

**A CRITICAL ANALYSIS OF POLICY IMPLEMENTATION OF THE
FREEDOM OF THE PRESS IN ETHIOPIA UNDER THE RULE OF
THE ETHIOPIAN PEOPLE'S REVOLUTIONARY DEMOCRATIC
FRONT (EPRDF)**

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DECLARATION

I, the undersigned, declare that this thesis is my original work and all the sources of materials used for the thesis have been duly acknowledged. It has not been published or presented in any other institution.

Student Signature..... Date.....

As the candidate's supervisor I have/ have not approved this dissertation for submission

Signed:

Name: Date:

DEDICATION

I dedicate this dissertation to all imprisoned Ethiopian journalists who are fighting for freedom of press in our country.

Especially:

Eskinder Nega: a veteran Ethiopian journalist and blogger who received the 2012 PEN Freedom to Write Award. He had been detained numerous times, and was sentenced in July 2012 to 18 years in prison.

Woubshet Taye: who is serving a 14-year sentence under the anti-terrorism law, was a winner of the 2012 Hellman-Hammett Award, and a winner of African Journalists of the year 2013 by CNN.

Reeyot Alemu: a journalist who recently awarded the prestigious 2013 UNESCO/Guillermo Cano World Press Freedom Prize. Her sentence was reduced from 14 years to 5 years on appeal, and she remains in prison.

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ABBREVIATIONS

ACHPR	African Charter on Human and People’s Rights
CPJ	Committee to Protect Journalists
EBA	Ethiopian Broadcast Authority
ECHR	European Convention on Human Rights
EWVA	Ethiopian Women Welfare Association
EFJA	Ethiopian Free Journalists Association
EJN	Exiled Journalists' Network
EIU	Economic Intelligence Unit
ENA	Ethiopian News Agency
ERTA	Ethiopian Radio and Television Agency
EPRDF	Ethiopian People’s Revolutionary Democratic Front
FDRE	Federal Democratic Republic of Ethiopia
GCAO	Governmental Communication Affairs Office
HRLHA	Human Rights League of Horn of Africa
ICCPR	International Covenant on Civil and Political Rights
IJA	International Journalist Association
IPA	International Press Association
MFA	Ministry of Foreign Affairs
MOI	Ministry of Information
SOCEPP	Solidarity Committee for Ethiopian Political Prisoners
UDHR	Universal Declaration of Human Rights
UNESCO	United Nations Educational, Scientific and Cultural Organization

“Freedom is partial to no race. Freedom has no religion. Freedom favours no ethnicity. Freedom discriminates not between rich and poor countries. Inevitable freedom will overwhelm Ethiopia”.

Eskinder Nega, September 9, 2011

ABSTRACT

This study analyses the status of press freedom in Ethiopia under the rule of Ethiopian People's Revolutionary Democratic Front (EPRDF). The study critically examines the implementation of the legal frameworks regarding freedom of expression and press. In order to understand the status of the press in the current democratic state of Ethiopia, the study employs an implementation analysis of press freedom by drawing from Francis Kasoma's Theory of Independent Press in Africa.

The study's focus is limited to the Ethiopian private media during the EPRDF-led government. It is contended that due to its repressive nature, the EPRDF rule contributed to the expansion of the private press in Ethiopia. This was evident in the 1995 Constitution Article 29 and the 1992 press proclamation. The study noted that despite the constitutional provisions for press freedom in Ethiopia, as well as all the international statutes to which Ethiopia is signatory, the implementation of legal frameworks for press freedom under the EPRDF government were modest at best. The study argues that the EPRDF created two extreme situations under which the press operated in Ethiopia. These are independent versus dependent media. The independent (private) press has been dubbed oppositional to the government and hence persecuted, while the dependent (public) press has been enjoying relative freedom under the totalitarian auspices of the ruling party and the government. In both extremes the media has been constrained and had their freedom curtailed. The difference has been that the private press is overtly constrained, while the dependent press is apparently enabled, as long as it covers the positive side of the government. As such, the public space for media has been severely constrained in Ethiopia in such a manner that the traditional role of media to serve as a bridge between the society and the state is missing. The EPRDF created a situation in which both extremes fail to meet the ideals of press freedom as exemplified in economically advanced countries.

CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 Introduction

This study investigates the policy implementation of the freedom of the press in Ethiopia under the rule of the Ethiopian People's Revolutionary Democratic Front (EPRDF). Ethiopia is a Federal Republic state led by Hilemariam Desalegn and the EPRDF. The Federal Democratic Republic is composed of the state which is delimited on the basis of settlement patterns, language, identity and consent of the peoples concerned (Zemelak, 2008:6). In Ethiopia freedom of expression and information are nationally recognized rights set out in the constitution (Tracy, 2010: 5). Article 29 of the constitution states that, the press stands for the pursuit of fundamental freedom, peace, democracy, justice, equality and for the acceleration of social and economic development (FDRE, 1995). Furthermore, Article 29 of the constitution gives special attention to the protection of freedom of expression without interference including the seeking, and receiving, of important information. Press freedom was also previously provided under Press Proclamation number 34/1992 (FDRE constitution, article 29).

1.1.1 Structure of Government in Ethiopia

The FDRE has a parliamentarian form of government and comprises nine states, Addis Ababa being the capital city of the Federal State. The federal state is headed by a constitutional president while the executive Prime Minister, who is accountable to the council of peoples' Representative, heads the federal government. Each autonomous state is headed by a state president elected by the state council. The judiciary is constitutionally independent. The government of Ethiopia is structured in a framework of a federal parliamentary republic, whereby the Prime Minister is the head of government. Executive power is exercised by the government (Vaughan, 2003:4). The prime minister is chosen by the parliament. Federal legislative power is vested in both the government and the two chambers of parliament. There is a bicameral parliament made of the 108-seat house of

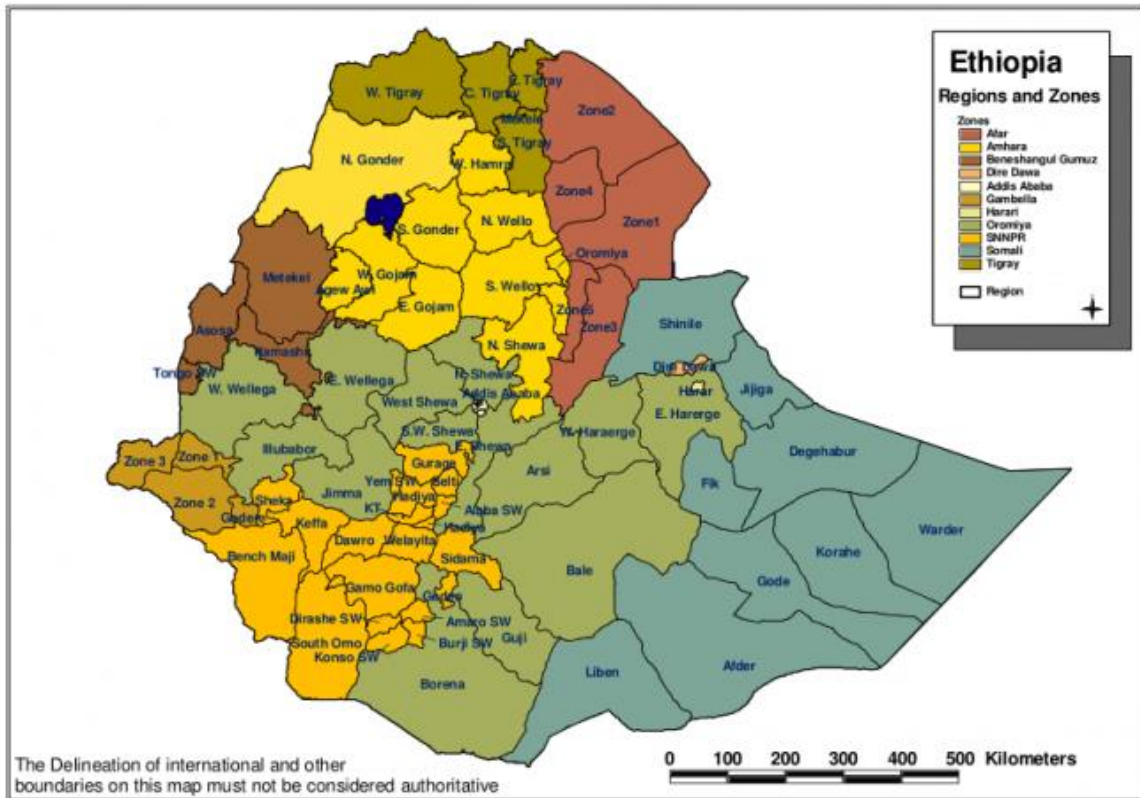
federation and the 547-seat House of Peoples Representatives. The house of federation has members chosen by the state assemblies to serve five year terms. The house of people's representatives is elected by direct election, which in turn elect the president for a six-year term. The president is elected by the House of People's Representatives for a six-year term (Georgy, 2009:22). The Judiciary is more or less independent of the executive and the legislature. These state institutions are provided for in the 1995 Constitution of Ethiopia (Dade, 2003:12).

1.1.2 Structure and division of power

The FDRE comprises the Federal Government and the member states. The Federal Government and the states have legislative, executive and judicial powers. The House of People's Representatives is the highest authority of the Federal Government. The House is accountable to the people. The Prime Minister is designated by the party in power following legislative elections. The Council of Ministers, according to the 1995 Constitution, is comprised by the Prime Minister, the Deputy Prime Minister, various Ministers and other members as determined and approved by the House of People's Representatives. At the current time, these Ministers include the Ministry of Foreign Affairs, the Ministry of Agriculture and Rural Development, the Ministry of Water Resources, the Ministry of Health, and the Ministry of the Environment (Zemelak, 2008:4).

There are two houses: The House of People's Representatives and the House of the Federation. Members of the House of People's Representatives are elected by the people for a term of five years on the basis of universal suffrage and by direct, free and fair elections (Tefera, 2006:14). The House of People's Representatives has legislative power in all matters assigned by the constitution to federal jurisdiction (Simon, 2006:120). The House of the Federation is composed of representatives of nations, nationalities and peoples. Each nation, nationality and people can be represented in the House of federation by at least one member. Members of the house of the Federation shall be elected by the state council. The state councils can themselves elect representatives to the House of the Federation, or they can hold elections to have the representatives elected by the people directly (World Bank, 1997:107).

Figure 1: Political map of Ethiopia



Source: www.worldatlas.com

1.2 Statement of the problem

This study critically analyses the policy implementation of freedom of press in Ethiopia under the rule of the EPRDF. Freedom of expression and freedom of the press are considered fundamental human rights under various international frameworks. Dahl (1998) cited in Tura (2007: 21), states that “basic human rights are among the essential building blocks of a democratic process of government”. Yonas (2008: iii) argues that the press in democracies regulate themselves through codes of conduct that define their professional standards. The appointments of press ombudsmen, establishing ethics panel’s and press complaint commissions are some methods of inter-media regulations. The concept of independent press varies from country to country. Through his research, Tura (2007:24)

argues that in some countries the press ombudsman is appointed by individual media houses to handle complaints from the public

It has been observed that until the result of contentious elections in 2005, Ethiopia's press was energetic but deeply polarized. After the elections the government felt threatened by these divergent ideas that it curtailed any possibility for dissent. Existing papers were allowed to be critical of the government but only on the implementation of policies, not the fundamentals of policies such as ethnic federalism and press freedom (The Reporter, 2012:1). Dozens of journalists were jailed, as was a considerable number of the leadership of the opposition party (Exiled Journalist's Network, September: 2006). Although the mass media and freedom of information proclamation has a liberal foreword and the Ethiopian government and Ministry of Information have declared it a vehicle for moving toward a more open atmosphere for the exchange of information in Ethiopia, the provisions in fact provide for the opposite. The government controls the only nationally broadcast Television station along with the radio station. Government- controlled media mostly reflected the views of the government and the ruling EPRDF coalition. The government periodically jammed foreign broadcast; for example, Voice of America (VOA) and DeutshWelle. The government also restricts access to the internet and blocked several websites, including news sites, blogs, and opposition web sites (EJN, September 2006).

A report shows that the government recently attacked private press and put it at front of authoritarianism of the press in Africa, despite its claim to welcome a free and critical press (CPJ, December 2012). According to the report, there are currently, at least 16 journalists in prison in Ethiopia. Most of the 16 journalists now in prison have been detained for some months but without being formally charged. In total over the past five years over 200 editors and reporters from the independent private press have been arrested at various times. The imprisoned journalists are all held in the capital of Ethiopia, Addis Ababa (Solidarity Committee for Ethiopian Political Prisoners (SOCEPP), 2012).

The reasons for such malpractice by the ruling party is not because of the absence of the rules of press freedom but the implementation of the rules which are twisted to serve the interests of the ruling party instead of the vast majority of the people. David Ben once said, “The test of Democracy is freedom of criticism” (David Ben, cited in Tracy, 1998: 4). The most significant human rights problem included the government’s arrest of more than 100 opposition political figures, activists, journalists, and bloggers (Freedom on The Net, 2012). The government restricts freedom of the press, and fear of harassment and arrest led journalists to practice self-censorship which contradicts article 29 of the 1995 Ethiopian Constitution the right to hold opinions, thoughts, and free expressions (Reuters, April: 1998). A report released on December 12 by Committee to Protect Journalists (CPJ) shows that the New York based Media watch dog, placed Ethiopia on the Eighth rank among the top ten ‘worst jailer’ of journalists in the world, having six journalists in prison (The Reporter, 2012:1).

Recently, after violence erupted over the contested election of 2005, the government arrested many journalists and opposition leaders, charging them with treason in what Reporters without Borders called a “spiral of repression” (Brook, 2008, cited in Tura, 2007). Several opposition party leaders, journalists and prominent individuals who have criticized the works of the ruling party have been jailed or disappeared over the past twenty years. The recent United Nations Human Report shows a threat to freedom of press in Ethiopia. According to this report, Ethiopia is ranked among the worst ten countries in the world in terms of press freedom and jailing journalists (Committee to Protect Journalists, December 2012). This is the general background of the proposed study against the policy implementation of press freedom in Ethiopia under the rule of EPRDF.

Freedom of expression is a fundamental human right which is protected by international humanitarian organizations, Article 19 of the Universal Declaration of Human Rights (UDHR) states that “everyone has the right to freedom of opinion and expression”. The African Charter on Human and People’s’ Rights, which Ethiopia ratified in 1998, also guarantees the right to freedom of expression in Article 9. Freedom of expression is also protected by other regional organization including Article 10 of the European Convention on Human Rights (ECHR). The Federal Democratic Republic of Ethiopia (FDRE) constitution’s Article 29 grants recognition to freedom of expression and freedom of the press (FDRE constitution, 1995).

The current regime has jailed several independent journalists and prevented the right of the freedom of independent thought (Asfaw, 2007:24). While the constitution and law provide for freedom of speech and press, the government did not uphold these rights in practice (Tura, 2007:21). The reasons for such conduct is not because of an absence of rules of press freedom but the implementation of the rules which are made to serve the interest of the ruling party instead of the vast majority of the people.

1.3 Objective of the study

This research broadly investigates the implementation of freedom of press in Ethiopia under the rule of EPRDF. Based on this, the study will have the following objectives:

- To assess the role of private media in the struggle for democratic governance, press freedom, human rights, and justice;
- To explore the different legal frameworks and their implementation regarding press freedom;
- To examine the extent to which media is powerful in promoting democracy and freedom of expression in Ethiopia;

- To investigate the policy implementation regarding the right to hold opinions thought, and free expressions.

1.4 Significance of the study

In trying to assess the policy implementation of the freedom of the press in Ethiopia in the EPRDF legal regime, the study will have the following significances:

- To create awareness to the rest of the world that freedom of press is a critical issue in Ethiopia.
- To analyse the draft press proclamation to freedom of mass media and access to information under the rule of EPRDF.
- For international journalists, and media associations to give more emphasis on the issue.

1.5 Research questions

The main objective of this study is to critically analyse the policy implementation of freedom of press in Ethiopia under the rule of EPRDF. Based on this, the study will have the following specific questions:

- What is freedom of press?
- What was the rationale behind the 2003 draft press law? And why was it not legalised?
- What are the barriers to successful implementation in the Ethiopian legal regime?
- To what extent is the Ethiopian private media able to exercise the right of freedom of press and expression?

1.6 The scope and limitation of the study

This study is limited to the Ethiopian private media in the regime of EPRDF. This is because the government media is controlled by a government administrative body. The scope of the study is firstly, to develop from the existing literature a record of variables that influences the freedom of press in Ethiopia. Secondly, this study provides an in-depth descriptions and analysis of the legal framework of freedom of press in Ethiopia during the regime of EPRDF since 2005 election. This is because, as many scholars argued until the result of controversial elections in 2005, the Ethiopian private press was energetic but deeply polarized (Berhane, 2002:4). Since then, the government started arresting journalists and opposition leaders.

