who were outside the Ministry. The founders includes Mulugeta Lule, former editor of the Derg party's magazine, and Goshu Mogus, who ran the censorship office for the Derg (Price et al 2009, p. 6).

Holding onto one side, according to Ethio-Mehdar Newspaper Manager, is common in the Ethiopian media. He notes that the government media raises only the good sides of the ruling class whereas the private ones speak widely about the opposition parties – their claim being that the opposition party is ‘voiceless’. Moreover, he raised his experience:

... Let me raise an example; I have experienced difficulty while attending government press briefing once upon a time. The gatekeepers asked me from where I was just when I arrived at the entrance. They sent me back when I told them that I was from the private newspaper. Similarly, one day I went to the opposition party's briefing. Here, the situation became very different. They asked me from where I was. When I told them that I was from the private press, they welcomed me as their own son. I think this can show you something regarding our media environment (Million, *Ethio-Mehdar Newspaper Manager*, May 30, 2013).

In addition, the state media are as biased toward the government as the private media are toward the opposition - reflecting the stance of the ruling party and are not open to alternative political thought. The state broadcast media devote much of their airtime to government activities and inflated success stories. Most journalists in the state media see themselves civil servants but often ignore the public interest (In-depth Interview with Tadewos, Anonymous Private Journalist, Million, May 30, 2013; MSI 2008, p. 128).

However, EBA observed that broadcast is more impartial than press media. The participants added that especially, the private press or newspapers are highly partial. One of the participants noted that the impartiality is related to the problem of awareness. PR Department facilitator exclusively told the researcher:

Depending on our research findings, the former media laws were repealed and replaced by the progressive ones. On the other hand, the findings showed us the need of the public – which enables us to call for private broadcasters that are on practice at this moment. Moreover, we follow and support these institutions. We support them on how to progress themselves, how to solve structural problems, and we facilitate equal occasions of debate for all of them (In-depth Interview February 5, 2013).

But in a 14- years of EBA's history – from 1999 – 2013, one cannot find research findings regarding media institutions' services and whether the society is benefiting or not at national level. Even though similar assessment was attempted in 2012 in Addis Ababa, this could not describe the overall situation of the country. And EBA expressed its plan to make similar assessments at national level in the near future.

On the other hand, though EBA declared its autonomy from the government, most of the private journalists who took part in the discussion do not accept the argument. They complained that EBA is not an independent organ; rather, it is the facilitator of government policy – which disregards the free press. EBA on its part argues that they try to handle complaints as patiently as possible. But when media institutions violate the laws, it would be resolved at the court level since it is beyond the power of the EBA to punish violators.

The Ethiopian media industry is under two major pressures: government and opposition parties. Sometimes they are also subject to the influence of advertisers and they take pains in order not to offend the advertisers. Amare Aregawi argues more:

There are three media types in Ethiopia today. These are: 1) opposition media; 2) independent media; and 3) government media. Opposition media do not advise opposition parties to act responsibly; rather it supports them blindly. The same is true of government media. Thus, both of them – the opposition media and government media have not been able to play their role responsibly. On the other hand, you can see the independent presses which fall between both but are in difficult situation. These media houses try to balance between government and opposition parties. In our country, such media houses are in serious difficulties. Whenever they criticize the opposition parties, they would be accused of being pro-government and when they are

critical of the government, they are labeled as opposition sympathizers. Thus, it is very difficult for professional media houses committed to ethical standards and fair balance to serve the society without pressure (In-depth Interview, June 14, 2013).

4.1.9. Ethiopian Media in Light of the Polarized Pluralist Model

The Ethiopian media industry can be divided into two major categories: pro-government and pro-opposition party. Most of the private newspapers and magazines appear to appreciate the ideas of opposition parties and vice versa when we look at the government owned media houses – they appreciate all activities of the government. An independent and free media is hardly observed in today's Ethiopia. The newspapers are on different polls and broadcasters are either government appreciators or uncritical information purveyors. Furthermore, the government owned Ethio-Telecom is also often accused of facilitating control on media outlets.

In the Mediterranean region, media institutions are dominated either by political parties or industrialists who want to make pressure on politicians. For instance, in Italy, Silvio Berlusconi won the prime ministership dominating private television. On the other hand, “give me a ministry or I will start a newspaper” is a traditional political threat in Greece. What is more, in the context of Greece, shipping, travel, construction, telecommunication and oil industries also dominate media and influence the politicians (Hallin and Mancini 2004, pp. 114-115).

