

Ethiopia Should Allow Free Press and Legitimate Dissent to Flourish

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This article is intended to address the role of the free press and legitimate dissent in the enhancement and establishment of democracy in Ethiopia. Ethiopia had missed a golden opportunity in finding a democratic culture during the formative period of the 1974 revolution. Soon after the outbreak of the Ethiopian revolution, a modicum of democracy was allowed by default when the emerging Derg elements pretended as protectors of the Revolution while Ethiopians staged massive demonstrations freely. Moreover, the EPRP and Meisone intellectuals conducted series of ideological debates via their respective journals, namely Goh and Tsedey, but all these semblance of democracy were soon suppressed by the military junta.

Again, in 1991, when the EPRDF seized state power, Ethiopians were poised to enjoy some democratic rights including freedom of speech, demonstration, and free press but they encountered contradictory measures by the government, and as a result the initial promises of installing democracy in Ethiopia has delayed indefinitely. While the EPRDF government successfully implemented the democratic rights of nationalities and even established nine regional states, but when it comes to free press and legitimate dissent, it clearly exhibited major weakness, and consequently in the last two decades significant democratic institutions were not established. For the democracy rationale in its broader sense, it should be known at the outset, that the people at large are held responsible for its realization, but in its micro sense, it is the government and the opposition parties that must be held accountable. More than the opposition and the people, including intellectuals not affiliated to any political groupings, however, it is the government that must lead the way to democratic transformation and that must be accountable in regards to its fruition.

What is the significance of free press and legitimate dissent in the founding of a democratic Ethiopia? The answer, in brief, is enormous and crucial! Before I elaborate and delve into the vital role of free press and legitimate dissent (which incidentally are preconditions to a genuine democracy), however, I like to make clear what democracy is all about.

A fortnight ago, a debate on several issues pertaining to contemporary Ethiopia was conducted at Addis Ababa University. The panel of discussion included Ato Abay Tsehaye of EPRDF; Dr. Chane Kebede of EDP (Ethiopian Democratic Party); and Professor Beyene Petros of Medrek or the Ethiopian Democratic Forum Party. While Abay promoted his thesis (or the policies of his party) in relation to revolutionary democracy, Chana argued on behalf of liberal democracy, and Beyene presented his line of argument in light of social democracy. By and large, the discussion was interesting, but it seems to me the moderator Dr. Abdisa Zerai and the three discussants have missed the opportunity to address the nature and characteristics of democracy. Instead of hammering, dissecting, and expounding on how democracy could be installed in Ethiopia, they focused on typologies of democracies, and although the latter are important, they would become meaningless nonetheless unless a genuine democracy is rooted in the larger Ethiopian society.

Going back to my own thesis, thus, I can now discuss the significance of free press and legitimate dissent, without which we could not have democracy at all. While elections are an aspect of democracy, we have seen it time and again that electoral politics could be easily manipulated in most developing countries and even in some developed democracies. We have also witnessed fraudulent elections across nations, but these malfunctions in the democratic process could be adjusted by free press and legitimate dissent only, because the latter two as staunch strongholds play a role in not only counterchecking the conduct of the governments but also in ensuring the practice of true democracy.

A long time ago, Thomas Jefferson, the third president of the United States, said, "were it left to me to decide whether we should have a government without newspapers, or news press without government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers and be capable of reading them."¹

In a similar vein to that of Jefferson and following the long democratic tradition in the US, the Miami Herald comes up with a very interesting editorial entitled *Democracy Depends on a Free*

Press, and it makes relevant argument to my own thesis as follows: "For a society to be responsible and powerful, it must be informed. Our free press, protected by the first constitutional amendment, plays a critical role in ensuring that every American has constant access to important and trustworthy news."²

Also similar to the Miami Herald quoted above, Sajid Javid argues, "Britain's news papers remain the best in the world. A vital bulwark against wrong doing. A voice of the voiceless, the very foundation upon which our democracy stands."³

It is not without reason, thus, that the United Nations designated May 3 to be the world press freedom day or world press day. By virtue of this declaration, the UN holds governments accountable in regards to upholding free press and by default respect freedom of expression that is enshrined in the Declaration of Human Rights, Article 9. In spite of the good intentions of the UN General Assembly and its Declaration, however, far from respecting free press, many countries have violated and discarded the very essence of the Declaration.