1.7. Research methodology

This study investigates the policy implementation of freedom of press in Ethiopia under the rule of EPRDF. The methodological approaches will be discussed in tune with the theoretical frame work and their relevance to the goals and aims of the study. The research method which will be employed in this research is broadly qualitative and based on document analysis. Qualitative research is aimed at gaining a deep understanding of a specific organization or event, rather than surface description of a large sample of a population. It aims to provide an explicit representation of the structure, order, and broad patterns found among a group of participants (Bryman, 1984:78).

The research will be conducted in Pietermaritzburg South Africa. Data will be gathered from primary and secondary sources. This research is a non-empirical study and predominantly a literature review based on the document analysis method. The primary sources will be collected from the official website of Ethiopian government documents which are available online. Some of the primary sources are the Federal Democratic Republic of Ethiopian Constitution and the policy framework of Ethiopian press laws, civil and penal codes, international and human rights and instruments. The secondary sources involve accessing and analysing a variety of literatures such as books, journal articles, newspaper and magazine reports, and internet information published by specialized institutions and organizations.

1.8 Structure of dissertation

This dissertation consists of five chapters. Chapter one presents a general background of the study, statement of the problem, significance of the study, objective of the study, research questions, the scope and the limitations of the study, and organization of the study.

Chapter two focuses on the conceptual and theoretical framework of press freedom. In analysing the status of freedom of press in Ethiopia under the rule of EPRDF, the study applied two theoretical frameworks: Theory of implementation and Francis Kasoma's theory of the role of independent press in Africa.

Chapter three focused on the historical background of media in Ethiopia. It traces the unit of analysis back to the reign of Emperor Menelik II who ruled Ethiopia for over two decades (1889-1913). The main focus will be legal frameworks of press freedom under the current government.

Chapter four discusses the core findings of the study in light of the introductory chapters and the theoretical perspectives in preceding chapters. Its main focus is analysing the different legal frameworks particularly the 1992 Press Proclamation and the 2003 Draft Press Law.

It questions why the Draft Press Law has not been assented to, following a decade of its existence. This chapter further looks at the debate on the Draft Press Law and the different commentaries from international humanitarian organizations such as UDHR Article 19. Chapter five concludes the study by summarising the main points of the study and drawing inductive conclusions from the findings.

CHAPTER TWO

CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1 Introduction

The purpose of this chapter is to present a theoretical and conceptual framework of press freedom. It conceptualises freedom of press as the principal form of democracy. Anne-Sophie (2006:1) argues that freedom of press is central to democracy as the freedom of expression is necessary to any other form of freedom. She further asserts that freedom of press or freedom of the media is the freedom of communication and expression through mediums including various electronic media and published materials. While such freedom mostly implies the absence of interference from an overreaching state, its preservation may be sought through constitutional or other legal protections (Anne-Sophie, 2006:1).

2.2 Conceptual Framework

2.2.1 What is freedom of press?

The idea of the freedom of the press first evolved as a component of the libertarian social philosophy which originated in England after the 1688 Revolution (Sieber, 1956: 1). According to the United Nations Universal Declaration of Human Rights "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, and impart information and ideas through any media regardless of frontiers". For Stevenson (1994:1) freedom of press is the right to speak, to broadcast, or publish without prior restraint by or permission of the government, but with limited legal accountability after publication for violations of law. He further argues that freedom of the press may encompass the following four issues: (i) legal guarantees of reasonable access to information about government, business, and people; (ii) a right of reply or correction; (iii) a

limited right of access to the media (iv) some special protections for journalists (Stevenson , 1994:1).

Becker (2004:2) asserts that the concept of press freedom is a contentious one in the literature of mass communication. He argues by citing the work of McQuail (2000) that the concept of media freedom covers both the degree of freedom enjoyed by the media and the degree of freedom and access of citizens to media content. Becker believes (2004:2) that the essential norm is that media should have certain independence, sufficient to protect free and open public expression of ideas and information. He further supports his second argument part of the issue raises the question of diversity, a norm that opposes concentration of ownership and monopoly of control, whether on the part of the state or private media industries (Becker, 2004:2).

According to Becker, Vlad, and Nusser (2004:2) the foundation requirement for media freedom is that government does not have a monopoly over information. Rozumilowicz (2002) on the other hand opposes that the question of who has control is the critical consideration as to whether media is free and independent. There must be a diffusion of control and access supported by a nation's legal, institutional, economic and social-cultural systems, she argues. Thus, free and independent media "exist within a structure which is effectively demonopolized of the control of any concentrated social groups or forces and in which access is both equally and effectively guaranteed (Rozumilowicz 2002 cited in Becker, 2004:2).

According to Rozumilowicz media independence is the outcome of a process of media reform. She argues that the general assumption of this is that the media "should progress ever nearer to an ideal of freedom and independence and away from dependence and control" (Becker, 2004:2). According to her, a media structure that is free of interference from government, business, or dominant social groups is better able to maintain and support the competitive and participative elements that define the concept of democracy and the related process of democratization (Becker, 2004:2).

Furthermore, Rozumilowicz (2002) sees the ideal media environments as one in which there are two media sectors, a market-led media sector and a non-market sector (Becker, 2004:2). For Becker (2004) within the market sector, advertisers are free to present their goods to target audiences, programmers can use fees provided by these advertisers to draw in audience, and audience is informed and entertained to the extent the market allows. The non-market sector provides balance by ensuring that the needs of non-dominant groups are met. It also creates a forum in which a common discourse emerges and which allows people to function within the society.

2.2.2 Why is press freedom important?

The importance of press freedom has been assessed by many scholars. They argue that the concept of press freedom is directly associated with the economic, social and political development of a given country. For instance, Garman (2011) asserts that press freedom is important because it is tightly connected to the extremely important rights and freedoms given to everyone in a country, to hold opinions and beliefs, to express and debate them and campaign for them. He further argues that freedom for the media is a freedom on behalf of the public and must never become a disconnected freedom in its own right; it must always work on behalf of the people and for their right to speak in the public domain (Grace, 2010:23).

Nash (2003:1) corroborates this by arguing that the idea that freedom of the press is important because media reporting and representation are an exercise of power. The visibility or secrecy, clarity or opacity of an issue; the ways in which different audiences are told (or not) that their interests are at stake and may be mobilized into a response; the ways in which social groups are included or excluded in the targeting and construction of audiences, indeed the very construction of audiences as composed of citizens and/or consumers—these are all matters of intense relevance to decision-making processes, and to the conduct of social and political life.

Nash's (2003:1) views on press freedom as a principle supports the construction of an open terrain for accountability, to the advantage of the public against vested interests. It is an institutionalised extension of rights to freedom of expression and communication. He

further explains that there are broadly two approaches to its conceptualisation: to minimise the prior constraints on publication of information (the so-called 'negative' conceptualisation), and to maximise the opportunities for deliberation (the 'positive' conceptualisation).

The importance of free press is further expressed by Committee to Protect Journalists (CPJ, 2010) who argues that 'without a free press, few human rights are attainable'. The argument inevitably concludes that a strong press freedom environment is a *sine qua non* of a robust civil society, which leads to stable, sustainable democracies and healthy social, political, and economic development.

Similarly, World Press Association News paper supports the idea that censorship and control of information serves the interest of a privileged few; the rule of law is negatively affected, human rights ignored and impunity and corruption unchecked. In contrast, a free, diverse and responsible media promotes transparency and accountability, informs public debate and helps to ensure governments address the concerns and aspirations of all citizens (EJN, 2006)

2.2.3 Operationalizing press freedom

As we have seen from the above argument, most of the definitions associate freedom of press with democracy, sustainable development and human rights. Pippa (2002:2) argues that freedom of the press operates like a watchdog over the abuse of power, as a civic forum for political debate and as an agenda setter. The UNESCO and the Center for Peace and Human Security (2006) looked at the five indicators of governance in the study of the correlation between press freedom and poverty alleviation. Below are the five indicators according to the UNESCO (2006) report:

i. Political stability and freedom of press

This report argues that political Stability is positively correlated to freedom of press. It contends that if people have a free press they have a possibility to debate in a non-violent way. Governments thus have a good tool to manage possible social tensions (civic forum function). Cuba and North Korea represent peculiar countries as they have no freedom of

press but a political stability comparable to the average: for these countries, the indicator of political stability does not mean that the government suits everyone, but that it is very difficult to complain against it (UNESCO report on freedom of press, 2006).

ii. Democracy and freedom of press

In a democracy the government is supposed to serve its people and is expected to carry out what is the common good for citizens. To ensure authorities do what is expected, an educated and well-informed population is necessary to demand transparency in powerful institutions. In this regard, the mass media play the role of providing the needed flow of information (Barland, 2005:2). Press freedom is what enables democracies to work. A free press is supposed to maximise political, social and cultural outcomes for citizens in a society. Democracy is commonly accepted as the global standard of good governance. Hence, globalisation spreads democracy, including press freedom (Barland, 2005:1). Freedom of press is strongly associated with government effectiveness: the press helps to see if government policies attain their goals or not. Freedom of press is a tool for the society to assess and judge public policies and services (agenda and policy makers' dimension). Some countries, mostly island countries like Belize, Dominican Republic, Micronesia, Guyana, Jamaica or Marshall Island, benefit from a free press but are subject to weak government effectiveness (Grace, 2010:1).

iii. Rule of law and freedom of press

Many scholars associate press freedom with rule of law. In his analysis, Rick (200) talks about how the media can be strengthened, highlighting private versus public ownership, the need for improved protection of journalists who investigate corruption, press freedom and media accountability. The paper further argues that the rule of law corresponds to the independence of the courts and to the enforceability of contracts. It is also positively related to freedom of press: respect for and applications of the law, assessed through the press, are a guarantee of good governance (Rick, 2000:1).

Becker (2007:12) also supports the idea that the role of free press is critical in promoting good governance and controlling corruption. He insists on the idea that the media not only

raises public awareness about corruption, its causes, consequences and possible remedies but also investigates and reports incidences of corruption. The effectiveness of the media, in turn, depends on access to information and freedom of expression, as well as a professional and ethical code of investigative journalists (Becker, 2007: ii).

iv. Press freedom and poverty

A free press is strongly associated with good levels of development and reduced poverty (Anne-Sophie, 2006:9). In her writing, Anne-Sophie (2006:9) argues that income poverty is high when freedom of press does not exist, but this is also the case for poverty headcount ratio and Gini Index. Access to primary goods and better nutrition also coexist with strong freedom of press. However, some countries, even if they reach some decent standards of living, still do not have a free press.

According to Pippa (2002:6) a free press is well associated with decent medical environment: where medical staff is missing, a free press can help spreading the word about it, and thus help improve the situation. He strongly argues that freedom of press and education has a double relationship: education seems to play more on freedom of press than freedom of press does on education. But of course, people do care about their education when they are free from fear and free from basic needs, from want (Tervil, 2008:9). To support the above argument, Grace (2009:9) elaborates that in developing countries, where survival comes first and freedom second, the press needs educated people who are able use their expertise to help their fellow citizens attain other types of freedom.

Tervil (2008:9) further indicates that a free press has to be understood as being a crucial key in the reduction of poverty, for development in both its social and economic aspects. She underlines the fact that free press helps to show the government, or remind it when necessary, where its true responsibilities lie. In Anne-Sophie's (2006:9) view a free press is not a luxury good only available to developed country or rich country; it is rather a necessity to all democratic dispensations. As a development tool, the press is as effective as investment or education.

2.3 Theoretical framework

2.3.1 Francis Kasoma's theory of the role of press independence in Africa

Skjerdal (2009:44) argues that an independent press is vital for any democracy. However, the case in many African countries is that the independent or private press is weak and lacks credibility, although its assumed role as a cornerstone of young democracies is repeatedly stressed by commentators and policy-makers. As mentioned earlier, to analyse the status of freedom of press in Ethiopia under the rule of EPRDF, the study will apply two theoretical frameworks: Francis Kasoma's theory of the role of the independent press in Africa and theory of implementation.

Kasoma's central argument is that the independent press is the key for both the establishment and the sustenance of democracy, although he also admits that the African press has failed its duty in various ways (Skjerdal, 2009:44). Kasoma determines that the role of the private press in bringing about and upholding democracy in African countries was absolutely essential. He further believes that there would be no democracy without a free press and vice versa; (Kasoma, 1995: 545).

The central idea of Kasoma's theories is that the press must be clearly alienated from political or economic control, or from material or infra-structure controls (Kasoma, 1997:297 cited in Skjerdal,, 2009:47). Through his research Skjerdal (2009:44) observes that Kasoma's theory of independent press would not support that any type of state-run or party-affiliated press could be called independent. He also asserts that state owned media would manipulate and distort information in favour of the ruling party and establish its rule while preventing the public from making informed decisions, therefore undermining democratic institutions (Kasoma, 1997: 296).

In his writing, Skierdal (2009:47) argues that Kasoma's theory about the role of the independent press in relation to democracy is twofold: Firstly, he claims that this part of the

press prepared the ground for multiparty democracy in the first place. Secondly, he claims that the independent press is seminal in securing the multiparty system; without its constant pressure the multiparty system would wither. To the first argument, Kasoma saw the independent press as an active stakeholder already when multiparty systems were discussed across Africa in the late 1980s and 1990s. He writes,

“It is my considered view that the independent press, and to a much lesser extent the government press, had more or less a facilitative role to play in the realization of each of the democracy benchmarks, although the extent of its (sic) input was not with the same intensity in every case and for every country”(Kasoma, 2000: 24).

However, Kasoma declares that the independent or private press may have been weak or even non-existent in some countries before the introduction of multiparty-ism. Even so, he affirms that there must be a certain measure of press freedom in place before democracy can be born Skierdal (2009:47). Kasoma underlines the fact that Anglophone countries, which have enjoyed a freer press than francophone countries, had a quicker return to democracy after the demise of one-party regimes (Skierdal, 2009:47).

In his writing, (Skjerdal, 2009:47) witnesses the Kasoma’s (1997) article, which he goes as far as to put the blame on the media themselves if they face new restrictions from the government. He reports that the media behave in shamefully unethical ways and claims that the “widespread unprofessionalism of journalists of the independent press in Africa is itself responsible for a large proportion of governmental intervention to limit press freedom” (Kasoma, 1997: 295 cited in Skjerdal, 2009:47). He adds that this leads governments to establish media councils with the view to control the press (Skjerdal, 2009:47). He also cites material circumstances within the press as a contributing factor to the degradation within the press, i.e. lack of sufficient education, corruption within the media and lack of resources (Kasoma, 2000: 46).

2.3.2 Theory of Implementation

In the process of policy making, implementation follows decision making, and focuses on how decisions get operationalised and carried out (Weimer and Vining, 1995:261). Implementation is a process of interaction between the setting of goals and actions geared

to achieve them. It is essentially an ability to forge links in a causal chain so as to put policy into effect (Parsons, 1995: 464).

Implementation certainly takes different shapes and forms in different cultures and institutional settings. This point is particularly important in an era in which processes of 'government' have been seen as transformed into those of 'governance' (Hill and Hupe, 2002:1). As such implementation literally means carrying out, accomplishing, fulfilling, producing or completing a given task (Hill and Hupe, 2002:1).

A study of implementation is a study of change. It deals with how change occurs, and possibly how it may be induced (Lipsky in Parsons, 1995: 470). It is also a study of the micro structure of political life; how organizations outside and inside the political system conduct their affairs and interact with one another; what motivates them to act in the way they do, and what might motivate them to act differently (Jenkins cited in Parsons, 1995: 465). Implementation process involve many important actors holding diffuse and competing goals who work within a context of an increasingly large and complex mix of government programs that require participation from numerous layers and units of government and who are affected by powerful factors beyond their control (Randal and Grace, 1992 cited in Hupe and Hill, 2005:60).

The significance of studying policy implementation came in the 1970s, where there was awareness that government interventions and efforts to address social problems of various aspects were ineffective (Hupe and Hill, 2002:41-42). According to Hupe and Hill (2004:42), the above mentioned challenge was an indication that something was missing in the impact model of the intervention. This missing link was later determined to be implementation. Henceforth care has been given to implementation as much as it is given to other stages of the policy cycle.

i. Horizontal and vertical policy dimensions

According to Exworthy and Powell (2004), horizontal and vertical dimensions have a significant impact on the making of policy process. The vertical dimension sees policy as a rule which is concerned with the transmission downwards of authoritative decisions. On the

other hand, the horizontal dimension sees policy in terms of the structuring of action concerned with relationships among policy participants in different organizations that is, outside of the line of hierarchical authority (Exworthy and Powell, 2004: 264). Exworthy and Powell (2004) argue that implementing policies to solve repetitive problems or 'wicked problems' such as healthy inequality is complex requires a network of participants and effort, and should not be consigned to an individual actor. Despite the complexity in analysing policy making process, successful implementation can be achieved by incorporating all the models or approaches in the right environment (Exworthy and Powell, 2004:268). This involves reconciling the vertical dimension, associated with central government departments, with local implementing agencies and non-state actors.

