Media Law

Chapter Two
Meaning of Media

Yohannes Eneyew Ayalew (LL.M, LL.M, MA(Hon), LL.B)
Lecturer in Law, School of Law Bahir Dar University
eneyewyohannes@gamil.com,
@yeayalew

Contents

- Meaning and functions of media
- Historical development of media: globally and nationally
- Analogue and digital
- Print, broadcast, audiovisual and internet


BROADCASTING
ENCOURAGING
PHONES
CABLE
MEDIA
TAPES
CABLE
PHONES
LAWBODIES
MARKET
COMMON
PUBLIC
PRESS
TECHNICAL
GUIDANCE
MANIPULATION
MOBILE
DISSEMINATION
MASS
TARGETS
PRINCIPAL
SATELLITE
REGULATION
ESTABLISHING
RADIO
SATELLITE
ENCOURAGING
RECORDED
STATED
ESTABLISHING
FILM
LAW
RULES
PRINCIPAL
MOBILE
GOALS
TAPES
INTERNET
TARGETS
MANIPULATION
RECORDED
STORAGE
RADIO
INTERVENTION
TELEVISION
REGULATION
MEDIA
FILM
PRESS
MEDIA
STATED
PROTECT
MUSIC
DISTRIBUTION
BROADCASTING
PROCEDURES

Meaning and functions of Media

- What is **Media**?

→Media is a channel through which **a message travels from a source to a receiver.** Specifically, media refers to the main means of mass communication (especially television, radio, and newspapers) regarded collectively. (Oxford Dictionary 10th ed)

- Etymologically, the word **media** comes from the Latin plural of **medium**. The traditional view is that it should therefore be treated as a plural noun in all its senses in English. Media→ a medium of cultivation, conveyance, or expression.
- Mass Media is a medium of communication(such as news papers, radio, or television) that is designed to reach the mass of the people.(Merriam-Webster Dictionary)

…Mass Media

- Mass Media are those media that are created to be consumed by immense number of population worldwide and also a direct contemporary instrument of mass communication. Nonetheless, **Mass Media is considered as the fourth estate of the society.** It is the fourth branch of the government, the voice and weapon of the people and the society as whole.
- " If freedom of expression requires, in principle, that **the communication media** are potentially open to all without discrimination or, more precisely, that there be no individuals or groups that are excluded from access to such media, it must be recognized also that such media should, in practice, be true instruments of that freedom and not vehicles for its restriction. **It is the mass media that make the exercise of freedom of expression a reality.** This means that the conditions of its use must conform to the requirements of this freedom, with the result that there must be, inter alia, a plurality of means of communication, the barring of all monopolies thereof, in whatever form, and guarantees for the protection of the freedom and independence of journalists."

[IACtHR, Compulsory Membership in an Association Prescribed by Law for the Practice of Journalism (Arts. 13 and 29 of the American Convention on Human Rights) Advisory Opinion OC-5/85, November 13, 1985, para 34]

Mass Media Proclamation No.590/2008

❖The Proclamation under article 2(1) defines Mass Media" as a **printed matter** that includes periodicals and broadcasters.

2/ "Printed Matter" means all material intended for public distribution**, including mass media** but also other printed material–including musical works, plays, pictures, cartoons, books, pamphlets, posters and commercial advertisings as well as audio, visual and audiovisual recordings, motion pictures and the likes, excluding;

a) official printed matters, notices, minutes, reports, and decisions of legislative, judicial or executive organs; or

b) materials only intended for the purpose of commerce and transport, domestic and social life, such as forms ,price lists , printed advertising matter, family advertisements, post cards, pictorial reproductions, annual business and administrative reports, as well as election documents.

Pitfalls of the Mass Media Proclamation

- It fails to embrace social mediums
- It don’t include online/internet mediums, cf the Draft EMMP

- The draft EMMP(2019) defines mass media as:

"የመገናኛ ብዙሃን" ማለት በየጊዜው የሚወጣ **ጋዜጦችን**፣ የ**ብሮድካስት** አገልግሎትን እና **የበይነመረብ የመገናኛ ብዙሃንን** በመጠቀም የዜና ወይም የፕሮግራም ወይም የዜና እና የፕሮግራም አገልግሎት ለሕዝብ ለማቅረብ የተቋቋሙ አካላት ሲሆኑ የዜና አገልግሎት ድርጅቶችንም ያጠቃልላል::”

Actors in mass media

- There are two partners in mass media communication, the dispatcher and the receiver.
- The dispatcher could be an organization under the auspices of government or under the private ownership that gathers information, news etc. and impart to receiver. On the other hand, there is the public or specific group who receives information and resides in a given locality or could be found in a global scal