This being the case, however, the situation in Ethiopia has its unique features as well as has been discussed earlier. First and foremost, the Ethiopian press law prohibits political parties and religious institutions from owning broadcast media. The media institutions are not professionally equipped and the environment is very challenging for journalists to operate. In Ethiopia, journalists, especially those from the government media, do not seem to worry much when it comes to saving the profession; rather, they tend to be preoccupied with personal survival. The private press is bent on being too critical of the government and pays the price in terms of being the victims of regular arrest and intimidation. Unlike the Italian context, it is also difficult to come to power through media ownership because of government's strict control of information industry. Similarly, one cannot influence the government by owning the press as in Greece.

Even though the legal environment has changed since the collapse of the socialist dictatorship in 1991, the quarrel between government and media practitioners has continued. The problem is multi-dimensional. Most of the private media practitioners tend to be intentionally against the ruling party. Their writings are not fully informational but opinionated. The government media is unapologetically pro-government. Both the private and government journalists do not seem to care for the profession except advancing the interests of their owners. Thus, the private and government journalists are operating on opposite polls.

To sum up, in some cases, the Ethiopian media industry resembles that of the Mediterranean Region. The politicians and parties use the press as an instrument to advance their interests in both cases. However, the difference is still wide since the private media are not able to influence the system as in the case of the Mediterranean countries.

CHAPTER FIVE: FINDINGS AND RECOMMENDATIONS

5.1. Findings

On the basis of the analysis, two major findings are identified. The first of these is the one which has often been suggested by various researchers. Under this finding fall the professional, equipment and unclear legal problems—which the researcher would like to call “Practical Findings”. On the other hand, there is a realization of the fact that there is no theoretical model that comprehensively explains the Ethiopian media context—which the researcher calls “theoretical findings.”

5.1.1. Practical Findings

It is clearly discussed that Ethiopia is new to Democratic System and free press; the practice is as old as a mere 20 years. However, the legacies of the past two regimes (the imperial rule and the Marxist dictatorship) have in some way continued to this date. It is true that a far significant change could have been brought in those years. Unfortunately, however, we are not where we should have been, especially with regards information regulation. The press proclamation of 1992 raised hope for the free press in the country. But it has not yet been able to guarantee media practitioners access to information source in practice; what is more, regular accusations, forced disclosure of sources, and imprisonments still abound. On top of that some legal conditions stipulated in the press proclamation are not favorable for journalists to practice their profession freely. Since certain legal provisions are still openly related to the Penal Code of the country, a disconnect with the legacies of the past regimes is yet to be established.

The press proclamation was revised twice because of international pressures. But many practitioners still find it annoying. The establishment of EBA was the outcome of the Press Proclamation of 1999, which has not been able to guarantee the practice of free press. It is understandable that unethical journalistic practices should not be condoned. Media practitioners should exercise their freedom with responsibility. The question is how this is regulated on the ground.

Broadcast Proclamation No. 533/2007 gave EBA the accountability for a year to MOI and soon diverted it to the Late Prime Minister when the Government communication Affairs

Office was established in 2008. The EBA establishment proclamation still tells us that it is accountable to the MOI. One can observe two major problems here: first, there is no MOI in the country at the moment; second, according to their pillar law - Broadcast Proclamation No. 533/2007, EBA is accountable to a body that does not exist. Of course, they would argue that they returned to the Office of the Prime Minister by the provision of Article 11/2 that established the Government Communications Affairs Office. In reality, the rules and regulations should have been clearly amended. One should not refer to every proclamations in order to understand about a given government office.

When we come to active media industries of the country, there are problems like unethical writings, compromised professionalism, and in some cases, ownership pressure. It is difficult to see public media in Ethiopia since the public media is solely pro-government. In addition to that, government and private media journalists are operating on opposite polls. Because some of the private media practitioners were formerly government journalists and dismissed by the Transitional Government in 1991, their narratives often tend to be against the government. In some cases, the opposition parties also take the advantage of using the private press as an instrument in order to advance their interests.

On the other hand, the research findings that came out before five years noted that there were outdated media equipments in different media houses. However, the finding of this study indicates that it is not a significant problem at this moment. What is the challenge still is the clarity of laws, instrumentalization of the profession and partisanship of media institutions.