The vertical dimension is concerned with whether policy ownership should reside at national level or local level (Exworthy and Powell, 2004:264). The horizontal dimension or joined-up government at the centre is another model used in policy implementation. According to Exworthy and Powell, this dimension involves the territoriality of each department with its own culture, practices and hierarchy (Exworthy and Powell 2004: 266). Furthermore, Exworthy and Powell argue that the advantage of horizontal approach is that the joined-up government may be laudable in terms of balance of power between and within departments. On the contrary, the joint-up government is not a partnership of equals as can be seen by the change in the balance of power (Exworthy and Powell, 2004:267).

In vertical dimension, it is taken for granted that there are policy-makers. As long as the focus of this dimension is on rule, there must be rulers. However even in the vertical dimension, hierarchical authority alone is not enough, since there are many participants in the policy process who are not exactly under the direct control of the government (Exworthy and Powell, 2004). The fact that vertical dimension is concerned with whether policy ownership should reside at national or local levels, also complicates things. For instance, an organization cannot be accountable for factors such as solving health inequality, unemployment or housing which are beyond any individual agency's control. In the same way, 'wicked problems' such as income inequality are primarily associated with national level rather than local solutions (Exworthy and Powell, 2004: 266).

ii. Implementation models and their criticism

To be unambiguous, policy implementation is clearly defined in terms of a relationship...; the adoption and execution of collective decisions inherently involve cooperation...; and successful implementation is more likely to occur when the three streams are aligned across three dimensions...respectively. Though some thinkers such as Hogwood and Gunn (cited in Hupe and Hill 2002:51) have already noted the 'unattainability of perfect implementation' due to the complex nature of the process, the identification of the missing link as an approach to the study of implementation could raise the standard of policy implementation to a level that satisfies.

Hupe and Hill (2002:42) argue that in analysing implementation, many theorists struggle with: variations between policy issues, or types of policy issues; and variations between institutional contexts, which may include questions about the extent to which generalizations apply outside specific political systems or national context.' Exworthy and Powell (2004:263) echoed similar thought in re-assessing models of policy implementation in the 'congested state' that involves two main directions: 'locating implementation in the context of wider models of the policy process...and examining implementation in multi-level governance.'

As implementation research evolved, two schools of thought developed as to the most effective method for studying and describing implementation: the top down and bottom up models of implementation (Matland, 1995). Matland (1995) asserts that those who support bottom-up approaches see the policy designers as the main actors and policy implementation processes as flowing downwards from the state structures. Those who support bottom-up approaches argue that the target groups and those who deliver the services should be seen as central to the process.

The top-down/bottom-up theories developed in policy implementation are but synonyms used to invigorate the need to act despite some inherent limiting conditions in the process. Theorists from both schools; Van Meter, Van Horn, Bardach, Sabatier, Mazmanian, Hogwood, and Gunn (top-down theorist) and Lipsky, Hjern, Barret and Fudge (bottom-up theorists), regardless of their different approaches have one thing in common: that things be done. For instance, the variable offered by Van Meter and Van Horn (cited in Hupe and Hill 2002:46) contain both top-bottom and bottom-up approaches. The two thinkers actually conceded that 'when they stress concerns about consensus and compliance they recognize the importance for these of participation in the policy formation by subordinates' (Hupe and Hill, 2002:46).

The only contrast with bottom-up approaches is that this is participation at a prior policy-formation stage. Hjern in Hupe and Hill (2002:55) consolidated the interaction that should exist in these two theories in that 'activities as within implementation structures formed from within pools of organizations and formed through processes of consensual self-selection.' This is to involve, Hjern continues, 'policy output analysis and that the effective study of implementation must be organization theory inclined in a way that does not privilege any specific actor or set of actors.' This means that when the top-down and bottom-up approaches co-operate without holding to each other's position disregarding the other, policy objectives and goals will be realized.

iii. Top-down model

According to Matland, top-down model sees implementation as concerned with the degree to which the actions of implementing officials and target groups coincide with the goals embodied in an authoritative decision (Matland, 1995:146). Matland notes that top-down theorists see policy designers as the central actors and concentrate their attention on factors that can be manipulated at the central level (Matland, 1995:146).

The theorists emphasize target groups and service deliveries, arguing policy really is made at the local level (Matland, 1995:146). In addition to that, top downers have exhibited a strong desire to develop generalisable policy advice. This requires finding consistent, recognizable patterns in behaviour across different policy areas (Matland, 1995:147). Top-down model has been greatly criticized for not taking into account the role of other actors and levels in the implementation process (Lipsky cited in Parsons, 1995:467). This model has been criticized in many ways, for instance, they are accused of taking the statutory language as their starting point because, it has been noted that, many implementation barriers are found in the initial stages of the policy-making process (Winter cited in Matland, 1995:147).

They also accused of seeing implementation as a purely administrative process and either ignoring the political aspects (Berman, Hoppe, and March cited in Matland, 1995:147). They are also criticised for their exclusive emphasis on the statute framers as key actors (Matland, 1995: 148).

iv. Bottom-up model

Bottom uppers argue that a more realistic understanding of implementation can be gained by looking at a policy from the view of the target population and service deliverers (Matland, 1995:148). According to this view, policy implementation occurs at macro and micro levels. Macro implementation involves centrally located actors devising a government program and at the micro implementation level, local organization react to the macro level plans, develop their own programs and implement them (Berman cited in Matland, 1995: 148). Furthermore, bottom uppers argue that the goals, strategies, activities, and contacts of the actors involved in the micro implementation process must be understood in order to understand implementation (Weatherly and Lipsky cited in Matland, 1995:149).

Having assessed the main arguments and views of the two models to implementation, Matland observes that there are two criticisms of bottom-up models: the one normative and the other methodological (Matland, 1995:149). The normative criticism says that, in a democratic system, policy control should be exercised by actors whose power derives from their accountability to sovereign voters through their elected representatives. The methodological criticism over-emphasizes the level of local autonomy. It relies on

perceptions; therefore, indirect effects and the effects actors are unconscious of are not registered (Linder and Peters in Matland, 1995:150). After having assessed the criticisms of two models presented by different scholars, Matland (1995) notes that there is a problem in both models. The problem with both the top-down and bottom-up frameworks according to Matland is that they tend to over-simplify the sheer complexity of implementation (Matland, 1995:471).

As a result a new idea was introduced by one of the critical theorists Elmore. He came up with the concept of forward and backward mapping in his early attempt to combine the two perspectives (Elmore cited in Matland, 1995: 152). In relation to the above concept, Berman (1980) argues that an implementation plan should be developed using either the top-down or bottom-up approach (Berman cited in Matland, 1995:152). He further argues that these situational parameters are dimensions that the implementation designer cannot influence (Berman in Matland, 1995:152).

v. *Successful implementation*

Many scholars have argued that there are complex issues which surround the policy process. Thus, a good policy analysis requires a great deal of thought. Significantly, the study of policy implementation arises from awareness that the efforts of an intervention to address social problems of various aspects were ineffective (Matland, 1995:153). This is an indication of a gap in analysing policy implementation. According to Hupe and Hill (2005) effective implementation is a condition which can be built up from the knowledge and experience of those at the front of service delivery – the street-level bureaucrats (Lipsky in Parsons, 1995: 470).

One of the key factors of successful policy implementation is implementation disposition, the commitment of the stakeholders to seeing the policy reform through (Warwick, 1982). It has been argued that even with the most logical policy imaginable, which passes any analysis of its cost versus benefit, if those responsible for carrying it out are unwilling or

unable to do so, little will happen (Warwick, 1982 cited in Matland, 1995). Warwick (1982) further argues that the support of clients and outside coalitions is another critical variable contributing to the successful implementation.

For Grindle, (1980) capacity is another recognised factor for effective implementation. It may seem obvious that a minimum condition for successful implementation is to have the necessary administrative and financial resources to do the job. Roughly of the 300 studies surveyed by O'Toole (1986) feature resources, and in particular administrative resources, as a critical variable in successful implementation. Another important variable is the existence of a policy constituency, key stakeholders willing to invest and defend the policy trajectory (Elmore, 1979 cited in Matland, 1995).

Implementation researchers such as McLaughlin (1987) discuss the difficulties associated with policy implementation and argue that of the key factors, capacity, although a potentially difficult issue to overcome, is something that can be addressed through training, funding or the employment of consultants to provide missing expertise. But in the absence of commitment, or the motivation and beliefs that underline an implementer's response to a policy's goals or strategies, very little can be done to ensure the successful implementation of the policy intervention (McLaughlin, 1987 cited in Matland, 1995).

Palumbo, Maynard-Moody, and Wright (cited in Matland, 1995:154) argue that top-down theorists desire to measure success in terms of specific outcomes tied directly to the statutes that are the source of a program. While bottom-uppers prefer a much broader evaluation in which a program leading to positive effects can be labelled a success.

vi. *Barriers to implementation*

Brinkerhoff (2002:3) asserts that due to challenges in the policy process, policy implementation has seen three generations of its analysis. Since the 1950s, the field of policy implementation analysis has evolved through several generations of international development in theory and practice.

The first generation of policy prescriptions evolved around economic reform stabilisation which is characterized by staunch fiscal deficits, reduction of balance of payment and bringing down inflation rates (Brinkerhoff, 2002:4). The second generation of policy approaches is characterized by institutional economic and political and focuses on the interplay between the state, markets and civil society. The policy analysis approach that responds to the lessons learned from the previous generation is the third generation. Meyers (1981) (cited in Patton, 1997:201) argues that much implementation fails because program designs are “counterintuitive”- they just don’t make sense.

vii. *Policy implementation in developing countries*

Brinkerhoff & Crosby (2002) aim to give decision-makers in developing and transitioning countries a toolbox for managing their policy reforms. The first sentence of the first chapter adds that ‘the book is about how to implement policy reforms in developing and transitioning countries’ (Brinkerhoff & Crosby 2002:3). Taken at face value this can be seen as a form of paternalism. As is, the objective of the book begs the question: Do policy reforms in developing and transitioning countries follow different implementation strategies from developed countries? However, from the procedure of the book, the rationale of the objective is somehow clarified. Brinkerhoff & Crosby (2002:4) assess the impact of the structural adjustment programs (SAPs), and other donor-instigated policies in the Third World countries. This, as evidenced in many reports, resoundingly failed.

As Brinkerhoff and Crosby (2002:4) contend, from donor organisation, business perspective and civil society in developing countries, many policy reforms were drafted and never successfully implemented. Another observation has been that since the fall of communism in 1989, many developing and transitioning countries have moved towards democratisation. To most of these countries the wave of democratisation coincided with the SAPs, and then saw a lot of 'long-haul' policy reforms being attempted; to reform governments and economies (Brinkerhoff & Crosby 2002:7). Therefore as the authors further assert, in most developing and transitioning countries external assistance has always been sought in the implementation of policies. This technical assistance is aimed at advancing the knowledge of policy reform implementation and strategic management in ways that deepen democracy (Brinkerhoff & Crosby 2002:8).

Brinkerhoff & Crosby (2002:18-21) assess generic characteristics of policy reform in developing and transitioning countries, and concludes that in most cases the impetus of policy reforms are external to the government; political transitions are highly conflictual leaving the new government with little idea of what and how to implement policy reforms; the scarcity of resources leave many policy reforms unimplemented, or highly dependent on donor funding (Brinkerhoff & Crosby 2002:22).

According to Brinkerhoff & Crosby (2002: 18-21), there are identifiable characteristics of policy reforms in developing and transitioning countries that tend to complicate the implementation process. One such prominent characteristic in developing countries is that most developing countries are what Mkandawire (2001) call 'choiceless democracies'. Following Brinkerhoff and Crosby's logic it would seem that non-democratic governments have little chance of successful implementation of policy programs. The high turnover rate of government and political regimes in developing countries is bound to affect the implementation of long-haul policy reforms.

2.4 Conclusion

This chapter focused on the conceptual and theoretical framework of implementing press freedom policies in Ethiopia. To investigate the standing of freedom of press in Ethiopia, the study applied two theoretical frameworks: Francis Kasoma's theory of the role of independent press in Africa and theory of implementation. Kasoma's theory argues that the role of the media is serves as the bridge between the government and the public. On the other hand the theory of implementation was discussed from different angles. The main focus was to discuss the various types of implementation based on the two main schools: top-down and bottom-up approach. This chapter further assessed the conditions to successful implementation as well as the barriers to successful implementation. Different perspectives of implementation in developing countries were also part of the discussion. Furthermore, the chapter addressed the different criticisms of implementation models. The assumption is that understanding those theories will guide the analysis of the research.

CHAPTER THREE

A HISTORICAL BACKGROUND OF MASS MEDIA IN ETHIOPIA: THE MONARCHICAL, THE MILITARY AND THE DEMOCRATIC ERA

3.1 INTRODUCTION

The main focus of this chapter is to discuss the historical background of mass media and press freedom in Ethiopia. It further looks at the different legal frameworks considering freedom of press which is the main theme of the study. In trying to show the historical origins of media in Ethiopia, the study goes back to the time of Emperor Haile Selassie I (1923-1974) and discusses the contributions of the king to the expansion of media in the country. Finally, this chapter looks at the 1987 military regime and the current government legal framework and the growth of print and broadcast media in the Ethiopian legal regime.

3.2 The origin of Mass Media in Ethiopia

Through his research Lee; (2011:2) observes that the history of mass communications is relatively short in the scope of world history. He argues that although news sheets appeared as early as 100 B.C., most forms of communication reaching large numbers of people have developed only in the last 500 years (Lee, 2011:2). Ochilo (1993:21) investigates press freedom and the role of the media in Kenya. He argues that the modern media in Africa was a creation of European missionaries, immigrants and the colonial administrations as the chief actors. He admits that colonization was responsible for the introduction of the printing press in many African countries and the rest of the third world, from which the present media systems in Africa grew (Ochilo, 1993:21). According to Ochilo (1993), the colonizers used the media primarily for the distribution of news and information among the European residents and settlers.

The history of media in Ethiopia stretches beyond one hundred years. Historical research shows that the first Amharic newspaper was published during the regime of Emperor Menilik II who ruled Ethiopia from 1889 to 1913. However, for most of its history, the media in general remains under government control and ownership with strict censorship laws (Seble, 2011:4). Seble (2011:4) further argues that this ownership has led to the use of the media by successive governments to impart information about what the rulers wanted the people to believe. In his historical analysis of the origin and development of Ethiopian constitution, Abebe (2011:1), mentions that Ethiopia is the only African country that successfully resisted European colonization after it defeated the Italians in 1896 at the battle of Adowa. According to Abebe (2011:1) the recorded history of Ethiopia dates back more than 2,000 years. Myths extend the birth of the former Abyssinian kingdom to more than 3,000 years ago. Abebe argues that throughout its history, the kingdom has been ruled by several emperors and a small number of empresses, all claiming descent from the legendary Solomon of Israel, with a few interruptions. The leaders claimed divine power, and hence were absolute monarchs (Abebe, 2011:1). Abebe (2011:1) further argues that the monarchs were the law makers, the executives, and the judges, with no concept of separation of powers.

3.2.1 The Reign of Emperor Menelik I

The history of media in Ethiopia can be traced back to the reign of Emperor Menelik II who ruled Ethiopia from 1889 to 1913(Seble, 2011:33). In 1895 the first hand written Amharic newspaper was published. It was a four page weekly newspaper called *Aemero (intelligence)*. Research shows that between the year 1912 and 1915 newspapers like *MeleketeSelam*, *Yetor Wore* and many others appeared as weekly publications (Simon, 2006). According to Simon (2006) for the most part, from the very beginning, the print media were controlled by the Emperors, subject to official censorship and string-pulling. He argues that this control intensified, in 1965, when *BerhanenaSelam* Printing Press, a modern monopolistic institution run by the government, was established. Through her research Seble (2011:32) claims that the printing press played a role in the publication of two national weekly newspapers, *Addis Zemen*, in Amharic (1941) and its English counterpart the *Ethiopian Herald*, in 1943. These two served as the main official press organs of the state and as the main source of information for the people of Ethiopia (Seble, 2011:32).

3.2.2 The Reign of Emperor Haile Selassie I

Emperor Haile Selassie formerly known as RasTeferi introduced the first written Ethiopian Constitution in 1931(Ministry of Foreign Affairs, 2010). According to Abebe (2011:1), this Constitution, however, did no more than codify and fortify the absolute powers of the monarch. As a result a Revised Constitution was adopted in 1955. However just like its predecessor, the Revised Constitution played little in the role of limiting the power of the state and the monarch. It was meant to serve as a camouflage for pure authoritarianism (Clapham, 1987:14). It was, however, in the Revised Constitution of Ethiopia that the idea of freedom of expression was introduced for the first time in the country (MFI, 2010). Article 41 of the Revised Constitution states that, “freedom of speech and of the press is guaranteed throughout the empire in accordance with the law” (Revised Constitution, 1955).Tura (2007) argues that the Revised Constitution seems that this old constitution provided explicit recognition to freedom of speech and of the press. However, press

freedom was only conferred (allowed) to the state/empire press. Private newspapers were not allowed to operate (Tura, 2007:54).