Functions of Media

1. Surveillance: We learn about innovations, discoveries, accidents, assassinations, revolutions and natural disasters as soon as they happen. Such function can be further divided in to two main types;

- **Warning**: occurs when the media informs us about threats from hurricane, volcanoes, economic depression, inflation or military attack. These warning can be immediate (a TV station interrupts a program to broadcast a tornado warning) or long term or chronic threats when for example a newspaper can have serious headlines about pollution or unemployment.
- **Instrumental**: is transmission of information that is useful in everyday life of the community. This could be whether report for tomorrow or advertising time and place of a movie premiere.

…functions

2. Attitude change and mainstreaming: The average individual spends some time of his day watching TV, listening to radio or reading a newspaper. These media are capable of altering the perception of the individual or community. For example, many people who watched the debate between Donald J. Trump and Hilary R. Clinton changed their voting intention. This act of influence is highly successful on children as they are keen to learn anything new.

3. Entertainment: The media provides us entertainment news and programming on sports, music, theater, movies and games like chess or crossword.

4. **Inquiry:** through investigative journalism and series of documentary films mass mediums can question the conduct of government. Ex. Hard Talk, Amanpour, Inside the Story etc

History of Communication Media

- Early societies developed systems for sending simple messages or signals that could be seen or heard over a short distance, such as **drumbeats, fire and smoke signals, or lantern beacons**. Messages were attached to the legs of carrier pigeons that were released to fly home (this system was used until World War I, which started in 1914). Semaphore systems (visual codes) of flags or flashing lights were employed to send messages over relatively short but difficult-to-cross distances, such as from hilltop to hilltop or between ships at sea.
- Some ancient societies, such as the **Roman or Byzantine** empires, expanded their territorial control far beyond their original boundaries, and traded with distant neighbors. To hold on to their far-flung territories, they needed two technologies that have remained closely tied ever since: transportation and the ability to record information. Recorded messages had to be carried easily; therefore, lightweight forms of recording (such as **papyrus or animal skins**) were desirable.

Print Medium

- From papyrus → Egyptians and written hieroglyphics; ancient Babylonia used cuneiform writing.
- In 1450 the German printer Johannes Gutenberg introduced the first reliable system of typesetting, a key invention in the development of printing.
- During the Industrial Revolution of the late 18th and early 19th centuries, printing technologies evolved rapidly. The steam-powered press was invented in Germany in the 19th century.
- The rotary press, which prints images onto a continuous sheet of paper from a rotating drum, was introduced in the United States in 1846.
- Photocopying invented in 1950s by an American physicist Edwin Land.

Radio

- Radio technology was based on the discoveries of **James Clerk Maxwell**. In 1864 he proposed a theory that electromagnetic signals did not need wires to be transmitted, but could be carried on electromagnetic waves.
- The Italian electrical engineer **Guglielmo Marconi** was the first person to invent a true wireless radio. In 1895 he built a system that could send and receive a signal at a distance of close to 3 km.
- Radio transmissions initially used amplitude modulation (AM) to superimpose audio signals onto radio waves. The invention of frequency modulation (FM) radio provided much more sensitive and clear radio transmission and reception. Tuners became more sensitive, and more broadcast signals were sent over the air at different frequencies.

Television

- Two pioneers independently created the first workable television systems—American inventor **Philo T. Farnsworth** and Russian-born American engineer Vladimir K. Zworykin.
- In 1932 RCA was transmitting 120-line pictures, and by 1935 had a 343-line image. The first television sets were offered for sale in the United States in 1938, although they had been available in England for two years before that.
- Since the 1950s many improvements have been made in television technology, particularly the introduction of color television in the 1960s. Image reception has become clearer, and screens have become larger.

Mass Media in Ethiopia

- The printing of Ethiopian works in Europe dates back to within century of the invention of printing. In 1513, The Book of Psalms and the Songs of Songs which is Solomon’s were printed in Geez, in Rome. In 1548, a translation of The New Testament in to Geez was published in Rome.
- Before the advent of modern mass communications, news was first made public by an Awaj Negari (Official Herald) stationed on a high tower in the capital in Addis Ababa.
- The development of modern journalism began in Ethiopia with the introduction of modern or formal education, during the last years of Emperor Menelik's eventful reign (1889-1913). Next to the Adowa war with Italy, the most important modern event in the Ethiopia of Menelik was the development of communications.