Another important point is that it is challenging to be a free and independent media in the current polarized media context of Ethiopia. The reason is that a neutral, ethical and balanced media house is unlikely to live long because of financial and ideological problems. Second, they would be sidelined both by the government and opposition parties. The tradition is that one has to either heap praise on or condemn one party in order to have an acceptance. The pressures come from different angles; the government controls the publishing industries and investors are careful to advertise their products on free media. This in turn, hurts the economic sustainability of the media, setting of a vicious circle.

Finally, development journalism is translated differently among the practitioners. Some of the private journalists understood it as government propaganda whereas some understood it as development catalyst. For those who think that development journalism is important, it is important to see to the fact that the practice adheres to the principles of development journalism. On the other hand, those who see it as mere propaganda of the government dismisses it off hand and calls for the practice of ‘watchdog’ journalism.

5.1.2. Theoretical Findings

Scholars have been working in the area of communication, since the mid 19th century. Normative theories used to dominate the world media model. They have been taken for granted as applicable to any media situation. However, the 21st century scholars appear to pose serious challenge to the legacies of the four normative theories of the media. Hallin and Mancini, for instance, have come up with new media models in 2004. Although their models are a good start, we are still far way from having media models that would help us comprehensively explain the function of the media in various continents of the earth.

To start with, the liberal model is unthinkable in the current Ethiopian context owing to legal, ethical and professional constraints. Democratic corporatism is also far from the Ethiopian context; and the big corporate companies are not involved in information market in Ethiopia. The only corporate media in Ethiopia is FBC, which is not born out of capitalist competition but through political means. The Ethiopian media system is also different from that of the Mediterranean countries. In most cases, the Mediterranean media system sees the media as a battlefield for ideology and politics where it can make pressure on the government. Ownership of the media has played an important role for coming to power, at least, in the case of Italy and Greece. In Ethiopia, media has never been seen playing such a role. Of course, government uses public media as its mouthpiece whereas the private media function as pro-opposition party in most cases. In conclusion, it can be said that the Ethiopian media, and perhaps that of Africa, is yet to find a suitable model that could explain their respective media environment.

5.2. Recommendations

The basic problems of the Ethiopian media industry are numerous, as has been discussed earlier. The first problem is related to professionalism. The government and academic

institutions are duty bound to see to the fact that the problem is addressed. Media practitioners should also commit themselves to professionalism through exposure to training opportunities.

The Government has the responsibility for facilitating clear legal environments better than what is currently on the ground. Although proclamations are revised from time to time, the basic problems within the first proclamation are passed onto the others. Even though the Penal Code is revised in 2004, the current press proclamation still traces back to the Penal Code of 1957 where it is deemed applicable to regulating the information market. Thus, the legal frameworks of the press should be made clear. The regulatory structure of EBA should be revisited in such a way as to ensure the autonomy of the institution.

On the other hand, media owners and practitioners, as a whole, should agree on having an overarching press council which embraces all the journalists so that they could regulate the profession themselves. To do that, they should first trust each other and are willing to narrow down their differences for the sake of reducing the polarization. The media institutions should be able to equip themselves with modern technology and its know-how.

Both the ruling party and opposition groups must differentiate between the free media and their interests, and strive for supporting the professional growth of journalism as it is vital to deepening democracy in the country.

There should also be a line that separates development journalism and propaganda. The conceptual deficit with respect to development journalism should be rectified through trainings, seminars or workshops made available to both government and private media practitioners.

The licensing requirements for newspapers and broadcast should also be eased. To sum up, the Ethiopian media industry needs professional trainings, clear legal frameworks, well trained manpower and an active citizenry.

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Appendix I

Table of Participants in group and individual intensive interview

No.	Name of Participants	Position	Institution	Date
1	Adane Tesema	Print Supervision	EBA	Feb 5, 2013
2	Amare Aregawi	Manager	MCC /Reporter/	Jun 14,2013
3	Dheressa Terefa	Directorate Director	EBA	Feb 5, 2013
4	Gizaw Tesfaye	Law department	EBA	" "
5	Leulseged Woldehana	PR	EBA	" "
6	Million Dagenew	Manager	Ethio-Mehedar	May30,2013
7	Mulat Gezahagne	Manager	ERTA	June28,2013
8	Tadesse Zinaye	News Directorate Director	ENA	May30,2103
9	Tadewos Tantu	Journalist	Ethio-Mehedar	May30,2013
10	Tibabu Tadesse	Program Director	FBC	April30,2013
11	Warkineh Tafa	PR Supervision	EBA	Feb 5, 2013

Note: Three private journalists requested for anonymity.