According to Seble, (2011:2) during the regime of Haile Selassie, the media was used to spread information of a royal nature with an objective of building the unchallengeable figure of the King. For the very few Ethiopians who had the access to newspapers and the electronic media or for those who were actually able to understand the contents of the media, information was a way of knowing and appreciating the “divine power” of the King and the magnitude of the feudal system (Seble, 2011:2).

At its nascence the media was only the medium through which the Emperor propagated his unparalleled and unprecedented greatness, kindness, wisdom and leadership. The contents of the newspapers were focused on the power and greatness the King (Simon, 2006:57). According to MFA (2010) reports the *BerhanenaSelam* printing press assisted Haile Selassie in his transition from Regent to his Majesty Emperor of Ethiopia. Even at that early age when the numbers of functional literate Ethiopians were still very low, Haile Selassie understood that the power of the media and communication plays a great role in influencing the views and values of the society (Seble, 2011:35). Abebe (2011) claims this was the main reasons for the King to impose strict regulations and censorship laws on the media. As Simon (2006:55) notes, although freedom of speech and freedom of press were provided under article 41 of the 1955 Revised Constitution, subsequent legislations had imposed strong limitations to the press.

3.2.3 Radio and Television

Audio (radio) and video (television) technologies emerged in Ethiopia in 1935 and in 1964 respectively (MFA, 2010). According to Tefera (2006:5), though most of the major media organizations were already established during the regime of Haile Selassie, none of them had made a significant effort to challenge the human rights violations of the time. According

to Tefera (2006) the Emperor's regime was characterized as an oppressive feudal monarchy that violated the human rights of peasants on a massive scale. Taxes were often shifted illegally by landlords to tenant farmers. Evictions could and did occur without notice because most leasing arrangements were oral. More than 50 per cent of the produce was often demanded as rent, and interests on loans was frequently 100 percent. Free service was demanded by landlords who also imposed a 10 per cent tax, although it was declared illegal in 1967 (Tefera, 2006:7). As such the oppressed had little recourse to any higher authority, because landlords filled governmental and legal structures and controlled all public spaces, including the media.

3.2.4 The 1987 Constitution: The military regime

During the military regime (1974-1991), Ethiopia was led by Lieutenant Colonel Mengistu Haile Mariam. Historians, such as Clapham (1987:192-195), argue that this period was characterised by a communist political ideology and nationally referred to as the Dergue regime. Similar to Emperor Haile Selassie, the Dergue's Constitution of 1987 protected provisions promising Ethiopians freedom of expression and of the press (Tura, 2007:54). Article 47(1) of this constitution declares: "Ethiopians are guaranteed freedom of speech, press". Furthermore, Article 47(2) reads: "the state shall provide the necessary material and moral support, for the exercise of these freedoms". However, such provisions were ineffective since the freedom of the press and expression was not practically exercised due to the repressive regime and party control of the media and the pervasive censorship that accompanied the operation of the press (Tura, 2007:54).

According to MFA (2010) reports, during the 17 years of the military regime, the state- and party-owned publications *Meskerem*, *SertoAder*, and the pre-Dergue *Yezareyitu Ethiopia* were published in addition to the previously mentioned *Addis Zemen* and the *Ethiopian Herald* and the broadcast of the national radio and television. In his research Tura (2007:54) compares the military regime with the Emperor's regime. He argues that the Military regime performed, with a few exceptions, treated the media in the same way the Emperor treated

it, and used it as the mouthpiece for its ideologies. Tura (2007) adds that though it came with a promise to protect and stand to the people, the military regime was not any better in protecting human rights (Tura, 2007:55).

3.2.5 The 1995 Constitution: the current Government

Freedom of expression is one of the fundamental rights guaranteed under the FDRE Constitution (Gideon, 2011:3). According to Brown (2001:3), the innovative event in the history of print media in Ethiopia began after the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) came to power in May 1991. EPRDF soon declared the adoption of the 1948 Universal Declaration of Human Rights in its' Charter, and freedom of the press and speech (MFA, 2010). The 1995 Ethiopian Constitutions Article 29 provides the people of Ethiopia with the right to hold opinions, thoughts and free expression. Particularly, it protects freedom of expression without interference including the freedom to seek, receive and impart information and ideas of all kind regardless of frontiers, either orally, in writing or in print, in the form of art or through any media of one's choice (FDRE, 1995). It also affords freedom of the press and the mass media by ensuring the opportunity for access to information of interest of the public and prohibiting censorship.

The Censor Department of the Ministry of Information was abolished and hopes for democratization and freedom of expression emerged again. Gideon (2010) declares that for the first time in Ethiopia's long history, the private sector became involved in the media field with confidence. He further states that besides this positive development, the government also announced that the state media would give time and space for different political parties to carry on free discussions and inform the public about their views (Gideon, 2010:3). According to the MFA (2010) report the Press Law allowed an independent and privately-financed press alongside the government-funded official media, which include the television service, radio and a number of newspapers such as the *Ethiopian Herald* (in English), *Addis Zemen* (in Amharic), *Berissa* (in the Oromo language), *Al-Alem*(in Arabic), and other government publications.

In 1996 the State media was given limited autonomy, although it still presents official views, it must avoid criticizing the government and overlook any human rights violations by government. More than 200 independent publications, including over 60 newspapers (mainly weeklies), were registered by the Ministry of Information (MOI) as required under the Press Law, with none apparently being refused registration (MIO, 2006). According to Gideon (2011) this was, however, limited to the periods of election campaign. Both the print and electronic state media disseminated the government's policy most of the time. Bezabih writes (2000:132) "As was the case in the past, the state-owned media became simply the propaganda machinery of the new government, launching violent verbal attacks on those political or ethnic groups that are ill favoured by the ruling circle". Seble (2011:7) supports the above argument as unprofessional and unethical campaign against those who hold opinions that are incongruent with those of the government has undermined the credibility of the state media and put into question the seriousness of the so-called democratization program of the government. She adds that now a day, the relationship between the government and private press has become, to say the least, strained.

3.3 The legal framework: Press Proclamation 34/1992

The 1992 legal framework is the first press proclamation that fully recognizes freedom of the press and freedom of expression. This is understood from the preamble of the proclamation that states: "The existence, promotion and expansion of free and strong press prerequisites for the full translation in to practice of freedom of expression (Preamble of Proc. No. 34/92). Article 3 of the Press Law recognizes freedom of expression and to this effect rules out press censorship and any restriction of a similar nature. This is a great leap forward for the press precisely because the previous regime has handcuffed the press through censorship which defeats the purpose of freedom of expression (Tura, 2007:58). Article 4 states that press stands for the pursuit of fundamental free, peace, democracy, justice, equality and for the acceleration social and economic development (FDRE, 34/1992). This provision indicates that the content and the objective of any press organization should be in congruence with the above-mentioned values (Tura, 2007:58).

3.4 Print media

According to Mocrai, Mesfin, and Alemayehu (2003:29-35) towards the end of the 19th century, missionaries and trade representatives had set up weekly and monthly papers in French. *Le Semained’Ethiopie* (The Ethiopian Weekly) appeared in for the first time in 1905. The Ethiopian press began at the beginning of the 20th century when the weekly *Aemero* (Intelligence), appeared in 24 hand written copies in 1902. With the aid of mimeograph machines, *Aemero* had a weekly circulation of over two hundred copies until it ceased publication in 1916. Revived in 1924, the paper appeared weekly for several years.

In 1923, Emperor Haile Selassie I established the first printing press, the *BerhanenaSelam*(Light and Peace) Printing Press (Mocrai *et al*, 2003:29-35). This was during Empress Zewditu’s reign when he was Regent and known as RasTeferi. Soon after this printing press, still the largest printing press in the country, was established, the first official Amharic newspaper, also called *BerhanenaSelam* appeared in print (MOF, 2000).

BerhanenaSelam was the first newspaper that served as a forum for the few young educated elite of the time. The start of the First World War (1914) saw the introduction of two novel publications, one in Amharic: *YeTorWere*(War News), and another in French: *Le Courrierd’Ethiopie* (The Ethiopian Messenger). In 1917, *GohaTsebah* (The Beginning) was published in Amharic. From 1923–1936, Ethiopia had six publications: *Aithiopico s Kosmos* (Ethiopian World) in Greek in 1925; *L’EthiopieCommerciale* in French in 1932, *Atbia-Kokab* (The Morning Star) in Amharic in 1934, and from 1934–1936, *Ye-Ethiopia Demits* (Voice of Ethiopia) in Amharic.

Mocraiet *al* (2003:29-35) also show that between1941–1974, a number of legal measures that encouraged the growth of print media in Ethiopia were taken. The major ones among these, according to Bonsa (2000:16) were the Decrees of 1942 and 1944, the Revised Constitution of 1955, the Penal Code of 1957, the Draft Constitution which was presented to

the country's highest constitutional assembly in July 1974 and a Decree published in *Addis Zemen* in March 1975. On May 5th 1941 *Addis Zemen* (New Era), appeared in Amharic (Mocraiet *al*, 2003:29-35).

Furthermore, according to Simon (2006) in 1942, the Press and Information Department was established under the then Ministry of Pen, and *SendekAlamachin*(Our Flag) appeared in Amharic and Arabic, and the *Negarit Gazet* appeared in Amharic and English. A year later in 1943, the English language *The Ethiopian Herald* was started as a weekly publication. This newspaper and *Addis Zemen* became dailies at the end of 1958, and are still being published by the Ministry of Information.

According to Tizita (2008) following *Addis Zemen*, *Ye-Ethiopia Demtsre* emerged in 1958. Another newspaper, *Ye-Eritrea Demits* (The Voice of Eritrea) published by the Ethio-Eritrean Unionist Association, was launched in Amharic and Tigrinya. Two monthly papers, *Ethiopian Review*, in English and *Berhanena Selam* in Amharic, were published in 1946. In 1947, three Amharic and one English paper appeared. These were *ZenaBete-Kristyan*(News of Churches), *NuroBe Zeday* (Living Wisely), *TekleHaimanot* (Saint TekleHaimanot) and *The Daily News Bulletin* in English. Three years later, in 1950, *AlemenaTebeb* (The World and Wisdom), in Amharic, and *Progress Economique* in Amharic and French were published (Mocraiet *al*, 2003:29-35).

Another newspaper which appeared during this period was the *L'Ethiopied'Audjourd'hui*(Ethiopia Today) started to come out in Amharic and French in 1952. The Amharic counterpart of the English Daily News Bulletin also came into the scene around this time (Zewude, 2002:2). Others, the most noted of which is *Yezareyitu Ethiopia* (Ethiopia Today), appeared in 1952. According to MFA (2010) reports during this period, several quarterly and yearly departmental journals and publications, such as those of the State Bank of Ethiopia, Ministry of Education, Commerce and Industry also appeared.

Magazines too were published during this period. Some of these monthly magazines were: The *Ethiopian Mirror* (English), *Mennen* (one each in English and Amharic) *Addis Reporter* (English) and others published by the Ministry of Information and *Tewahedo* (Ethiopian Orthodox Church), *Berhan* (Ethiopian Evangelical Church), and others, *Azeb* published by the Ethiopian Women Welfare Association (EWWA), and *Ethiopia Observer* published in Ethiopia and Britain and edited by Sylvia Pankhurst.

Through their research Mocrai *et al* (2003:29-35) argue that in all, between 1941–1974, 14 newspapers and magazines were published in Amharic and other national languages and 13 others came out in English and other foreign languages such as Italian and French. According to Mocrai *et al* (2003:29-35) most of these magazines and newspapers had been banned during the previous Dergue regime, while others, mostly publications of government institutions and ministries, continued to appear. They further elaborate that in the first two or three years of the Dergue regime, there were promises and hope of freedom of the press. Dialogues between opposing political groups were seen in print and electronic media, and journalists became extremely open and critical of the government. Relevant national issues such as democracy, land tenure and the form of government the country should have were openly discussed in the public print media (Mocrai *et al*, 2003:29-35). They further argue that this period, which was referred to by Ethiopian journalists as ‘the golden days of Ethiopian journalism’, was unfortunately short lived.

Zewude (2002:5) further states that at this time, magazines, such as *Tseday* (Spring) which covered social and political issues (which did not last for long) and *Goh* (Dawn) (which had been circulating for some time within a limited number of readers) appeared. However, *Goh* was declared counter-revolutionary and banned. The Censor Department of the Ministry of Information and National Guidance, which had been in existence since 1972, was reinforced and given more power in 1977. As identified by Bezabih (2000:129), ‘the Dergue took over total control of the media by assigning its cadres to supervise the day-to-day operation of the journalists working in the state print and electronic media.’

3.5 Government print media

According to the Ethiopian Media and Culture Survey conducted by Alemayehu (2003:29-35) at present, daily and weekly newspapers in Amharic, Afaan Oromo, Arabic and English are published under the Ministry of Information's Ethiopian Press Agency. The main objective of these government publications is to disseminate news, information and editorial materials. According to Alemayehu (2003) these publications also carry either full page or two columns of educational, health, cultural and women's issues weekly. He further declares that the Press Agency publishes a monthly magazine called *Zemen* (Era) on political, social and current issues and includes arguments concerning opposition politics and different national issues. The Press and Information Department also publishes a quarterly magazine called *Merewa*. Most government institutions and ministries also publish different magazines that mainly focus on their activities (Alemayehu, 2003: 29-35).

3.6 Private print media

In Ethiopia the private press began to appear after the downfall of the Dergue Military regime and the introduction of the press legislation in 1992 (Tura, 2007:63). Prior to this period the imperial and military regimes did not allow the operation of the private press in the country (Desalegn and Meheret, 2004 cited in Tura, 2007:53). They contend that the government was the sole owner of the means of public information and used the media to extend its power and legitimacy, to control the population, and to stifle public awareness (Desalegn and Meheret, 2004 cited in Tura, 2007:51).

The introduction of private media publications in 1991 immediately led to an expanding of newspapers. A study shows that approximately twenty private Amharic and English language newspapers with political and business focuses were published, with a combined weekly circulation in the capital city of Ethiopia, Addis Ababa of more than 150,000 copies (SOCEPP, 2012:28). Most newspapers were printed on a weekly basis with the exception of the state owned Amharic and English daily. Many were closed after a short period, but

Ethiopia has, since 1991, had at least twenty different private newspapers at one time. According to Shimelis (2002), in 2000 approximately 64 newspapers and a number of magazines were in circulation in Ethiopia, most of which were private.

According to the Ministry of information (Moi) 385 publications, comprising 265 newspapers and 120 magazines were registered between October 1992 and July 1997 (Moi cited in Shimelis, 2002:186-87). The 1995 Ethiopian Constitution put certain limitations on the freedom of expression. In Article 29 (6), the Constitution justifies the censorship on grounds of protecting the citizenry (FDRE, 1995). It further prohibits any propaganda for war and public expression of opinion intended to injure human dignity.

In the study of Ethiopian culture and media foundation, Alemayehu (2003) observes that before the Press Law was passed, some 50 monthly magazines, such as *Tseday*(Spring), *Hibri*, *Ifoyta* (Relief), *Tobiya and Ruh*(Soul), appeared on the scene. His study further shows that the first weekly newspaper, *Eyeta* (Point of View), appeared in 1992 (Yekatit1984 E.C.) nearly a year after EPRDF took over control. The publisher of the paper was Paulos Publishing House, owned and run by Getachew Paulos. Zewude (2003) asserts that this tabloid circulated 50,000 copies per week when it started; but when a critical political event occurred, circulation would rise to 70,000. According to the kebede (2008) the owner was accused at different times of defamation and creating political instability, and was fined Birr 13,000 (equivalent to 1,327 USD) at one time and Birr 2,000 (equivalent to 204 USD) at another. According to Getachew, this treatment along with other persecutions was so discouraging that he closed down the paper in 1993. Other tabloids like *Addis Dimts*(New Voice) and *Addis Tribune*, Amharic and English weeklies respectively came into existence during this period. For Addis Ababans, purchasing the maiden issues of magazines and newspapers became the fashion (Mocrai, Mesfin, and Alemayehu, 2003:29-35).

The Ethiopian Broadcasting Authority (EBA) published the following list of authorized radio and TV stations on its website (www.eba.gov.et/web/data/Broadcast/main.htm) in September 2011.

