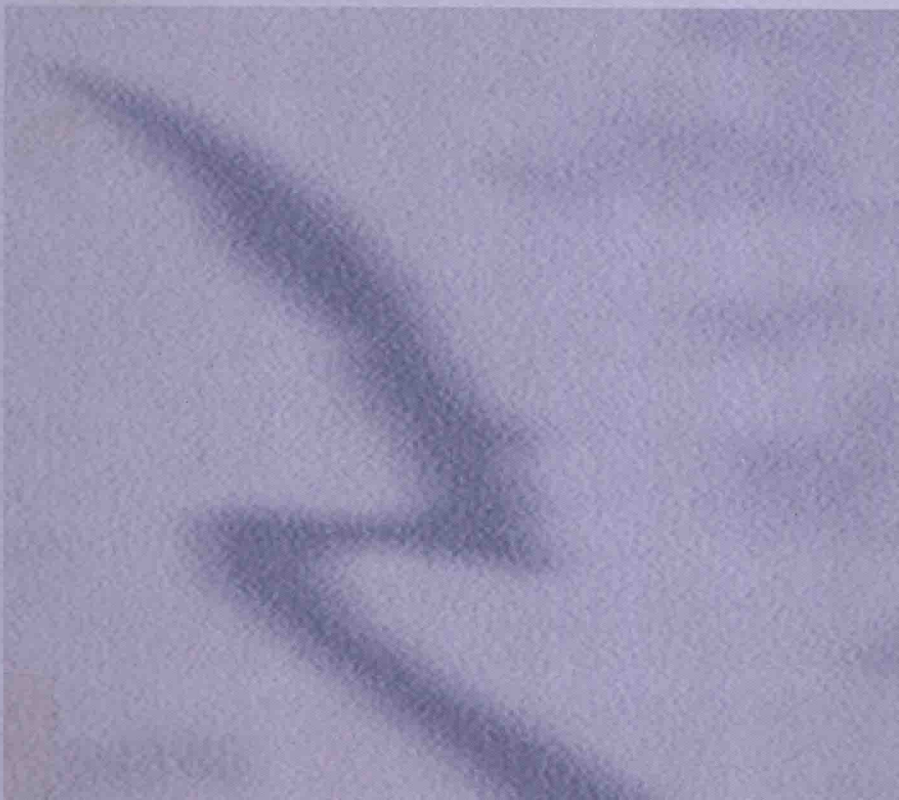
Media Reform

Democratizing the media, democratizing the state

Edited by

Monroe E. Price, Beata Rozumilowicz, and Stefaan G. Verhulst

Routledge
Taylor & Francis Group



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Routledge
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LONDON AND NEW YORK

First published 2002
by Routledge
11 New Fetter Lane, London EC4P 4EE

Simultaneously published in the USA and Canada
by Routledge
29 West 35th Street, New York, NY 10001

Transferred to Digital Printing 2003

Routledge is an imprint of the Taylor & Francis Group

© 2002 selection and editorial matter: Monroe E. Price,
Beata Rozumilowicz, Stefaan G. Verhulst;
individual chapters: the contributors

Typeset in Baskerville by Rosemount Typing Services
Thornhill, Dumfriesshire
Printed and bound in Great Britain by
TJI Digital, Padstow, Cornwall

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British Library Cataloguing in Publication Data
A catalogue record for this book is available
from the British Library

Library of Congress Cataloging in Publication Data
Media reform : democratizing the media, democratizing the state / [edited by] Monroe E. Price, Beata Rozumilowicz, Stefaan G. Verhulst
p. cm. – (Routledge research in cultural and media studies)
Includes bibliographical references.
1. Mass media–Political aspects. 2. Democracy. I Price, Monroe Edwin, 1938- II. Rozumilowicz, Beata, 1970- III. Verhulst, Stefaan (Stefaan G.) IV. Series.
P95.8 .M3935 2002
302.23–dc21 2001034874

ISBN 0–415–24353–X

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ACKNOWLEDGEMENTS

This book began with a roundtable discussion at the Freedom Forum's Media Studies Center in New York City, partly inspired by Ann Hudock, then a Democracy Fellow at the Democracy and Governance Center of USAID.

A number of scholars and participants in the process have been invaluable as the project has gone forward. These include Eric Johnson of Internews, Ad van Loon, who had been at the Audiovisual Observatory of the Council of Europe in Strasbourg, and Peter Krug of the University of Oklahoma, who has been one of the pillars in American scholarship on this subject. We have benefited from the insights of C. Edwin Baker of the University of Pennsylvania, who was generous with his scholarship, and Stephen D. Whitefield of Pembroke College, Oxford, Dr Beata Rozumilowicz's thesis advisor, whose teaching is reflected in the sections on theories of transition.