Appendix II

The first Ethiopian Press law

ETHIOPIA

A PROCLAMATION TO PROVIDE FOR THE FREEDOM OF THE PRESS

PROCLAMATION No. 34/1992

Whereas freedom of expression is guaranteed by the Transitional Period Charter of Ethiopia;
Whereas the existence, promotion and expansion of a free and strong press are prerequisites for the full translation into practice of freedom of expression;

Whereas free press, not only provides a forum for citizens to freely express their opinions, but also plays a prominent role in the protection of individual and peoples' rights and the development of a democratic culture as well as in affording citizens the opportunity to form balanced views on various topical issues and to forward their opinions on the directions and operations of government:

Whereas press can play this role only when appropriate conditions are created under which it can operate freely and responsibly without any censorship and restrictions of a similar nature;

Whereas, to this effect, it is necessary to issue the appropriate law providing for the freedom, rights and duties of the press;

Now, therefore, in accordance with Article 9 (d) of the Transitional Period Charter of Ethiopia, it is hereby proclaimed as follows:

PART ONE

General

1. Short Title

This Proclamation may be cited as "Press Proclamation No. 34/1992".

2. Definitions

In this Proclamation, unless the context otherwise requires:

1. "Press" means any establishment of mass medium activity such as newspapers, magazines, periodicals, journals, pamphlets, news agencies, radio, television, motion pictures, pictures, films, cartons, books, music, electronic publishing, plays and includes all media of mass communication;

2. "Journalist" means any person who is engaged as an editor, reporter, cartoonist, graphic artist, photographer, cameraman or technician exercising such professional activity as seeking, receiving or dissemination of news and information;
3. "Safety of the State" means the national security of the State;
4. "Person" means any natural or juridical person.

3. Freedom of the Press

1. Freedom of the press is recognised and respected in Ethiopia.
2. Censorship of the press and any restriction of a similar nature are hereby prohibited.

4. Purposes of the Press

1. Press stands for the pursuit of fundamental freedom, peace, democracy, justice, equality and for the acceleration of social and economic development.
2. Accordingly, press:
 - a. gathers and disseminates news;
 - b. expresses opinions on various issues;
 - c. forwards criticisms on various issues
 - d. participates in forming public opinion by employing various other methods
 - e. undertakes other activities necessary for the accomplishment of its purposes.

PART TWO

Right to Engage in Press Activities

5. Right to carry on Press Activity

1. Any person who is an Ethiopian national may singly or jointly with other persons having Ethiopian nationality, carry on any press activity.
2. Sub-article 1 of this Article does not affect:
 - a. the right of any person who is an agent of a foreign press to gather reports of events in Ethiopia and to transmit same to his organization abroad;
 - b. the right of embassies, international organizations and foreign aid organizations to carry on such press activities as are necessary and customary for the accomplishment of their missions.

6. Registration

1. Any Ethiopian national who desires to carry on any press activity shall be registered in accordance with the law appropriate to the nature of the press activity he intends to carry on.
2. Where the purpose in respect of which an organization is registered requires for its accomplishment, the carrying on of any press activity, such organization shall, for the purpose of this Proclamation, be deemed to have been registered in respect of such press activity.
3. Where the activity given by law to any government office or organization requires the carrying on of any press activity, such office or organization shall, for the purpose of this Proclamation, be deemed to have been registered.
4. The relevant provisions of the Commercial Code shall apply to any press activity carried on professionally and for gain.

7. Requirement of Press License

1. Any person registered in accordance with Article 6 of this Proclamation who is prepared to commence any press activity shall have to obtain a license issued by the Minister of Information or, in the case of any press whose circulation is confined within the limits of a regional self-government, by the Information Bureau of the regional self-government. The application for license shall contain the following particulars:
 - a. the name of the proprietor of the press;
 - b. the editor-in-chief and the deputy editor-in-chief of the press;
 - c. the type of press activity;
 - d. the address of the head office of the press;
 - e. the name of the press;
 - f. the name and address of the publisher.
2. The Minister of Information or the regional Information Bureau shall issue the license within 30 days from the date of submission of application for a license. The License shall be deemed granted where the Minister or the Information Bureau fails to issue it within this time limit.
3. The allocation and utilization of radio waves shall be determined by law to be issued in future. This shall not affect the operation of presently existing press.