Table 1: List of Broadcast Media in Ethiopia

OWNER	NAME OF STATION	SECTOR	COVERAGE	LANGUAGES	LOCATION
Ethiopian Radio & Television Agency	Ethiopian Television	Government/ Public	National	Amharic Oromo English, Tigrinya, Somali, Afar, Harari	Addis Ababa
	Ethiopia Radio	Government/ Public	National	Amharic Oromo English, Tigrinya, Somali, Afar, Arabic, French	Addis Ababa
	FM Addis 97.1	Government/ Public	Addis Ababa & Surrounding	Amharic	Addis Ababa
Oromiya Mass	Oromiya Television	Government/ Public	Regional	Oromo, Amharic	Adama
	Oromiya Radio Station	Government/ Public	Regional	Oromo, Amharic	Adama
	Oromiya FM 92.3	Government/ Public	Adama & Surrounding	Oromifa	Adama
Dire Dawa Mass Media Agency	Dire TV	Government/ Public	Dire Dawa & Surrounding	Amharic, Oromo, Somali	Dire Dawa
	FM Dire 106.1	Government/ Public	Dire Dawa & Surrounding	Amharic, Oromo, Somali	Dire Dawa
Amhara Mass Media Agency	Amhara Region Radio	Government/ Public	Regional	Amharic, Agewinya, Humtinya	Bahir Dar
	FM Bahir Dar 96.9	Government/ Public	Regional	Amharic	Bahir Dar
Addis Ababa Mass Media Agency	FM Radio Addis 96.3	Government/ Public	Addis Ababa & Surrounding	Amharic	Addis Ababa
	Addis Television	Government/ Public	Addis Ababa & Surrounding	Amharic, English French, Arabic	Addis Ababa
Southern Nations & Nationalities Mass Media agency	South FM 100.9	Government/ Public	Regional	Amharic	Hawasa
Tigray Mass Media agency	FM Mekele 104.4	Government/ Public	East South & South East Tigray & Mekele Surrounding	Tigrinya	Mekele
Somali Mass Media Agency	Somali FM Radio	Government/ Public	Jijiga & Nearby Somali Region	Somali	Jijiga

	Somali Region TV	Government/ Public	Jijiga&Near by Somali Region	Somali	Jijiga
Hareri Mass Media agency	Harar FM 101.4	Government/ Public	Regional	Amharic, Oromo, Harari	Harar
AdeyTensaye Media & Entertainment	Sheger 102.1 FM	Commercial	Addis Ababa & Surrounding	Amharic	Addis Ababa
Zami Public Connection	Zami Radio 90.7	Commercial	Addis Ababa & Surrounding	Amharic	Addis Ababa
Radio Fana Share Company	Radio Fana	Commercial	National	Amharic, Oromo, Somali, Afar	Addis Ababa
	Fana FM 98.1	Commercial	Addis Ababa & Surrounding	Amharic	Addis Ababa
DimtsiWeyaneTigray	DimtsiWeyaneTigray	Commercial	national	Tigrinya, Afar, Kunaminya	Mekele
Afro FM 105.3	Afro FM 105.3	Commercial	Addis Ababa & Surrounding	English, French Arabic	Addis Ababa
Kembata Community Radio	Kenbata Community Radio	Community	Kenbata Zone	Kembatinya	Durame
Kore Community Radio	Kore Community Radio	Community	AmaroLiyuWereda, Kore Community	Korete, Amharic	AmaroLiyuWreda
SudeWereda Community Radio	SudeWereda Community Radio	Community	Surrounding	Oromo	KoreKuluKebele
Jimma Community Radio	Jimma Community Radio	Community	Surrounding	Amharic, Oromo	Jimma
Kafa Community Radio	Kafa Community Radio	Community	Surrounding	Kefinya	Bonga
Kombelcha Community Radio	Kombelcha Community Radio	Community	Surrounding	Amharic	Kombelcha
Wag Himra Community Radio	Wag Himra Community Radio	Community	Surrounding	Amharic, Kefinya, Agewinya, Tigrinya	Sekota
Argoba Community Radio Broadcast	Kenbata Community Radio	Community	ArgobaWereda& Surrounding	Argobinya	Gachene

Source: Ethiopian Broadcast Authority (EBA, 2011)

3.7 Conclusion

This chapter discussed the historical background of media in Ethiopia. It goes back to the 1895 hand written newspaper called *Aemro*(intelligence), which was published during the reign of Emperor Menelik. The introduction of printing press and the expansion of broadcasting media were also part of the discussion. Even through the first Constitution appeared in 1931, during the regime of Emperor Haile Selassie, the study noted that this legal framework only functioned to affirm imperial supremacy and infallibility, at the expense of the freedom of society. The Revised Ethiopian Constitution which was aimed at righting the wrongs of the 1931 charter only nominalised the freedom of press, with little substantive results. The study also notes that the subsequent military (Durgue) regime of 1987 performed no better than the Emperor regimes before it, notwithstanding extensive provisions of civil and political liberties. The study notes that the Durgue regime's communist inclinations only yielded to their inevitable conclusions by curbing all individual and non-state liberties, including private media. The next chapter focuses on the current regime. Through Article 29 the 1995 Constitution makes provisions for freedom of press. The following chapter will be focusing on this Article and other legal frameworks of the FDRE constitution.

CHAPTER FOUR

AN ANALYSIS OF THE DRAFT PRESS PROCLAMATION FOR FREEDOM OF THE PRESS AND EXPRESSION IN ETHIOPIA

4.1 Introduction

This chapter focuses on the current legal framework of freedom of press and expression in Ethiopia. It has been observed by many international humanitarian organizations that the Ethiopian government issued two drafts of a proclamation concerning freedom of press, neither of which was implemented. In the past, the government used a 1992 Press Proclamation as a means of restricting those rights of private media and, consequently, the citizens of Ethiopia (Tracy, 2010:1048). In 2003, the government announced a Draft Press Law as a platform for addressing domestic and international criticism of the declining situation surrounding the media. The draft law created years of debate among members of the media, international media organizations, and government proponents (Tracy, 2010:1048). In July of 2008, after nearly six years of controversy surrounding the draft media law, the House of People's Representatives passed the Mass Media and Freedom of Information Proclamation (Ministry of Information, 2008 report).

In her writing Tracy (2010) investigates the status of freedom of press and democracy in Ethiopian legal regime. She argues that while nations across the world have come to respect and honour freedom of expression and access to information as absolute human rights, the government of the Federal Democratic Republic of Ethiopia has spent years retreating from this international norm (Tracy, 2010:1048). The Ethiopian Constitution sets out the legal rights of citizens to hold opinions, thoughts, and free expressions in its Article 29 of the 1995 Constitution (FDRE, 1995).

4.2 Criticisms of the 2003 Draft Press Proclamation

As it was discussed in the previous chapters and at the begging of this chapter, the Ethiopian government has issued two draft legal statutes of press freedom and freedom of speech. These statutes have been highly criticized by many international humanitarian organizations as lacking requisite provisions for media freedom. The Universal Declaration of Human Right Article 19 commented on both drafts of press proclamations. The first draft was released in April 2003 and the second draft in June 2003 (UDHR Article 19, 2004). This Briefing Note contains ARTICLE 19's comments on a draft Ethiopian Proclamation to provide for the freedom of the press, released by Ethiopia's Ministry of Information in May 2004. The Briefing Note examines the draft Proclamation against standards on freedom of expression, paying particular regard to the following main points:

- Its excessively broad scope;
- Restrictions on who may practice journalism;
- Government-controlled registration and certification systems;
- Excessively broad exceptions to the access information held by public authorities;
- The granting of a right to reply remedy that undermines the principle of editorial independence;
- The establishment of a government-controlled Press Council with powers to prepare and enforce a Code of Ethics;
- Powers vested in the courts to engage in prior-censorship;
- Powers vested in the prosecutor to suspend media outlets; and
- An excessively harsh regime of sanctions for offences that have no defences (UDHR, Article 19:2004).

The editor in chief of nine newspapers in Ethiopia has issued the following statement on the draft Press Law (ARTICLE 19, 2004):

"A spectre hovers over the free press - the spectre of the draft press law that could end the life of the free press. We live in the age of information, and where information is power. Under the situation press freedom is a key factor. In light of this and with the vision that Ethiopia would attain accelerated development, we had expected that a condition favourable for the development of the free press would be

created through the enforcement of a new improved press law. We had wished that: the gap between the government and the free press would be narrowed; that the mistrust and partisanship between the government and free press would be removed and that, there would be closer relations between the two presses”(The 2003 draft press law cited in UDHR ARTICLE 19 Report).

Article 19 believes that the draft Press Law has in fact filled the reader and all members of the free press with shock and consternation. It has greatly threatened the very existence of the free press. The report hopes that this draft proclamation:

- Highly restricts the activities of the free press, which has been serving as an effective mechanism for the development of democracy in the country;
- Infringes upon peoples' constitutional rights of access to information.

The Universal Declaration of Human Right department call on the government to realize the situation and issue a revised law that would help develop the free press rather than repress it. According to the report, the Ministry of Information has made public a very intimidating draft Press Law which jeopardizes the freedom of the press in this country (Briefing Note, 2004). After the government, particularly the late Prime Minister Meles Zenawi, repeatedly said that a meeting would be convened aimed at identifying and providing solutions to the problems of the press in Ethiopia, many journalists hoped that things would get better for the press in Ethiopia. They hoped that the introduction of an improved press law would create a forum through which private press and government would nurture trust and work in cooperation with each other (Briefing Note, 2004).

According to the report the content of the draft Press Law is alarming. It is more draconian than the press law in force and sets back the strides made so far in terms of the freedom of the press in Ethiopia (Briefing Note, 2004). Article 19 observes that on top of further circumscribing the already limited access of journalists under the present press law it also prohibits journalists from disseminating the meagre information they obtained in a manner

beneficial to the public. The report further finds fault with the draft Press Law provision which states that any press release sent by representatives of foreign governments or international organizations regarding government activities should be deemed as an advertisement. As such Article 19 of UDHR strongly demands that the government review this clause as well as the whole process through which the draft Press Law was prepared.

The rationale behind the draft Press Law seems to decapitate the private press and make it subservient to the government, and not to increase genuine information access by the Ethiopian public. The report believes that the press law is a draft borne out of anger and the wish to exact revenge. But the government should not meddle in what does not concern it by allocating itself the task of preparing a code of conduct for journalists and publishers or setting up a press council which properly are the province of the press itself (Briefing Note of UDHR, 2004).

Furthermore, Article 19 felt that the Ethiopian Ministry of Information often raises in its defence the tired and shallow argument that the freedom of the press has limits. But it fails to mention that the limits themselves have limits (Briefing Note, 2004). The report further argues that the danger of the draft press law is not only to put the very existence of the private press in question or make it a public relations agent of the government. Commenting on the weakness of the draft press law Article 19 felt that it makes the country and the public as well as the government itself the laughingstock of the world. Therefore, Article 19 strongly urge the government to abandon its intention to pass the draft into law for the benefit of everyone concerned (Briefing Note, 2004).

In analysing the role of media in Ethiopia Seble (2011) investigates the correlation between the role of the media in promoting human right and democracy. Seble (2011:3) notes that even though Ethiopia is one of the founding members of the UN, human rights were barely an issue for the local media of the time. She admits that the Ethiopian media is under the

complete control of the government and freedom of the press of the media was barely understood concept, it can be concluded that the media as an institution failed the role it could have played in promoting and preventing countless human rights violations (Seble, 2011:3).

According to Human Rights League of the Horn of Africa (HRLHA) report, countries in the Horn of Africa (Ethiopia, Eritrea, Sudan, Kenya, Somalia, and Djibouti) have become home to widespread human rights violations. The reasons for this include political, religious, ethnic, gender or a combination of the above (HRLHA, 2009). The HRLHA (2009) notes that when the incumbent government came to power in 1991, it promised, among other things, to establish a multiparty political system with a free press, to hold free and democratic elections, to honour and protect human rights, and to promote the rule of law based on the equality of all peoples in the country. But, seventeen years down the line, the people of Ethiopia are still waiting for the realisation of these promises. Instead, what have reigned in the country are fierce conflicts and controversies around those fundamental issues, and harassments, intimidations and victimizations of citizens who attempt to defend their rights (HRLHA, 2009).

The report further shows that the Ethiopian Internet network has been in existence for over ten years, but its rate of penetration is one of the lowest in the world (HRLHA, 2009). According to the Internet Connectivity Chart for Africa, only Liberia stands ahead of Ethiopia in having the worst Internet penetration in Africa, and possibly in the world. With 0.25% penetration rate, the country and its peoples are paying dearly in terms of the opportunities they are losing in benefiting from the New (Online) Media. The report believes that in most cases, this setback could be ascribed to the fact that the only Internet service provision that existed so far is by the Ethiopian Telecommunication, a public agency fully controlled by the ruling party. The political environment has been discouraging and repulsive for interested independent Internet service provider (HRLHA, 2009).

The HRLHA (2009) report further maintains that in October 2006, there were several attempts by government to jam foreign broadcast media such as Deutsche Welle and the Voice of America Ethiopian languages services, which are major alternative sources of information for most Ethiopians (HRLHA, 2009). A lot of websites that host articles and news critical of the Ethiopian government have been blocked in Ethiopia, especially after the May 2005 election. Correspondents of foreign media are either closely watched, or imprisoned (like Frezer Negash) or expelled (like Anthony Mitchell of the Associated Press). The report concludes that foreign media in Ethiopia still have a big problem obtaining licensing from the Ministry of Information (HRLHA, 2009).

4.3 International standards on the Right to Freedom

Article 19 of the Universal Declaration of Human Rights (UDHR) guarantees the right to freedom of expression in the following terms (Article 19, 1948):

'Everyone has the right to freedom of opinion and expression; this right includes the right to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.'

The International Covenant on Civil and Political Rights (ICCPR), which Ethiopia ratified in 1993, imposes formal legal obligations on State parties to respect its provisions, and elaborates many of the rights included in the Universal Declaration of Human Rights (UDHR). Article 19 of UDHR guarantees the right to freedom of expression, as it states that:

- 1) *Everyone shall have the right to freedom of opinion.*
- 2) *Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of*

frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice (UDHR Article 19, 1948).

The African Charter on Human and Peoples' Right (ACHPR), which Ethiopia ratified in 1998, guarantees the right to freedom of expression in Article 9 as follows:

- 1) *Every individual shall have the right to receive information.*
- 2) *Every individual shall have the right to express and disseminate his opinions within the law (ACHPR Article 9:1986).*

Freedom of expression is also protected by other regional human rights instruments, including Article 10 of the European Convention on Human Rights (ECHR), Article 13 of the American Convention on Human Rights and Article 11 of the Charter of Fundamental Rights of the European Union. According to Article 19 of UDHR (1998) these instruments and the manner in which they have been interpreted and applied by regional bodies are not binding on Ethiopia. Nonetheless, they are authoritative elaborates of the content and scope of international guarantees of freedom of expression, including Article 19 of the UDHR, which Ethiopia has incorporated into its Constitution. As a result, they are persuasive evidence of the scope of the right to freedom of expression for Ethiopia.

4.4 Article 29 of the 1995 Constitution of Ethiopia

Article 29 of the 1995 FDRE Constitution guarantees right of thought, opinion, freedom of expression and the press in the following terms:

1. *Everyone has the right to hold opinions without interference.*
2. *Everyone has the right to freedom of expression without interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds,*

regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his choice.

3. *Freedom of the press and other mass media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:*
 - a) *Prohibition of any form of censorship*
 - b) *Access to information of public interest*
4. *In the interest of free flow of information, ideas and opinions which are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions.*
5. *Any media financed by or under the control of the state shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinions.*
6. *These rights can be limited only through laws which are guided by the principle that freedom of expression and information cannot be limited on the account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect the wellbeing of the youth, and honour and reputation of individuals. Any propaganda for war as well as the public expression of opinion intended to injure human dignity shall be prohibited by law.*
7. *Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law.*

The constitution provides that ‘all international agreements ratified by Ethiopia are an integral part of the law of the land’ (UDHR, Article 19). Article 29 (3) (b) guarantees ‘access to information of public interest.’ It, however, does not define “public interest” and it will presumably be up to the authorities, at least in the first instance, to decide on what information is of public interest and what is not. Article 19 stressed that this term is susceptible to wide interpretation, creating a window for potential abuse and denial of access to information. It is recognized under international law that access to information is a fundamental component of the right to freedom of expression. There should be a strong

presumption in favour of access to information subject only to clearly defined exceptions established by law. Any limitation on this right must meet the conditions imposed by Article 19(3) of ICCPR.

Article 29 (5) requires ‘media financed by or under the control of the government’ to be operated in a manner that ensures diversity of views. It is implicit in this constitutional provision that the government will continue to own and control media outlets. Article 19 recommends that Article 29 (5) of the Constitution be amended. It should be replaced by a provision that affirms the transformation of State broadcasters into public service broadcasters, and which guarantees the organizational and operational independence of these bodies.

Article 29 (6) provides that limitations can be laid down in law in order to protect the well-being of the youth and the honour and reputation of individuals. In this regard the Constitution fails to conform to international standards. Article 19 of UDHR further recommends that the provisions in Article 29 (6) should be amended to require any restriction on freedom of expression to be justified as necessary in a democratic society.