The various chapter authors have been extremely cooperative and congenial during the process of preparing this manuscript. We wish to thank, particularly, Karol Jakubowicz for his trenchant comments and contributions to the theoretical framework of the book. We wish to thank Mr Hinca Pandjaitan of Internews, who made a valuable contribution to the understanding of media transformations in Indonesia. Christopher Cudmore at Routledge was supportive from the beginning and made useful suggestions about form and organization.

Among those who reviewed manuscripts, we should like to thank Gillian McCormack for her review of the chapter on Ukraine. Nancy Beatty Edlin and Bethany Davis Noll were heroic in managing the manuscript, making wise adjustments and revisions to it, and generally assisting in the editing and publishing process.

The interest of the editors in this subject was prompted by a grant from USAID to the Nation Institute for the study of an enabling environment for media law reform. That grant produced a study by Professor Price and Professor Krug that has been widely distributed (2000). It also resulted in a conference, held at the University of Oxford in 1998, in which a number of the authors participated. The conference and research commissioned under the grant were helpful to the editors, but this book is independent of that contract and not produced in satisfaction of it. It is, nonetheless, fitting to express our thanks to

the USAID Center for Democracy and Governance for its consistent support of inquiry in this area.

The home for this project has been the Programme in Comparative Media Law and Policy (PCMLP) at the Centre for Socio-Legal Studies, Oxford University. Professor Denis Galligan, Director of the Centre, and Jenny Dix and John Gray of the Centre staff were called upon for their aid at vital moments in the management of the project. The Benjamin N. Cardozo School of Law and its Squadron Program in Law, Media, and Society also provided support, and thanks are due to Dean Paul Verkuil and Peter Yu, Deputy Director of the Squadron Program.

Preparing this study has been a bit like riding a group of semi-wild horses simultaneously. Transitions are, by definition, not easy to capture. Swirling notions of power, democratic tendencies, national influences, and changing technology make each word, each thought, and each chapter a study in instability itself. It is in that atmosphere that this book has been completed. The research was done before the end of the year 1999 and the book was prepared in 2000.

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INTRODUCTION

This book examines a complex process: the impact of political transitions on media structures and the impact of changing media structures on political reform. In particular, the effort was to study the difficult moves toward more democratic institutions in a widely varied set of contexts. The study introduces hypotheses concerning forms of intervention in media law and policy that might assist scholars, government officials, and society in general to render media more plural and diverse. The chapters explore the timing or stages within the overall media reform process. International organizations, entities committed to the building of civil society, regional aggregations, and private corporations are struggling in regard to the shape of media space and its impact on individuals and society. The purpose here is to search for common themes, common approaches, and a greater understanding of the relationship between public actions and social results.

To achieve this goal, the editors and authors sought comparative perspectives. In this book, we have experimented with a relatively novel approach to comparative analysis in the field of media reform, as we shall set forth below. The introduction of competition from the private sector in Poland, the passing of a new press law in Indonesia, and the persecution of journalists for libel and sedition in Uganda seem wholly disconnected from each other and from theories of democratic transformation. But it is the task of a comparativist to try to integrate such phenomena to the greatest extent possible. Here, we believe we have made a start.

Individual cases, while consequential within their societies, must be placed in a context from which they can later be analyzed. One function of such analysis would be to provide guidance to those involved in transitions in overarching processes of media reform and democratization. It is only in comparison with other similar occurrences that change in structure and modifications of law and policy become generally illustrative or informative.

The very concepts of "media reform" and "democratization" have a relative quality. Comparison is integral to building criteria by which to gauge democratization or reform. A comparative framework assists in developing a reasonable assessment of the conditions that represent reform and how these reform processes promote or hinder the development and stabilization of democratic practices. But to say that a comparative approach is desirable leads

only to a more complicated set of issues: namely how to select cases to ensure an appropriate comparison.

Numerous strategies exist, each with a concomitant set of strengths and weaknesses. Some scholars have examined individual countries in comparison to previous historical periods or levels of development. Others have undertaken binary assessments in order to underscore similarities and differences at the structural level of comparability. Still others have looked at regional studies that address cases with similar historical and developmental backgrounds to control for these "independent variables" and determine the causal factors influencing the chosen "dependent variable" or question of interest.

In this study, however, the editors and authors have chosen to follow the method of "greatest difference" comparison, which has generally yielded both robust findings and useful levels of generalization. Employing such a framework, the comparativist gains the "optimal view that will permit him to draw reliable and rigorous conclusions" (Dogan and Pelassy 1990: 111). A study structured around the principle of greatest difference allows for meaningful examination among cases with vastly divergent historical backgrounds, levels of development, political institutionalizations, and social, cultural, and ethnic structures. As a result, any commonality found among cases may reasonably be assumed to hold generally. Moreover, assuming that the cases examined are representative of larger conceptual categories, such findings may lead to the development and specification of a general model or theory.