4. The proprietor of a press shall forthwith notify the licensing authority of any changes made in the particulars referred to under sub-article 1 of this Article.
5. A license once issued shall unless suspended or cancelled by an order of the court, be renewed automatically annually upon payment of the prescribed renewal fee.

PART THREE

Right of Access to Information

8. Right of the Press to Have Access to, and to Disseminate Information

1. Any press and its agents shall, without prejudice to rights conformed by other laws, have the right to seek, obtain and report news and information from any government source of news and information.
2. Any press and its agents shall have the right to disseminate news, information and other products of press in their possession.
3. Sub-articles 1 and 2 of this Article shall not apply to:
 - a. information designated as secret by the Council of Representatives or the Council of Ministers;
 - b. information which is secret by virtue of other laws;
 - c. unless the court decides otherwise, information relating to any case heard by a court in camera;
 - d. information relating to a case pending before any court;
 - e. unless the person concerned consents, information which is private to a victim of a crime;
4.
 - a. The publisher or the editor of any press may not be compelled to disclose the source of any news or information which has been used in the preparation of his press.
 - b. The court may order the publisher or editor of the press to disclose his source of information in the case of a crime committed against the safety of the state or of the administration established in accordance with the Charter or of the national defence force, constituting a clear and present danger, or in the case of proceedings of a serious crime, where such source does not have any alternative and is decisive to the outcome of the case.

9. Right of Reply

1. Where any information or matter concerning any person is reported in a press, such person shall have the right to reply in the press in which the report appeared.
2. The press in which such report appeared shall give to the person concerned the opportunity in due time to make a reply proportionate to the report and in such manner that those who knew about the original report can readily notice the reply.
3. The provisions of sub-articles 1 and 2 of this Article shall not affect the provisions of Article 2049 of the Civil Code.

PART FOUR

Responsibilities of the press

10. Ensuring the Lawfulness of the Contents of Press Products

1. Every press has the duty to ensure that any press product it circulates is free from any content that can give rise to criminal and civil liability.
2. Without prejudice to the generality of sub-article 1 of this Article, any press shall have the duty to ensure that any press product it issues or circulates is free from:
 - a. any criminal offence against the safety of the State or of the administration established in accordance with the Charter or of the national defence force;
 - b. any defamation or false accusation against any individual nation/nationality, people or organization;
 - c. any criminal instigation of one nationality against another or incitement of conflict between peoples; and
 - d. any agitation for war.
3. Responsibility for carrying out the duties specified under sub-articles 1 and 2 of this Article shall lie as follows:
 - a. in the case of a periodical press such as a newspaper, magazine or journal, on the concerned editor, journalists or publisher;
 - b. in the case of press other than those specified under this sub-article 3(a), on the publisher;
 - c. in the case any press product disseminated by radio or television, on the concerned journalist and program editor.

11. Keeping a Record of Authors

1. Any press shall keep a record of the name and address of the author or editor of every press product.
2. Where the author or editor of any press product uses a pen name, this shall be indicated in a prominent place in the press product itself.

12. Matters to be Indicated in Press Products

1. a. Any press which disseminates its press product through publication shall print the name and address of the proprietor of the press, the names, addresses and residence of the editor-in-chief, the deputy editor-in-chief and the publisher.
b. In the case of press products disseminated in other types of press, the name and address of the publisher as well as the name of the editor shall be printed in an appropriate place.
2. Where any press reproduces any news or report originating from a news agency or any press product obtained from any specified source, the proprietor responsible for the press product including the editor shall be declared.
3. Where any change occurs in the proprietor, editor, journalist or any other member of any press, such change and the full names of the substitutes shall be declared in the press.
4. Where any press disseminates any press product for consideration, it shall show such press product under a "classified" column or in any such manner as can clearly indicate this fact.

13. Gratuitous Copies

Every press shall, within not more than twenty-four (24) hours of dissemination, submit two gratuitous copies of every press product it disseminates:

- a. to the head of the Information Bureau of the region where dissemination is confined within the limits of a region; or
- b. to the Minister of Information where dissemination extends beyond the confines of a region.

14. Responsibilities of Press

1. Responsibilities of press arising from criminal offences and/or civil damages shall be as laid down in the Penal Code and the Civil Code.
2. notwithstanding any other law to the contrary:

- a. the concerned press as an organization shall have joint liability for any criminal acts committed and/or any civil damages caused by press.
- b. Where, in any civil suit, the liability of any press for any civil damage is established pursuant to this sub-article 2(a), the court may award, in the case of a non-profit making press, reasonable compensation having regard to the seriousness of the damage, and, in the case of a profit-making press, compensation up to double the capital of the press registered under the Commercial Code, having regard to the seriousness of the damage.