4.5. Freedom of the Mass Media and Access to Information Proclamation

The introduction of the Mass Media and Freedom of Information Proclamation as it was passed by the House of People’s Representatives declares that ‘the proclamation removes all obstacles that were impediments to the operation of the media in Ethiopia’ (Press Proclamation, 2008). In 2008, the House People Representatives issued a proclamation on freedom of mass media and access to information with an objective of creating conducive environment to the press and access to information (Tracy, 2010:1050). The preamble of the Proclamation assures the rights provided for the press and the public under Article 29 of the FDRE Constitution and international human rights instruments. It distinguishes, the right

of media to collect and distribute information including of a critical nature and realizes that an independent mass media that serves as a public forum for uninhabited democratic dialogue that thrives on a viable freedom of information and ideas among citizens by enabling them to exercise their right to seek, receive and impart information and opinions freely (NegaritGazeta, 2008).

Tracy (2010) observes that the Ethiopian Ministry of Foreign Affairs (MFA) explained that this “extremely liberal introduction and preamble” exemplified the Proclamation’s aims to implement values of accountability and transparency for government activities. In trying to elaborate the above statement Tracy (2010) argues that the government used and continues to use the broad aims laid out in the preamble to defend the Press Law. This is also evident in the above discussion of the Article 19 of UDHR recommendation that the government has to stop using broad wording on the proclamation. Tracy (2010) in her analysis observes that contrary to the declarations of the government and the liberal language of the Press Law’s preamble, the Press Law in fact restricts the media in ways that the prior press law did not. The Ethiopia House of People’s Representatives passed the Press Law largely unchanged from its original 2003 draft version.

4.6 The objectives of the 2008 Press Proclamation

Part 3 of the Press Proclamation sets the objectives the Proclamation as:

1. *To give effect to the right of citizens to access, receive and import information held by public bodies, subject to justifiable limits based on overriding public and private interests;*
2. *To establish mechanisms and procedures to give effect to that right in a manner which enables persons to obtain information as quickly, inexpensively and effortlessly as is reasonably possible; and*
3. *To encourage and promote public participation, public empowerment, to foster a culture of transparency.*

4.7 A critical analysis of the Draft Proclamation

Through her research Seble (2011:1) states that without freedom of information and active involvement of the media, which are considered to be the primary sources of information for the majority of ordinary people in the world, these actions of the international community are less understood or known by the society. According to Human Right Watch (2012), the scope of the draft Proclamation is excessively broad, including any and every form of mass communication. The current draft, in Article 2, includes the same broad definition of the press and printed matter. Thus the draft Proclamation will apply to all print publications, large or small, as well as plays, films, cartoons, books, leaflets and even posters and pictures, as well as to all broadcasters and internet publications. This broad scope is particularly problematic since different media operate in different ways. A leaflet with a print-run of only fifty cannot be compared to a large national newspaper, yet the draft Proclamation applies the same licensing and registration schemes to both.

This was also criticized by Amnesty International Annual Report (2004). According to the report, the definition of “journalist association” as actually contains a restriction on membership-no person who owns or has a substantial proprietary interest in a press organization, or who is involved in management of press organization may join- and thus constitutes government interference with the right to freedom of association. After having discussed the scope of the draft press law, Article 19 recommends the following important points:

‘The scope of the draft proclamation should be restricted to large-scale, periodicals, print media outlets. The draft proclamation should not seek to impose restrictions on membership of journalists associations.’

The UN Special Rapporteur, (2012) ‘Human Rights Watch Submission on Ethiopia’ discussed the restriction on who may practice journalism. Article 5(1) of the draft proclamation states that ‘individuals who are not Ethiopian citizens and residents, who have not attained 18

years of age or who have been deprived of their legal rights may not work as journalist.’ Article 19 declares that this statement is imposing significant restriction on who may work in the press field. In addition to that, Article 5(3) imposes restrictions on who may be on the board of management of a print publication. This provision according to the briefing note is essentially unchanged from similar restrictions contained in the first draft of press proclamation. Commenting on the above two sub articles of Article 5 of the draft proclamation, International Press Institute recommends that the draft proclamation should not impose restrictions on who may practice journalism and the draft proclamation should not also require individual journalists to register.

Another important concern of the global campaign for free expression was licensing of media outlets and distributors. The main provision for dealing with the media in the new version of the draft press law is Article 9. This Article requires all media outlets to obtain a license from the Ministry of Information (IPI, 2004). Applicants must provide extremely detailed information, including the names, address, date of birth and employment contract of all journalists working for media outlet, as well as the schedule of publication, and the time, method and places of distribution. The authorities must be notified of all changes to this information.

Article 9(4) states that an application can be rejected due to an applicant’s failure to meet any of the requirements set out in the entire draft Proclamation, which are much broader than the already excessively broad grounds for refusal set out in Article 10 of the draft Press Law. Article 9(8) states that the fee for the registration and renewal, and the time limit, for which the registration will be valid, will be determined by the Ministry of Information. Article 10 sets out grounds according to which a license may be refused including where the applicant fails to adhere to the registrations stipulated throughout the draft proclamation. Many of these obligations consist of vague content restrictions. Article 8 requires anyone engaged in the wholesale distribution of printed matters to be licensed by the Ministry of Information or by the Regional Information Bureau.

Article 19 of UDHR in its criticism of the draft Ethiopian Press Law argues that the registration of print media is unnecessary and may be abused, and, as a result, it is not required in many countries. Article 19 therefore recommends that the print media not be required to register. Indeed, as noted in the Joint Declaration of the Special Rapporteurs (Briefing Note, 2004):

“Imposing special registration requirements on the print media is unnecessary and may be abused and should be avoided. Registration systems which allow for discretion to refuse registration, which impose substantive conditions on the print media or which are overseen by bodies which are not independent of government are particularly problematical”.

4.7.1 The registration system

In 2007, largely as a result of the debate over the Draft Press Law, the powers of the Ministry of Information were redefined to include oversight of licensing and registration of media sources (Tracy, 2010:1063). The Press Law recognizes this new authority and grants broad discretion to the Ministry of Information in decisions regarding licensing. The registration system established under the Law dramatically fails to meet any of the minimum requirements mentioned above and, as a result, breaches the right to freedom of expression (World Press Review, 2003). CPJ (2008) report witnesses that countries and organizations have addressed the issues with government involvement in media licensing for centuries. Tracy (2010:1063) adds that where the freedom of the press is in any way linked to the whims of the government, there seems to be a contradiction in the word freedom.

Another criticism from IPI (2009) report demonstrates that the licensing regime established by the Press Law creates not just a link between the two but a relationship in which the media cannot operate without the approval of the government. Commenting on the new registration system (Tracy, 2010:1063) argues that the likely result of this fear of retribution is that journalists cannot or will not speak out when the government tries to pass additional

repressive laws. She further laments that, the limits on free expression could lead to even greater expansion of government power and control in areas beyond media rights and create significant challenges for the new democracy.

Article 19 recommends the licensing system for the media should either be abolished altogether or to be transformed in to a purely technical registration scheme, in line with the standards noted above. Secondly, the licensing system for wholesalers of printed matter should be abolished (Briefing Note, 2004).

4.7.2 Excessive fines

The draft press was also brought a debate over excessive fines. Tracy (2010:1064) criticized it as another means to oppress the media. She insists that excessive fines imposed on the press for minor violations of the statute. In support of Tracy (2010) argument, Kebede (2009) asserts that the fine for a conviction of defamation can reach up to 100,000 Birr under the new law (equivalent to 9,000 USD). The magnitude of this fine can best be understood when compared to the fines for other criminal violations. Specifically, the fines for offenses such as rape and child labour abuse may not exceed 1,000 Birr (102 USD). According to Tracy (2010) in most jurisdictions, especially developed countries, the degree of fines for defamation and rape or child labour abuse is opposite that in Ethiopia.

The International Press Institute explained how excessive fines perpetuate the system of oppression: “The journalists end up trapped in a cycle whereby they remain in prison not for the offence they have allegedly committed, but for their inability to pay a fine” (IPI, 2009). According to Tracy (2010) the fines for mere media offenses imposed by the Ethiopian Press Law may easily be seen as cruel and unusual punishment. However, the Ethiopian government, which in the past has equated statements criticizing the government with attempted genocide, is quick to defend as reasonable the provisions providing for these types of fines (CPJ, 2006).

Article 44 of the draft press proclamation was criticized by World Press Freedom Review, (2008). Article 44 of the Ethiopian draft press Proclamation gives the prosecutor the power, which he or she believes that a media outlet is about to disseminate information that is illegal and will cause serious damage, to impound the printed matter. According to the draft proclamation impounding is similar with destruction. Article 44(4) provides for an expedited process before the courts where such an order has been made, whereby an appeal will be decided within 48 hours (The 2003 draft press law).

The 2003 draft proclamations granted prosecutors the power to suspend media operations. The Briefing Note of Article 19 criticized the allocation of such power on the grounds that suspension is, second only to license revocation, the most serious penalty that can be imposed on a media outlet. Article 19 recommends that Article 44 should be removed from the draft proclamation. At a minimum, it should be amended to specify that impounding of newspapers may only be undertaken upon obtaining a court order and after very stringent conditions have been met.

4.8 Freedom of press and Ethiopian Private Media

According to (Seble, 2011:3), comparatively, after the coming into power of the current regime in 1992, the media engaged with the disclosure of information not necessarily approved by the government. Primarily, the 1995 Constitution of Ethiopia recognizes the media the freedom from censorship and institutional protection for its effective operation and affirms the rights of the people to seek receive and impart information of all kinds regardless of frontiers (FDRE, 1995). This right has been specified in subsidiary legislations. Proclamation for Freedom of the Mass Media and Access to Information guarantees the media with the necessary freedom by guaranteeing freedom of information and prohibiting censorships.

Commenting on the press proclamation under the rule of EPRDF (Seble, 2011:3) argues that with comparatively better legal and policy environment, the media in Ethiopia is criticized for avoiding human rights issues. She stresses that not only the media but also the government is accused for compromising constitutional rights on freedom of opinion, expression, and the press as well as the right of the public to seek, receive and impart information (Seble, 2011:3). Furthermore, Seble (2011) in her research argues that the capacity of the media to engage actively in the promotion, protection and enforcement of human rights is questionable.

Accordingly, there is a claim that the media is not moving forward towards as fast as it could to assist the government to fulfil its obligation to enforce, protect and promote human rights (Seble, 2011:3).

Freedom of expression and freedom of the press are considered fundamental human rights under various international frameworks. Dahl (1998) cited in Tura (2007), states that “basic human rights are among the essential building blocks of a democratic process of government”. Tura (2007) argues that the press in democracies regulate themselves through codes of conduct that define their professional standards. The appointments of press ombudsmen, establishing ethics panel and press complaint commissions are some methods of inter-media regulations. The concept of independent press varies from country to country. Through his research, Tura (2007) disputes, that in some countries the press ombudsman is appointed by individual media houses to handle complaints from the public. He further observes that in other countries like South-Africa the press ombudsman regulates the industry as a whole. In countries like Norway, Sweden and Britain press complaints commissions are asked with entertaining complaints of the public against the media. Hence, it regulates the industry as a whole (Tura, 2007).

Using qualitative research method Ahmed (2009) investigated the status of press freedom and the emergence of democracy in Bangladesh. Ahmed (2009) underlines the fact that post-independence regimes at each stage of the political evolution of Bangladesh, kept most of the press regulations, including British colonial legislations for controlling the press, to serve their vested interests. The historical review presented here strongly supports his argument that an independent press is a pre requisite for the development of democratic institutions. However, it is arguable that an independent press is difficult to achieve in an atmosphere of strong ideological disagreement (Ahmed, 2009).

Press freedom in a global context also assessed by Barlan (2005). Through document analysis method, Barlan (2005) examines the status of press freedom in Scandinavia and East Africa. The research concludes that East African countries are still in an early phase of democratization which is reflected in the level of press freedom. The ruling elites manipulated to serve their own interests and promoted development journalism as a means of national building. Development journalism, critics noted, was a way reducing press freedom. Barlan (2005) found Kenyan media as a relatively free from government, but supported by private individuals who have many ways to sue the media. In Uganda it is the opposite. The government suppresses media as far as possible under sceptical donors' monitoring. However, the level of press freedom in East Africa is increasing (Barlan, 2005).

Through a comparative study, Nicole, (2009) analysed the standing of press freedom in Iraq and Ethiopia. According to Nicole (2009), both countries have experienced significant violent conflict and have liberalized their media systems to some degree. Ethiopia and Iraq are, however, at different points in the nation and state building process. According to this study, the availability of media in Iraq changed drastically with the 2003 war. Prior to 2003, media options were limited: newspapers, and radio and TV stations, were owned by the state, and satellite TV and internet could only be accessed by Ba'ath Party elites (Nicole, 2009).

Press freedom in Ethiopia context as observed by Committee to Protect Journalists (CPJ) report shows that the Ethiopian government recently attacked the private press despite its claim to welcome a free and critical press (CPJ, December 2012). According to the report, there are currently, at least sixteen journalists in prison in Ethiopia. Most of these have been detained for some months without being formally charged. In total over the past five years over two hundred editors and reporters from the independent private press have been arrested at various times. The imprisoned journalists are all held in the capital of Ethiopia, Addis Ababa (Solidarity Committee for Ethiopian Political Prisoners 2012).

The major reason for this scenario was the inability of the press products to withstand the competition emanated from the enormous presses (Speech by Bereket Simon, former Ministry of Information 2003 cited in Shimelis, 2000). The large number of papers on the market meant stiff competition, limited sales and low levels of advertising revenue. However, KifleMulat alleges that the 1992 repressive press law that severely punished these flourishing press products in the veil of defamation, dissemination of false information and threat to national security has contributed for the disappearance of some press products (speech by KifleMulat, former chairperson of Ethiopian Free Journalists' association, October 21, 2003).

Despite this allegation there is a broad agreement, especially among people in the media, that the press law of 1992 has opened the door to the growth of the private press in the country (Shimelis, 2000 cited in Tura, 2007:52). The rate of truth telling in Africa's newspapers, particularly those behaving as political oppositions, is extremely low. The newspapers are full of exaggeration; basing their reports on flimsy hearsay; making headlines cry 'wolf' ; quoting sources out of context; not giving people against whom allegations are ,and a fair hearing; downright. Many private newspapers in Ethiopia have been accused of writing sensational reports and mixing upon opinion and facts, biased and unbalanced due to lack of experience and professionalism as well as political clientelism (Tura, 2007:52).

Tura (2007:53) argues that the 1992 press law, welcomed with enthusiasm as a sign of democracy and freedom of expression, became in practice one of the instruments of controlling the private press, due to several prohibitive and sweeping articles that it contains. Because of its lack of clarity, it has exposed journalists for imprisonments besides financial penalty. However, the government has drafted a new press law to replace the existing one. The draft press proclamation i.e. Law on Mass Media and Freedom of Information, has made certain improvements with regard to the right of reply (Tura, 2007:65).

Tura (2007) further asserts that the draft Press Law does not set the applicable standard of proof in a press prosecution. Mere allegation of criminal misconduct against the press defendant is enough for a successful criminal prosecution or civil action. Indeed, it appears that once criminal charges are instituted the burden of proof is shifted to the press defendant to prove his/her innocence. The Ethiopian EPRDF regime imposes severe punishment for facts of defamation. If a journalist is liable for acts of defamation, he/she will face both civil and criminal sanctions i.e. fine and imprisonment. Hence, fear of such consequences might make journalists to shy away from writing investigative and critical stories against the government officials and institutions (Tura, 2007:63).

Tura (2007:64) declares that the major criticism or complaint levelled against press product of various developing countries including Ethiopia is that they are wanting in a sense of responsibility and professional conduct. Kasoma (2000:82) states that the unethical and irresponsible use of press freedom was, clearly, leading African government to a repeat clam down of the press which would itself lead to retrogression of the democratic process and, possibly, cause Africa revert to democracy. The idea of establishing a press council was introduced by virtue of Article 38 of the 2003 draft press law prepared under the auspices of

the Ministry of Information (Tura, 2007:64). According to this provision the purpose of the press council is:

“To consult government and make recommendations regarding the press for government decision on issues pertaining to the constructive role of the press on the political and social life of the state and on other matters that concerns the press” (Article 38 of the Ethiopian draft press law, 2003).

Some scholars argue support the idea that in Ethiopia, tabloidization was most clearly underway in the first decade of press liberalization. As for Tura (2007), this content of most of the newspapers have been addressing serious public issues but rather exchanging rumours and political sensationalism. This is still the case with some newspapers, but perhaps less today than ten years ago.

Makumbe (1998:313) notes that most states in Africa have had control over the media which weakens the role of civil society. This is evidenced in Ethiopia since the current ruling party came to power. The Ethiopian People’s Revolutionary Democratic Front (EPRDF) in Ethiopia acquired and controlled state media outlets both television and radio networks, including national newspapers and weekly newspapers. All these media sections required to protect and promote the interest of the state and the ruling elite (Tura, 2007: iii).

The private press was allowed when the transitional government passed press legislation which turned out to have a dramatic impact on the country’s media. According to Desalegn and Meheret (2004) cited in Tura (2007:51), a few news magazines had already started to appear soon after the fall of the Dergue in 1991, but the process of deregulation of the print media was accelerated by the new legislation, which allowed citizens or businesses to publish and distribute private newspapers, magazines, journals, periodicals and other news

sources. In the dawn of this legislation many private newspapers began to operate in the media industry albeit most of them were short lived due to different reasons.