…Mass media history in Ethiopia

- Father Bernard, a French missionary, is generally credited with publishing the first duplicated publication Bulletin de la Leproserie de Harar in French and Amharic, which first appeared at Harar in 1890. The publication was mainly to win support for the campaign against leprosy.
- It continued until 1905 and Father Bernard purchased a small printing press from the French firm of Raguneot and expanded his operations. And his publications began appearing in the French language under the tide **Le Semeur d'Ethiopie** (The Sower of Ethiopia). Though mainly in French, it occasionally included special items in Amharic.

- In 1902, the first real Amharic newspaper was issued in Addis Ababa by a Greek business-man called Andres E. Kavadia. This completely Amharic newspaper was called ***Aimro*** (intelligence), a name which was given by Menelik himself. It was a four page weekly and its earliest issues were written by hand and had a circulation of only 24 copies.



…continued

- “Berhannena Salam” (Light and Peace), later to become the largest printing establishment in Ethiopia. It was founded by Ras Teferi Mekonnen.
- Berhannena Selam was a **special propaganda machine** and important lobbyer for Ras Teferi Mekonnen who later became Emperor Haile Selassie I. Using the newspaper, priests in their daily teaching and government officials in their speeches, had to praise Tefari Mekonnen and **tell others of his greatness and kindness, wisdom and leadership**, and that he had no comparison in his time. Berhannena Salam helped Haile Selassie in his peaceful transition from Regent and Heir Apparent to His Majesty Emperor of Ethiopia.
- Modern newspapers as well as the development of journalism in Ethiopia were a post-1941 phenomenon.

- **Daily News Bulletin**—one of the first periodicals to be published after the country's liberation in 1941. Published by the government, it was mainly distributed to members of foreign embassies that were established in the capital in the 1940s.
- **Sendek Alamachin** (Our Flag) was established to celebrate the 1941 victory over the Italians. It was inspired by Banderachin (our Banner) the field paper of the liberation forces and was a popular weekly and bilingual publication for several years, appearing in Amharic and Arabic.
- **Addis Zemen**(New Era)— started as an Amharic weekly newspaper and was established in 1941.
- Ethiopian Herald— was established in 1943, also as a weekly.

- The other important newspapers in the development of journalism in Ethiopia were ***L'Ethiopie d' Aujourd hui*** and ***Yezareitu Ethiopia*** (Ethiopia Today) originally in 1952 as a combined French-Amharic weekly. Since 1965, it has been published wholly in Amharic.
- The first private newspapers, the **Voice of Ethiopia** and **Ye Ethiopia Dimitse**, were in circulation from the mid-fifties to the early sixties. They were published by the National Patriotic Association though the Ministry of Information was responsible for overall supervision.
- Later, magazines like **Addis Reporter** and **Mennen** came as bilingual publications in Amharic and English.
- During the time of Derg, there were other new newspapers, of which the dominant one was ***Serto Ader*** (Worker) 1979.

…Press in the Dergue Regime

- *Serto Ader* was published weekly on Thursdays and had a circulation of 200,000 copies.
- *Abiotawi Police* was a fortnightly police newspaper, which has existed since 1961. It is published by the Ethiopian Police Headquarters and once had a circulation of 100,000.
- *Tatek* was a weekly Army newspaper and had a circulation of 28,000'copies. It was established in 1957 and was published by the Information and Public Relations Department of the Armed Forces.
- ***Meskerem*** was a Marxist Leninist theoretical journal of the central committee of the Workers' Party of Ethiopia. It came in to being in 1981 and had a circulation of 117,000.

- In Dergue era → lack of priorities, shortage of skilled manpower, financial constraints, too much ideological emphasis and propaganda, the political sensitivity and confusion.
- The censorship era in the Dergue →see Tagel Seifou poet book '*Meshet*'→ 'Fiker' https://www.youtube.com/watch?v=bYaLaocDLss Minute 8:24-11:30.
- The period after 1991 has been given a unique place in the history of Ethiopian media. This is so because of **two reasons.**

1. The first is that pre-publication censorship was outlawed.
2. press ownership which had been monopolized by government and party for years was permitted to private citizens.

- ❖ As a result, private press is sprouting.
- ❖ The first private newspaper – *Iyyita* – was started to be published in January 1992.
- ❖ Following the Press ProclamationNo.34/1992 until February 2005; more than 630 press media outlets were circulated out of it 400 were news papers and 130 magazines.
- ❖According to Ministry of Information in the year 2001(1993 EC), there were total 235 print media outlets.