The comparativist, nonetheless, must be careful to ensure the representativeness of the chosen sample groups since national conditions vary widely, making "the hurdle of internationalization ... arduous to cross" (Dogan and Pelassy 1990: 48). In order to avoid spurious conclusions, the analyst must design the comparative framework for application to a selection of cases that are more widely representative of a particular conceptualized group of nations. The utilization of typologies or heuristic categories is often indispensable to a solid research design. The case selection process, outlined in further detail below, reflects extensive use of such categorizations.

The present study has been developed with such considerations in mind. It brings together analyses of vastly divergent nations, each of which has been undergoing political transition and media reform. The country expert investigations presented in Chapters 2 through 11 endeavor to uncover the development of the dual process of transition and reform while exploring the causal link between them. Authors have asked whether media reform promotes democratization and whether democratic rule is a necessary precondition for the development of media, or whether the two processes are mutually exclusive with little to no effect of one upon the other. In addition, the chapters highlight the main aspects of media reform in each case and underscore the individual media sectors that have played key roles within the larger process of transition.

The criteria for case selection

In selecting cases for this study, the editors sought to establish a wide geographical spread along the lines of the "greatest difference" methodology. At the same time, they have ensured comparability by selecting cases based on their

relative stage within the political transition process. As a result, patterns found across a variety of disparate nations will be more "generalizable."

The editors realize that placing societies into categories based on their stage of transition is a highly subjective process. Normative, political, and otherwise prejudiced rationales often creep into such assessments and skew the interpretations that follow. Therefore, the editors evaluated transition stages through a series of continuous political dimensions that are relevant to democratic transitions. In each case, the poles represent logical extremes and countries have been arrayed across these political dimensions to determine their relative placement. The editors place those countries that fall on either extreme across most dimensions into either the "pre-transition" or "mature transition" category as indicated. Those in between have been placed into the "primary" or "secondary" stage categories based on the preponderance of the dimensional placements. Table I.1 gives the attributes of a political transition at the two extremes: "pre-transition" and "mature transition."

In making the case selections, the editors also took into account the possibility of the variable impact of factors based on previous regime experience (Linz and Stepan 1996). As Linz and Stepan have argued, the previous regime type has a determinative influence both on the paths open for a transition country and on the tasks that need to be addressed in order to reach democratic consolidation. It is therefore reasonable to assume that the tasks and paths open for the establishment of free and independent media could also be highly dependent upon the previous regime of a country in transition.

As a result, countries have been chosen from each of the theorized non-democratic regimes as well as from each regime subset. Countries that experienced previous authoritarian, totalitarian, post-totalitarian, mature post-totalitarian, or sultanistic regimes are, therefore, represented.[1] Additionally, the editors include three categories important to the structuring of reform processes. The first category included "areas undergoing transformation under the supervision of an international authority" whose transition has included military strife. The second category included "post-colonial" countries that embarked directly on the course of democratization after gaining independence without an interim period of non-democratic rule. The third category included countries under "ethnically segmented authoritarian regimes" that granted access to various resources based upon ethnic divisions.

Each of the cases in the study was selected by the editors both by its previous regime type and by its placement within the larger context of the four stages of political transition.

Pre-transition stage

From the category of pre-transition countries, the editors chose the cases of China and Uzbekistan, two countries that experienced different previous regime types. China has been considered a prime example of a "totalitarian" regime. Uzbekistan has been optimistically described as post-totalitarian but has elements that, as with China, bring it within the borders of transition. It is certainly true, in each case, that transitional elements are strongly present, but this

Table I.1 Political dimensions of democratic transition

Pre-transition	*Mature transition*
Executive appointed	Executive elected and has effective power to rule
Legislature appointed	Legislature elected and has effective power to rule
No judiciary or judiciary politically controlled	Full judicial autonomy
Bureaucratic posts allocated by association	Bureaucratic posts allocated by merit
No changeover of power between government and opposition	Changeover of power between government and opposition
Restrictions placed on travel	No restrictions placed on travel
No freedom of expression	Freedom of expression
Certain ethnic groups banned from political participation	All ethnic groups legally and effectively granted full political participation
Military domination over state	Complete civilian control over military
Constant threat to citizens of state violence	No threat to citizens of state violence
Right to assembly prohibited	Right to assembly legally and effectively granted
No elections take place	Elections take place regularly
No former democratic experience	Minimum of 10 years of democratic rule
Rule by decree	Rule of law
State control over information	No state control over information
Class of ruling elites	Change of ruling elite classes
No party competition (anti-regime parties banned)	No limits placed on party competition (no parties banned)
No civil liberties	Full civil liberties
Political participation organized by state	High levels of spontaneous political participation
No freedom of religious expression	Freedom of religious expression

demonstrates that our categories, just like most categories, are useful only as a beginning point. Both countries exhibit characteristics that place them within this pre-transition stage of political reform. As a result, these cases provide important insight into the aspects of media reform that come into play during the pre-transition stage.