Through his research (Skjerdal, 2008) explores the cultures journalism in three large media organizations in Ethiopia, all state-owned: Ethiopian Television, Ethiopian News Agency and The Ethiopian Herald. Through a series of in-depth interviews Skjerdal (2008) analyses how journalists cope with the potential conflict between being a professional journalist and working for a governmental media institution. The results suggest that even if the conflict is highly evident among the journalists, they tend to adopt pragmatic strategies to even out the professional contradictions (Skjerdal, 2008:1). The study shows that most journalists were found to negate any political affiliation and displayed identification with a wider journalistic community. He concludes that one of the foremost reconciliation strategies was found to be self-censorship (Skjerdal, 2008:1).

Similarly, Seble (2011:4) argues that in a time when the media is relatively free and both private and government media are comparatively accessible, the engagement of the media in the promotion of human rights is not as much as one might expect it. Most of the private newspapers do not cover the basic human rights that citizens are supposed to know. The government media is also critiqued for being indolent when it comes to promoting fundamental human rights (Seble, 2011:4).

As indicated by many scholars, the major media institutions in Ethiopia have always been state-owned. For example Ethiopia Radio and Television Agency (ERTA) was established during Emperor Haile Selassie's reign and dates back to 1935 on the radio side and 1964 on the television side (Brook, 2000 cited in Skjerdal, 2008:3). It continued to be actively used as the official broadcaster by the communist Dergue regime 1974–1991. The current editorial policy from 2005 declares that it is a government media institution, and its primary function is to serve the public. 'Serving the public' is also a key phrase in the editorial policies of

Ethiopian News Agency (ENA) and Ethiopian Herald. Established in 1942, ENA claims to be the oldest wire service still in operation in Sub-Saharan Africa.

Through in depth interviews with 61 journalists, Skejdal (2010) investigates self-censorship practices in Ethiopian state media institutions. The study discloses extensive use of self-censorship on the part of journalists who try to conform to the expected reporting style of the state media Skjerdal (2010:98). He argues that the journalists are largely critical of self-censorship, but continue with the practice despite their reservations. The study further suggests that editors and reporters assume a set of underlying justifications to validate the practice on a personal level and make it appear professional for outsiders (Skjerdal, 2010:98). According to Skjerdal, (2010:98), the justifications are found to follow four lines of argument: relegation of ethical responsibility; elasticity of journalistic editing; confidence in critical audiences; and adherence to social responsibility. It is further found that there is a remarkable discrepancy between the relatively open-minded official editorial policy of the Ethiopian state media and the restrictive reporting practices followed by the journalists. It is suggested that discourses of fear play a significant role in the reproduction of self-censorship in the concerned media organizations.

4.8.1 The imprisoned, exiled and dead journalists

According to Human Right watch Report several journalists were arbitrarily arrested and detained in 2011(HRWR, 2012).On June 19 and 21 respectively Woubshet Taye of *Awramba Times* and Reeyot Alemu of *Feteh*, journalists for two newspapers often critical of the government, were arrested, and accused of conspiring to commit terrorist acts. After almost three months of detention, without access to their lawyers, the two were charged on September 6 of several counts of terrorism. Charges were also levelled against Elias Kifle, editor of the online Ethiopian Review, in absentia (The Reporter, 2012).

The HRWR (2012) further witnessed that on September 14, 2011, journalist Eskinder

Nega was arrested on charges of involvement with Ginbot 7. Eskinder, like Elias, was among the 121 opposition party members, journalists, and human rights activists arrested following the 2005 elections, and accused of treason and other related crimes, and among the 76 who were later convicted. He has faced ongoing harassment since his release and has been repeatedly denied a license to practice journalism.

Furthermore, journalists working for foreign media have not been safe from these attacks. This was evident in September 2011 the Ethiopian correspondent of the Kenyan *Daily Nation*, ArgawAshine, was forced to flee the country after he was named in an unedited Wiki Leaks United States diplomatic cable regarding planned attacks, by the Governmental Communication Affairs Office (GCAO), on journalists from the *Addis Neger* newspaper (The Reporter, 2012). The GCAO and Federal Police summoned Argaw for questioning regarding his sources within the GCAO. *Addis Neger* editors and journalists were forced to close their newspaper and flee the country in November 2009 after threats of arrest under the Anti-Terror law (CPJ, 2012).

According to CPJ report there are 456 Journalists forced into exile and 232 journalists jailed worldwide since 2008 (CPJ, 2012). The report shows the number of exiled journalists by region. Among 456 journalists 203 of them are from Africa, 132 from Middle East and North Africa, 58 from Asia and 47 journalists were from America (CPJ, 2012). CPJ mentioned a number of reasons for exile. Some of them were threat of imprisonment, threat of violence, and threat of harassment. According to this report 21% were able to work as a journalist in exile and also 7% were able to return home. Below is a CPJ (2012) report top country from which they flee and to which countries journalists go.

Table 2: Number of journalists in exile and top countries which they flee

Top Countries From Which They Flee	Number of journalists
Iran	82
Somalia	70
Ethiopia	45
Eritrea	30
Sri Lanka	26
Cuba	19
Syria	18
Rwanda	16
Pakistan	15

Source: Committee to Protect Journalists (CPJ, 2012)

Table 3: Number of journalists in exile and top countries to which they go

Top Countries to Which They Go	Number of journalists
USA	111
Kenya	63
Turkey	33
Uganda	27
France	23
Sweden	16
UK	15
India	11
Canada	9

Source: CPJ (2012)

4.9 The limitation of the 2003 Draft Press Proclamation

Tracy (2010) argues that the 2005 elections in Ethiopia marked what seemed to be a turning point in both political and social development in Ethiopia. For the first time in the political history of Ethiopia and in a change from past elections, opposition parties participated in televised debates and campaigned across the country.

In 2003, two years before the decline of Ethiopian media, the government addressed the criticisms of the 1992 Press Proclamation when it introduced two versions of a Proclamation Regarding Press Freedom. While neither version was adopted into law, the drafts laid the groundwork for the Draft Press Law, which was surrounded by controversy from its introduction (Committee to Protect Journalists, 2009). For Tracy (2010) this time was characterized by the beginning of the major draft press law years of debate regarding media freedom in Ethiopia. Many International lobbying organizations focused on the shortcomings of the Draft Press Law and expressed concern about the future of the press in Ethiopia and its reputation among international standards on freedom of expression.

Among the lobbying organizations 'principal criticisms of the Draft Press Law was a major concern over the bill's imposition of a registration regime (CPJ, 2010). The report observes that under the provisions of the Draft Press Law, media outlets requesting registration in order to obtain a license were required to provide extremely detailed information regarding all journalists working for the media outlet and distribution of any press content (The 2003 draft press law cited in CPJ report, 2010). International humanitarian organizations, such as Reporters Without Borders (2004), strongly opposed to the inclusion of these provisions in the final law. Specifically, organizations criticized the Draft Press Law for providing broad grounds for refusal of a registration application and granting wide discretion to the government (Tracy, 2010:1052-54).

The major opposition parties at the time felt this broad discretion qualified the system as a licensing regime instead of a registration system (CPJ, 2009). The draft press law further allowed the Ministry to use the provisions on time limits and fees to punish or favour certain media outlets (Simon, 2006). According to CPJ (2010) the system created by the draft law also forced substantive conditions, such as vague content restrictions on the media and extremely burdensome requirements about the breadth of information that was to be provided by media outlets. Tracy (2010: 1056) states that, the registration system provided under the Draft Press Law was to be overseen by the Ministry of Information, creating a media system directly dependent on the government.

Another primary concern regarding the Draft Press Law was the penalty of imprisonment for “minor technical offenses, such as publishing a periodical without having a certificate of registration, submitting false information in the application for a certificate of registration, failing to publish a reply or correction in times of elections, or distributing prohibited foreign press products” (The 2003 draft press law cited in Tracy, 2010:1057). Humanitarian organizations were also concerned that courts would be granted broad censorship powers and could impose a three-year ban on media outlets for press law violations. Tizita (2008) observes that many organizations felt the penalties imposed by the Draft Press Law were disproportionate to these offenses.

Furthermore, among the principal concern of opposition to the Draft Press Law was the establishment of a 29-member Press Council “comprised of representatives from the government, the press, and civil society” whose powers and procedures would be determined by the government (International Press Institute (IPI), 2004).

Article 19 articulated in its Briefing Note that regulatory bodies with power over the media should be fully independent of government and the size of the regulatory body should not be so large as to undermine the effectiveness of the body. While these objections

represented the points of the most intense contention, Article 19 specifically addressed several other problem areas in the Draft Press Law: its excessively broad scope, restrictions on who may practice journalism, broad exceptions to the right to access information held by public authorities, a right to reply remedy that undermines editorial independence, and powers vested in courts and prosecutors to engage in prior-censorship or suspend media outlets (Briefing Note, 2004).

CPJ (2003) asserts that as the shortcomings of the Draft Press Law became more and more apparent, media organizations and lobbying groups began actively voicing and demonstrating their opposition. At the urging of the Committee to Protect Journalists (CPJ) the Ethiopian Information Ministry called a symposium in 2003 to hear the concerns of representatives of the private press, press freedom advocates, and advertising agencies.

However, members of the private press and the Ethiopian Free Journalists Association (EFJA) were denied the opportunity to comment during the discussion. In protest, these representatives walked out of the symposium and criticized the Draft Law publicly for not taking into consideration the views of private journalists (EFJA report, 2006). According to Freedom Review report (2006) EFJA directly attacked the government when it issued a statement that the measures taken by the government against journalists “greatly threatened the very existence and survival of the free press” and added that dictatorship had gained control over democracy in Ethiopia. Tracy (2010: 1057) states that in response to EFJA’s public criticism, the authorities claimed that EFJA had failed to submit a certified audit of its budget in violation of the licensing requirements for media outlets. According to CPJ (2006) report as a result, the Ethiopian government officially shut down the organization and issued a strict ban on EFJA executive committee members’ communications with other media outlets. With a media forum to discuss and debate the bill organized by the Horn of Africa Press Institute and scheduled for the next day, lawmakers voted on the Draft Press Law (Freedom house, 2007). According to Tizita (2008) on July 1, 2008, nearly six years after

the first draft of the law was introduced, the Ethiopian House of People's Representatives passed the Mass Media and Freedom of Information Proclamation (Tizita, 2008:4).

4.10 Conclusion

This chapter assessed the current legal framework for freedom of press and expression in Ethiopia. The main focus was the 2003 draft press law and its criticisms. The chapter further discussed the international standards of press freedom which the Ethiopian government ratified accordingly. The major criticism was made by the global campaign for free expression. The campaign based on Article 19 of Universal Declaration of Human Right. The chapter also discussed the role of the private media in promoting human right and democracy in Ethiopia. The report commented on the different articles of the draft press law. Commenting on the violation of Human right in Ethiopia, the Briefing Note recommends reconsidering some of the articles issued by the Ethiopian legal regime. The report urges the Ethiopian government to legalise the press proclamation.

CHAPTER FIVE

SUMMARY AND CONCLUSION

5.1 Summary

This study critically analysed the policy implementation of freedom of press in Ethiopia under the rule of the Ethiopian People's Revolutionary Democratic Front (EPRDF). Its main focus was to investigate how the policy framework for freedom of press implemented in the Ethiopian legal regime. The study looked at the Federal Democratic Republic of Ethiopian Constitution Article 29 which focused on freedom of press and the 1992 Press Proclamation. It further considered the objective of the 2003 Draft Press Law and the 2008 Freedom of Mass Media and Access to Information Proclamation.

The study was bounded to the Ethiopian private press. This was because the state media is controlled by the government administrative body. In trying to investigate the status of the Ethiopian private media and the extent to which they exercise their freedom of right, the study used document analysis method. This was done by accessing and analysing different literature published by specialised institutions and organizations.

In analysing the status of freedom of press in Ethiopia, the study went back to the regime of Emperor Haile Selassie who introduced the first Ethiopian Constitution in 1931. The 1931 monarchical constitution entirely endorsed the ultimate power of the Emperor and had no space for any liberties, later on press freedom. The revised Ethiopian Constitution of 1955 in its Article 41 introduced the concept of press freedom. Historians argue that, even if the revised Constitution introduced the notion of press freedom for the first time in the country, it was still limited by the power of the Emperor.

In the 1980's Ethiopia was ruled by the Communist party also known as Dergue, under whose constitution (the 1987 Dergue Constitution Article 47) the freedom of speech and press were elaborated. The Dergue Constitution further considered that the state must provide the necessary material and moral support to the media. Both the Emperor and the Dergue Constitutions talked about media in general. There was no mention of independent press or government media. This shows that under the two eras media was treated as a government enterprise and was placed under the control of the government.

The current status of freedom of press in Ethiopia is provided by the Freedom of Press and Access to Information Proclamation. The legal framework for press freedom includes the 1992 Press Proclamation and the 2003 Draft Press Law. This Draft Press Law has been highly criticised by international humanitarian organizations such as Article 19 of the Universal Declaration of Human Right, Amnesty international and different media watchdogs such as Committee to protect Journalists, International Press Associations. The criticism has mainly been aimed on press censorship by the government and the total control of the media, which directly contravenes constitutional and statutory provisions for freedom of expression and freedom of press.

The study noted that contrary to their efforts, the EPRDF rule gave birth to the expansion of independent press in the country. Since 1991 many private printing press and publications appeared. This was evident in the 2005 democratic election of Ethiopia, in which several journalists from the independent press became very critical of the government and were publishing their work on a daily and weekly basis. After the result of the election many of them were rounded up and incarcerated and their licences confiscated by Ministry of Information. The government was aware of the power of the media in influencing the public. As such it used its power to clamp down the private press, along with the opposition parties who benefited from them. Many journalists were arrested and locked up without proper judicial processes.

Now the current Ethiopian media situation has become very critical. There are only few private press publications, many of them are from Diasporas. The Constitution provides for the right to exercise freedom of press and freedom of speech for the citizens but the EPRDF-led government does not entertain the practicalities of their own rules and regulations. The same is true with the policy frameworks provided by the government. As the collection of academic literatures shows in this research, the issue of free press in Ethiopia under EPRDF regime does not look to stand for the media houses as we have seen in economically advanced countries.

5.2 Conclusion

The research questions raised in this study were answered based on the two theoretical frameworks provided in Chapter Two. Conclusions will also be drawn based on the outcomes of the review of literature, analysis of results and discussions in the previous chapters.

5.2.1 The concept of press freedom

To answer this research question, the study used various definitions as provided by many social science scholars. For instance, Stevenson (1994:1) defined freedom of press as the rights to speak, broadcast, or publish without prior restraint by or permission of the

government, but with limited legal accountability after publication for violations of law. He further argues that freedom of the press may encompass the following four issues: (i) legal guarantees of reasonable access to information about government, business, and people; (ii) a right of reply or correction; (iii) a limited right of access to the media (iv) Some special protections for journalists (Stevenson, 1994:1).

In trying to answer what the concept of press freedom is, the study also borrowed the definition of Becker (2004). Becker (2004:2) asserts that the concept of press freedom is a contentious one in the literature of mass communication. He argues by citing the work of McQuail (2000) that the concept of media freedom covers both the degree of freedom enjoyed by the media and the degree of freedom and access of citizens to media content. Becker believes (2004:2) that the essential norm is that media should have certain independence, sufficient to protect free and open public expression of ideas and information. He further supports his second argument part of the issue raises the question of diversity, a norm that opposes concentration of ownership and monopoly of control, whether on the part of the state or private media industries (Becker, 2004:2).

5.2.2 The rationale behind the 2003 Draft Press Proclamation

The rationale behind the 2003 Draft Press Law was to provide a platform for addressing domestic and international criticism of the declining situation of the Ethiopian media. It had been observed by many international humanitarian organizations that the Ethiopian government had issued two drafts of Press Proclamation, neither of which was implemented. The draft law created years of debate among members of the media, international media organizations, and government oppositions. The analysis chapter examined the limitations of the draft Press Law and the different criticisms raised by Human Rights organizations such as Article 19 Global Campaign for Free Expression by UDHR. Some of the criticisms were the broad scope of the draft Press Law; restrictions on who may practice journalism; government-controlled registration and certification systems. The criticism can be summarized as the scope of the draft proclamation should be restricted to large-scale, periodicals, print media outlets. The critics argue that the draft Proclamation

ought not to impose restrictions on membership of journalists associations but to provide an enabling environment for press freedom.

5.2.3 Ethiopian private press under the rule of the EPRDF

The history of the Ethiopian private press is still very young since it was introduced when the current ruling party came to power in 1991. The policy frameworks for freedom of press and access to information along with the Federal Democratic Republic of Ethiopian Constitution Article 29 provide for the right to freedom of expression without any intervention. As Kasoma's theory of the role of the independent press in Africa strongly argues, the press must be clearly separated from any political or economic control, or from material or infrastructure controls (Kasoma, 1997:297). What we can understand from the theory of independent press and the freedom of press given by the Ethiopian government is that, they both stressed that the press has to be free from any political interventions.