PART FIVE

Taking of Lawful Measures

15. Powers of the Prosecutor

1. The prosecutor of the Central Government or of a region as the case may be, may where he has sufficient reason to believe that a press is ready to disseminate any illegal press product which may cause serious damage, enjoin the dissemination of such press product.
2. Whenever any measures of enjoinder is taken pursuant to sub-article 1 of this Article, such measure shall be submitted to the Central High Court or to the regional high court, as the case may be, within not more than twenty-four (24) hours of taking the measure.
3. The prosecutor shall be legally liable for any unjustified exercise of his powers under this Article.

16. Powers of the High Court

1. The Central High Court or a regional High Court may, upon receipt of a measure of enjoinder in accordance with sub-article 2 of Article 15:
 - a. Where it finds that the press products is illegal and can cause serious damage, prohibit the dissemination of the press product or, where necessary, order its confiscation and destruction within a fixed time; or
 - b. Where it finds that the press product is not illegal or that it cannot cause serious damage, quash the measure of enjoinder taken by the prosecutor of the Central Government or by a regional prosecutor.
2. The court shall render its decision within forty-eight (48) hours of the submission to it of the case.
3. The decision of the court shall be executed within seventy-two (72) hours unless a stay of execution is ordered by an appellate court.

4. Any court order issued in accordance with sub-article 1(a) of this Article, shall not affect any criminal and/or civil suits against the person responsible under criminal and/or civil law.

PART SIX

Miscellaneous Provisions

17. Imported Press Products

1. Any press product imported into Ethiopia shall be deemed to have been made in Ethiopia.
2. The importer, distributor and vendor, other than a person who permanently imports exclusively for his personal use, shall be liable for any criminal or civil offence arising from such press product as follows:
 - a. in the case of civil suits, jointly or severally;
 - b. in the case of criminal suits, punishment of one precludes punishment of the other.

18. Transitory Provisions

Every press which is established prior to the coming into force of this Proclamation and which is undertaking any press activity shall register in accordance with Article 6 and obtain license in accordance with Article 7 of this Proclamation within ninety (90) days from the effective date hereof.

19. Duty to Cooperate With the Press

Government officials shall have the duty to cooperate with the press in furtherance of the principle that the people have the right to know about the operations of government and the accountability of government officials.

20. Penalty

1. Where any press is found to have failed to carry out its duties under sub-articles 1 and 2 of Article 10 of this Proclamation, the person liable pursuant to sub-article 3 of Article 10 shall, without prejudice to the liabilities and penalties under the Penal Code, be punishable with imprisonment for not less than one (1) year and not more than three (3) years or with a fine of not less than Birr ten thousand (Birr 10,000) and not more than fifty thousand (Birr 50,000) or with both such imprisonment and fine.
2. Where any press is found to have contravened the provisions of Articles 6 and 7 of this Proclamation, the proprietor, the publisher or the editor-in-chief of the press shall be

punishable with imprisonment not exceeding two (2) years or with fine not exceeding birr ten thousand (Birr 10,000).

3. Where any press is found to have failed to carry out its duties under sub-article 2 of Article 11 and Part Four of this Proclamation, the proprietor, publisher or editor -in-chief of the press shall be punishable with imprisonment not exceeding one (1) year or with a fine not exceeding birr five thousand (Birr 5,000) or with both such imprisonment and fine.
4. Whosoever violates or obstructs the implementation of this Proclamation, otherwise than is provided for under sub-articles 1,2 and 3 of this Article, shall be punishable in accordance with the Penal Code.

21. Jurisdiction

The interpretation of this Proclamation and the principles relating to the press laid down in other laws shall lie within the jurisdiction of:

1. the regional High Court where the matter relates to a press whose dissemination is confined within the limits of a region;
2. the Central High Court where the matter relates to a press whose dissemination extends beyond the confines of a region.

22. Conflict With Other Laws

Any law, regulations, directives, orders or practices inconsistent with this Proclamation shall not apply in respect of matters provided for herein.

23. Effective Date

This Proclamation shall enter into force on the date of its publication in the Negarit Gazeta.

Done at Addis Ababa, this 21st day of October 1992.

MELES ZENAWI

PRESIDENT OF THE TRANSITIONAL

GOVERNMENT OF ETHIOPIA