Primary transition

The editors chose three countries for analysis within the category of the primary transition stage. Again, each case typifies a different previous regime type. The first is Indonesia, which was selected as a country undergoing transition from a "sultanistic" regime type, though not by the chapter authors, Sen and Hill. We include Bosnia-Herzegovina as an area that, at the time of writing, was "undergoing transformation under the supervision of an international authority." Finally, Jordan represents a former "authoritarian" regime and may illuminate important aspects of transition within a country in which religion strongly influences policy.

Secondary stage

Among cases at the secondary stage of transition, the study examines Ukraine, a second example of a "post-totalitarian" regime. We include Uganda as a country that has made the political transition from a previously "authoritarian" regime, and where elements of a colonial past continue to influence the reform process.

Late or mature stage

From the category of a late or mature transition stage, the editors selected three countries. The first is Poland, which made the transition from a "mature post-totalitarian" system. Uruguay is the second case, having emerged from a previously "authoritarian" system of rule. Finally, India represents a purely "post-colonial" transition.

A Freedom House assessment found in Table I.2 categorizes these ten nations and supports our divisions according to transition stage.[2]

Table I.2 Freedom House criteria

Country	*Political rights*	*Civil liberties*	*Freedom ranking*
Poland	1	2	Free
Uruguay	1	2	Free
India	2	3	Free
Ukraine	3	4	Partly free
Uganda	4	4	Partly free
Jordan	4	5	Partly free
Bosnia-Herzegovina	5	5	Partly free
Indonesia	6	4	Partly free
China	7	6	Not free
Uzbekistan	7	6	Not free

In summary, the selection of Bosnia-Herzegovina, China, India, Indonesia, Jordan, Poland, Uganda, Ukraine, Uruguay, and Uzbekistan represents a wide geographical spread. They include the regions of Asia, Central Asia, the Former Soviet Union, Central and Eastern Europe, the Balkans, Africa, and Latin America. They also adequately cover previous regime types and points of transition so that this study may allow for robust levels of generalization.

Other typologies are possible, of course. In September 2000, the United States Agency for International Development (USAID) Office of Democracy and Governance, Bureau of Europe and Central Asia prepared a document that developed a typology, in which categories were assigned to countries. As the paper pointed out, its typologies were "not rigid, nor do they exist on a continuum that leads one to another in a transition to democracy. In a number of instances, there are substantial areas of overlap, where one country may arguably fit into more than one typology." Rather than the four stages used in this book, the USAID model posits five:

- *Consolidating democracies (Estonia, Czech Republic, Hungary, Poland, Latvia, Lithuania, Slovenia)*: A strong political and social consensus exists. There is a relatively high level of government decentralization. Government has passed acceptable media laws; private media flourish; citizens gain access to a variety of different sources of information from both broadcast and print media. Associations lobby on behalf of journalists.
- *Unstable states/divided states (Albania, Armenia, Bulgaria, Croatia,*[3] *Georgia, Macedonia, Montenegro, Romania)*: Powerful ethnic/clan divisions and loyalties sharply impede nation building and divide citizens at the local level. "Liberal" media laws may exist, but politics still control media regulation. State media are not independent from the governing political party, although reform efforts may have started. Print media are generally plentiful.
- *Weak states/weak societies (Moldova, Russia, Ukraine)*: A stagnant or contracting economy, a lack of proactive support from a generally passive and/or disinterested government, and an increasingly cynical public hamper democratic transition.
- *Consolidating authoritarian states (Azerbaijan, Belarus, Kazakhstan, increasingly Kyrgyzstan, Turkmenistan, and Uzbekistan)*: Elections are used, but increasingly represent little more than plebiscitary endorsements of state power; society remains almost completely state-dependent, with mono-culture economic development (oil, cotton, and so on) and prime businesses in the hands of a political/business elite. National broadcast media are completely controlled by the state; local broadcast media are in the pocket of local politicians. Media laws, even if on the statute books, are not followed, as the government takes extreme measures to control, censure, and even shut down any independent voices.
- *Failed states (Serbia, Tajikistan, international protectorates of Bosnia and Kosovo)*: Economic stagnation and weak governance, civil war and ethnic conflict have interrupted transitions. Basic questions of identity, community, and control of boundaries remain unresolved. Government's capacity to control policy and provide services is limited. The media are either in an embryonic state,

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