→205 private news papers

→14 religious organizations

→7 political organizations

→9 government

Broadcasting Media

- Radio Ethiopia since 1940
- November 2, 1964 was the day of Ethiopia's first television, ETV broadcast since television was a potent medium of education and an important tool in shaping Haile Selassie's personality cult. Besides, it was the time that the Organization of African Unity was established in Addis Ababa.
- 1965—the Educational Mass Media Centre, which has been established by the Ministry of Education.
- Fana Radio—1994
- The FM 97.1 established in 2000.
- Amhara Mass Media Agency 2001
- Voice of revolutionary Woyane

…Present times

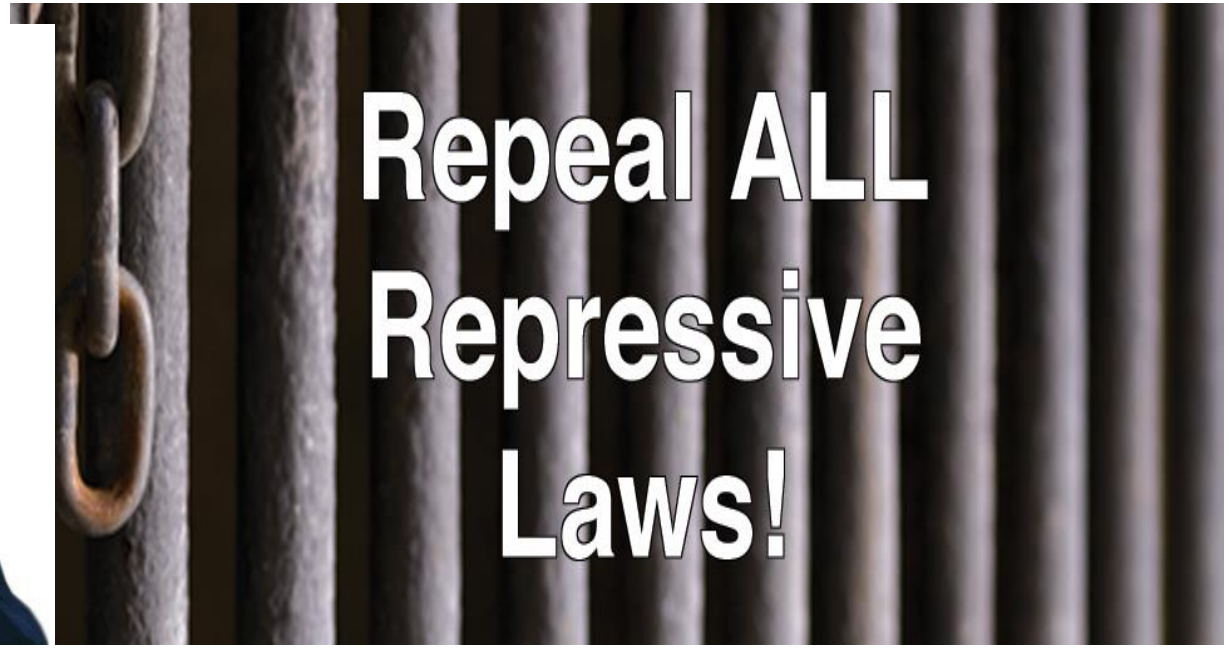
- After the 2005 election scandal, the Ethiopian government has brought the idea of '**developmental journalism**', which only embraces the ideology, narratives and propaganda of developmental state.
- **Revolutionary Democracy** (a nebulous concept as revolution and democracy are mutually exclusive) influence on Press. **It has polarized Ethiopia's media**, which has been unable to effectively serve as a forum for the negotiation of political power or for reconciliation between divided sectors of society. [See Nicole Stremlau, (2011) The press and the political restructuring of Ethiopia, *Journal of Eastern African Studies*, 5:4, 716-732.]
- Ways to control the press: arrest of journalists, propaganda
- The EPRDF led Ethiopia made draconian legislations to gag the press and muzzle freedom of expression. For instance, the controversial Proclamation No.590/2008, imposed a series of measures to stifle journalists.



From Governmental Repression to Reform

- Abiy Ahmed's ascension in the helm of power in March 2018 enabled for the establishment of Legal Reforms Advisory Council which is commendable but to be seen in practice.
- The Gov't Broadcasting media busy with narrating the 'Medmer' philosophy.
- Polarized status quo





Ways to control media platforms

- Proliferation of governmental Activists
- Personality-cult—Media's are turned into forums for image building of leaders
- Arrest of journalists in connection with high profile assassinations.
- Internet censorship

Thank you !

Dank je wel

merci beaucoup