However, even if the Ethiopian Constitution created the opportunity for the media to be free and also adopted the different international standards of press freedom, the implementations of those theories are very rare. This is evidenced by scores of imprisoned and exiled journalists whose crime is expressing views contrary to those held by government. Furthermore, Kasoma's central argument is that the independent press is the key for both the establishment and the sustenance of democracy, although he also admits that the African press has failed in this duty in various ways (Skjerdal, 2009:44). The current situation of the Ethiopian media bears witness to the above assertion. This paper argues that the Ethiopian government frustrates the implementation of free press in the country by keeping the incarcerated journalists and human right activists locked up without proper juridical processes.

5.2.4 Barriers to successful implementation

Many scholars have argued that there are complex issues which surround the policy process. Thus, a good policy analysis requires a great deal of thought. Significantly, the study of policy implementation arises from the awareness that efforts of an intervention to

address social problems of various aspects have been ineffective (Matland, 1995:153). Having analysed various literature on policy implementation of media freedom and access to information in Ethiopia, this study found that the intervention of the government administrative body on decision making process affect the implementation process. While the Constitution provides for the freedom to write and publish without any intervention, the ruling party this proviso by incarcerating members of press who exercise this right. Moreover, Kasoma's theory of independent press would not support that any type of state-run or party-affiliated press could be called independent. He also asserts that state owned media would manipulate and distort information in favour of the ruling party and establish its rule while preventing the public from making informed decisions, therefore undermining democratic institutions.

The above argument can be witnessed in the Ethiopian state media. The EPRDF government controls all national broadcasting organisations and radio stations. This study considers this governmental intervention as a barrier to successful implementation of press freedom. Unlike the private (independent) press which strives to uphold its mandate to the state and society, the state-owned (dependent) media only attempts to give a positive side of the government. With this quandary in place, this study contends that, the concept of free press in the Ethiopian media under the EPRDF regime falls short of the ideals as exemplified in economically and politically advanced countries.

BIBLIOGRAPHY

- Abebe, D. (2012). 'A Bibliographic Survey of Historical Articles in the Ethiopian Herald (1943-1963) in *Ethiopia European Scientific Journal*. Vol. 8, No.16.
- Agranoff, R & McGuire, M (1999). 'Managing in Network Setting' in *Policy Studies Review*. Vol. 16. No.1.
- Alemayehu, F(2010). *Legal Pluralism in Contemporary Ethiopia*. Germany: Saarbrucken.
- Berhane G (2002). 'The Ethiopian freedom of mass media has been disregarded and still remains in an uncertain future'. Carl-von-Ossietsky University of Oldenburg: Germany
- Berger, G (2007). *Media Legislation in Africa: A Comparative Legal Survey* .Cape Town: Paarl Print.
- Becker, L. (2007). 'An Evaluation of Press Freedom indicators' in *International Communication Gazette*. Vol. 69, No. 1. Pp. 5-28.
- Becker, J; Tudor, N; & Nancy, M (2004). 'Media Freedom: Conceptualizing and Operationalizing the Outcome of Media Democratization Centre for International Mass Communication Training & Research'. Grady College of Journalism & Mass Communication, University of Georgia.
- Bollen, K (1993). 'Liberal Democracy: Validity and Method Factors in Cross-National Measures' in *American Journal of Political Science*. Vol. 37, No. 4. Pp. 1207-1230.
- Bonsa, S. (2002). 'The State of the Private Press in Ethiopia' in Zewde, B&Pausewang, S (eds).*Ethiopia: The challenge of democracy from below*.Stockholm: Nordiska Afrikainstitutet.
- Chris, W (2005). 'Press Freedom and Political Development in Africa.' Department of Journalism and Communication Studies, University of Northern IOWA.

- Clapham, C. 1969. *Haile Selassie's Government*. London: Longman.
- Clapham, C (1987). "The Constitution of the people's democratic Republic of Ethiopia", *Journal of Communist Studies and Transition Politics*. Vol.3, Pp. 192 – 195.
- Dadge, D. (2003). 'Ethiopia: IPI Comments on the Ethiopian Draft Press Law'.
http://www.freemedia.at/cms/ipi/publications_detail.html [Accessed on 13/05/13].
- Exworthy, M & Powell, M (2004). 'Big Windows and Little Windows: Implementation in the "Congested" State' in *Public Administration*. Oxford: Blackwell Publishing Ltd.
- Gedion, T (2010). 'Freedom of Expression in Ethiopia: The Jurisprudential Dearth' in *Mizan Law Review*. Vol. 4, No.2.
- Georgy ,E; Sergei, G & Konstantin S (2009). *Media Freedom in Dictatorships*. United Kingdom: Oxford University Press
- Grace, A (2010). 'Press Freedom Critical Analysis : The Examination of East Asia; China, Singapore and North Korea' in *The Elon Journal of Undergraduate Research in Communications*. Vol. 1, No. 1.
- Grindle, M S (ed) (1997). *Getting Good Government: Capacity-building in the Public Sector of Developing Countries*. Harvard: Harvard University Press.
- Habib, M (2010): *The Ethiopian Federal System. The Formative Stage*. Addis Ababa: Friedrich-Ebert-Stiftung.
- Hill, M & Hupe, P (2002). *Implementing Public Policy: Governance in Theory and Practice*. London: Sage Publications.
- Kasoma, F P (1992). 'The African Editor and Journalism Ethics and the Law in a Privatised and Pluralistic Press'. [Paper presented at the seminar on freedom of expression and the media in Southern Africa, organised by the Friedrich Ebert Foundation] Zambia, Nov. 23-24.
- Kasoma, F P (1993). 'Ethical journalism and the new politic liberalisation in Africa: the case of South Africa and Zambia'. [Paper presented at the conference on making media work for southern Africa's development] Department of Journalism, Rhodes University, South Africa, April 27-29.

- Kasoma, F P (ed) (1994b). *'Journalism Ethics in Africa. Nairobi: African Council for Communication Education (ACCE).'* Cambridge: Hackett Publishing Company.
- Kasoma, F P (2005). *The Foundations of African Ethics (Afriethics) and the Professional Practice of Journalism: The Case for Society-Centred Media Morality.* Cambridge: Hackett Publishing Company
- Lee, T (2011). *History and Development of mass Communications: Media Literacy and Culture.* Mountain View: Mayfield.
- Lipsky, M (1980). *Street Level Bureaucracy: Dilemmas of the Individual in Public Service.* New York: Russell Sage Foundation.
- Lipsky, M (2010). *Street Level Bureaucracy: Dilemmas of the Individual in Public Service.* New York: Russell Sage Foundation.
- Makumbe, K. (1998). Is there a civil society in Africa? In *international Affairs* 74, 2305-317.
- Mandell, R (2001). *Getting Results Through Collaboration: Networks and Network Structures for Public Policy and Management.* London: Quorum Books.
- Matland, R (1995). 'Synthesizing Implementation Literature: The Ambiguity Conflict of Policy Implementation' in *Journal of public administration Research and Theory.* Vol.5, No. 2. Pp 145-174.
- Meier, K and Hill.G (2005). 'Bureaucracy in the Twenty-First Century, in Felrie, E *et al.* *The Oxford Handbook of Public Management*, Chapter 3.
- Mocria, E; Mesfin M& Alemayehu, G (2003). 'Survey of Culture and Media Ethiopia' in *Country Report Strategy 2003–2007.* Department for Africa Print: Elanders Novum AB.
- Nicole, A (2009). 'Media in the Peace-Building Process: Ethiopia and Iraq.' Departmental Papers.Stremlau Annenberg School for Communication (ASC), University of Pennsylvania.
- Ochilo, J (1993). 'Press Freedom and the Role of the Media in Kenya' in *Africa Media Review* Vol. 7, No. 3.

- Parsons, W (1995). *Public Policy: An Introduction to the Theory and Practice of Public Policy*. Cheltenham: Edward Elgar.
- Rhodes, R (2005). 'Policy Network Analysis' in Ferlie *et al* (ed).*The oxford Handbook of Public Policy*. Chapter 20.
- Serdar, Y & Varsha, V (2008). 'Decentralization: Lessons from Selected Countries.'Conference Paper presented for Andrew young School of Policy studies, Georgia State University. September 21-23, 2008.
- Shimelis, B (2000). *Survey of the Private Press in Ethiopia: 1991-1999*. Addis Ababa: Forum for Social Studies.
- Simon, G (2006).*African Media Development Initiative: Ethiopia Research Findings and Conclusions*. London: BBC World Service Trust.
- Simon, G (2006). 'Media Coverage of the 2005 Ethiopian Elections.' Unpublished Paper presented at a workshop on Media and Good Governance. Addis Ababa.
- Skjerdal, T (2008). 'Conflicting professional obligations among government journalists in Ethiopia.' Paper presented at the IAMCR congress, Gimlekollen School of Journalism and Communication, Kristiansand, Norway Stockholm. July 24, 2008.
- Skjerdal, T (2009). 'Uneven Performances by the Private Press in Ethiopia: An Analysis of 18 Years of Press Freedom' in *Journal of Communication & Language Arts Special Issue on Media and Democracy*.Vol. 3, No. 1.
- Teffera, N (2006). 'Ethiopian Mass Media Profile.' Addis Ababa: Population Media Center.
- Tervil, T (2008). 'Enhancing Gender Equality in the Media in Eastern Africa.' A Regional Study by Eastern Africa Journalists Association (EAJA).
- Tizita, K (2008). 'Ethiopia: Independent Media Professionals Deplore New Press Law.' Available at <http://allafrica.com/stories/200807040103.html>. [Accessed on September 23/2013]
- Tracy, R. (2010). 'A Test of Democracy: Ethiopia's Mass Media and Freedom of Information Proclamation' in *Penn State Law Review*.

Twibell, T (1999). *Ethiopian Constitutional Law: The Structure of the Ethiopian Government and the New Constitution's Ability to Overcome Ethiopia's Problems*. 21 Loy. L.A. Int'l & Comp. L. Rev. 399 (1999). Available at:
<http://digitalcommons.lmu.edu/ilr/vol21/iss3/2>[Accessed on October 14/2013]

Weimer, D & Vining, A(2005). *Policy Analysis: Concepts and Practice*. New Jersey: Pearson Prentice hall.

Zewde, B.(1991). *A History of Modern Ethiopia 1855-1974*. Addis Ababa: Addis Ababa University Press.

Theses

Anne-Sophie, N (2006). 'Press Freedom and Poverty: An Analysis Of The Correlations Between the Freedom of the Press and Various Aspects of Human Security. *Poverty and Governance*. Unpublished Research Project.

Barlan, J (2005). 'Press Freedom and Globalization: Scandinavia and East Africa'. United State International University- Africa, Nairobi, Kenya: Unpublished Master's Thesis.

Asfaw, D (2000). *The State Broadcasting in Eastern Africa*. Faculty of Journalism and Communications, Addis Ababa University: Unpublished Master's Thesis.

Brain, K. (2011): 'Structural transformation in Ethiopia.' Faculty of Development and International Relations, AALBORG University. Unpublished Master's Thesis.

Nash, L (2004). 'Freedom of the Press in Australia.' Faculty of Humanities and Social Sciences, University of Technology. Sydney: Sida.

Seble, T (2011). 'The Role of Media in the Promotion of Human Rights in Ethiopia.' Faculty of Law, Addis Ababa University. Unpublished Master's Thesis.

Simon, G (2005). 'Mass Media Management in Ethiopia: An Enabling Environment or a Barrier: An overview.' Unpublished Research. Sponsored by the Population and Media Centre, Addis Ababa.

- Tizita, K (2008). 'Use of anonymous news sources by *The Ethiopian Herald* and *Fortune* Newspapers: A Comparative Study.' Addis Ababa University. Unpublished Master's Thesis.
- Tura, G. (2007). 'Self-Regulation of the private press in Ethiopia: Prospects and Challenges.' Addis Ababa University: Unpublished Master's Thesis.
- Vaughan, S (2003). 'Ethnicity and Power in Ethiopia.' College of Humanities and Social science: School of Social and Political Studies, The University of Edinburgh. Unpublished PhD Thesis.
- Yonas, N (2008). Self-censorship among print journalists in the Ethiopian government media. Faculty of Journalism and Communications, Addis Ababa University: Unpublished Master's Thesis.
- Zemelak, A (2008). Local Government in Ethiopia: Adequately Empowered?'. Faculty of Law, University of the Western Cape. Unpublished Master's Thesis.

Legislation, Government Policy Documents and Reports

Amnesty International, (1998). *Annual Report*. London

Amnesty International, (2000). *Annual Report: World Press Freedom Review*. London.

ARTICLE XIX, (2004). 'A Briefing Note on the Draft Ethiopian Proclamation to Provide for the Freedom of the Press.' Available at www.article19.org/pdfs/analysis/ [Accessed September 23, 2013]

Committee to Protect Journalists (CPJ), (2008). 'Government denies publishing licences to five Journalists. <http://www.ifex.org/en/content/view/full/90391> [Accessed September 12, 2008].

Committee to Protect Journalists (CPJ), (2013). 'Ethiopian Journalists in exile.' Available at: <http://www.ifex.org/en/content/view/full/90391>[Accessed November 05, 2013]

Constitution of the Federal Democratic Republic of Ethiopia (1995): Freedom of Press Proclamation No.1/19991 and No. 6/1991. Addis Ababa, Birhanesalam Printing Enterprise.

Ethiopia Media Mapping, (2011). 'Electoral Reform International Services.' Department for International Development (DFID),

Exiled Journalists' Network (EJN), (2006). 'Press Freedom Forum Series Public Order, State Security and Press Freedom in Ethiopia: Towards finding a common ground.' FORUM REPORT London, UK.

Horn of Africa Conference, (2007). Good Governance and the Rule of Law as keys to Peace, Democratization and Sustainable Development Conference Report Edited by Dr. Ulf Johansson Dahre, Department of Sociology, Lund University 14-16 October 2005, in Lund, Sweden.

Human Rights Watch World Report, (2001). *Africa-Ethiopian*.

Human Rights Watch, (1994). 'Human Rights in Africa and U.S. Policy.' A Special Report. London.

Human Rights League of the Horn of Africa/HRLHA, (2009). 'Report on Press Freedom Violations in Ethiopia' in *Universal Periodic Review of Ethiopia's Human Rights Record*. Geneva.

International Bank for Reconstruction and Development, (2000). The Media's Role in Curbing Corruption.

Library of Congress, (2005). Federal Research Division Country Profile: Ethiopia.

Ministry of Information (April 2008). 'Monthly Statistical data about press products.'
Available at: <http://www.moinfo.gov.et/circulation.php>. [Accessed July 17, 2008].

Negarit Gazette, (1992). A Proclamation to Provide for the Freedom of the Press.
No.34/92, Year 47. Addis Ababa: Printing Enterprise.

Negarit Gazette, (1987). Constitution of Peoples' Democratic Republic of Ethiopia,
Proclamation No.1/1987.Year 47, No.1. Addis Ababa: Printing Enterprise.

Negarit Gazette, (2008). Freedom of Mass Media and Access to Information Proclamation
No. 590/2008.

Reporters Without Borders, (2004). Third annual worldwide press freedom index. Available
at:http://www.rsf.org/IMG/pdf/Af_index_Eng_2004.pdf. [Accessed April 2012]

The Economic Intelligence Unit (EIU), (2004). Quarterly Reports which provides country
Profiles and Reports on background of political and Economic Information, London Different
Issues From the 1990s up-to-date.

The Ethiopian Press Proclamation Law, No. 34 (1992), Article 10:2; Federal Constitution
(1995), Article 29:6.

The Ethiopian Broadcasting Authority (EBA), (2011). 'List of authorized radio and TV stations
in Ethiopia.' Available at: www.eba.gov.et/web/data/Broadcast/main.htm
[Accessed April 2013]

Tran, H; Mahmood, R; Du, Y & Khrapavitki, A (2011). 'Linking Measures of Global Press
Freedom to Development and Culture: Implications from a Comparative Analysis' in
International Journal of Communication. Vol. 5, Pp. 170–191. Available at <http://ijoc.org>.
[Accessed May 2013]

UN Special Rapporteur, (2012). 'Human Rights Watch Submission on Ethiopia.' Report of the on human rights defender to the General Assembly: Questionnaire on the use of legislation, including criminal legislation, to regulate the activities and work of human rights defenders.

World Press Freedom Review, (2008). A special edition of the International Press Institute in *International Journalist Magazine Annual Report*, Vienna, Austria, December 2008.

World of Information Africa Review, (2000). Economic and Business Report, 23rd edition, London.

World Bank, (2001). *World Development Report*. Washington: Oxford University Press.

World Press Freedom Review, (2003).

International Press Institute, (2004). *International Journalist Magazine Annual Report: World Press Freedom Review - December 2001-2005*. Vienna, Austria.