Nonetheless, despite the unfortunate attack on free press, the present century warrants the adoption, if not implementation, of democracy by nations all over the world and luckily there are advocates of free press still around. It is the combination of the general trend of history (or the *Third Wave* as Samuel Huntington calls it) toward realizing democracy and the role of activists that would pressure governments to allow free press in their respective countries. Hilary Clinton, the former Secretary of State, for instance, has reminded us that "we live in a world where free flow of information and ideas is a powerful force of progress. Independent print, broadcast, and online media outlets are more than sources of news and opinion. They also fight abuse of power, fight corruption, challenge assumptions, and provide constructive outlets for new ideas and dissent."⁴

If Ethiopia follows Madam Clinton's advice, it will not only celebrate 'free flow of information and ideas' but it will also effectively fight the endemic corruption that is virtually bleeding the nation now. One of the Ethiopian Broadcasting Corporation (EBC) dramas by the name Dana, for example, comes very close to exposing corruption amongst high ranking officials of Ethiopia, but it looks that the Drama is now reaching a vanishing point following episode 78. Dramas like Dana, media outlets, newspapers, scholarly journals etc could greatly contribute to fighting corruption and in formulating strategies for development in Ethiopia by critically examining the policies of the government, but only if they allowed to freely express themselves.

The danger of not allowing free press is also underscored by Secretary Clinton, and this is how she puts it: "Wherever media freedom is in jeopardy, all other human rights are also under threat. A free media is essential to democracy and it fosters transparency and accountability both of which are prerequisites for sustained economic development."⁵

As has been pointed out above, the freedom of the press in the United States is guaranteed by the First Amendment to the US Constitution and this means "the right of the press to gather, publish, and distribute information and ideas without government restrictions; this right encompasses freedom from Prior Restraints on publications and freedom of censorship."⁶

How about Ethiopia with respect to freedom of the press? Does the Ethiopian Constitution guarantee freedom of the press? Indeed! Part Two, Article 29, of the constitution clearly states that

1. Everyone has the right to hold opinions without interference.
2. Everyone has the right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, through any media of his choice.
3. Freedom of the press and 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 the 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.⁷

What is stipulated in the Ethiopian constitution, however, is not necessarily practically observed or respected, and unless freedom of press transcends its paper form and is actually translated into action, no matter how bright and shining in its content, its promise could be easily stifled. One could also ask, if Article 29 of the Ethiopian constitution is intended to guarantee freedom of opinion, ideas, and expression, why is that journalists jailed and thrown behind bars?

If the EPRDF Government really wants to honor Article 29 of the constitution, it should tolerate journalists and media outlets to freely entertain ideas, including criticizing the policies and style of governance of the EPRDF. On the other hand, if the EPRDF is intolerant to the press, it would strangle the free flow of ideas, let alone observe and monitor the 'prohibition of any form of censorship' against the press as stated in the Constitution.

The concern of the lack thereof of free press and by extension democracy in Ethiopia is the concern of all Ethiopians who genuinely aspire to witness the establishment of a democratic culture in their country. The question pertaining to free press is not forwarded by me alone; a lot of Ethiopians, including Tewodros Abebe, have raised it. In a recent opinion posted in the Washington Post, Tewodros argues, "If the government of Ethiopia is concerned for its citizens, as a spokesman asserted in a February 13 letter ["The Ethiopian government's duty is to protect all of its citizens"], it should respect the rights and views of journalists and civilians who oppose its policies. It is repressive to block popular web sites and broadcasts such as the Voice of America that provide an alternative to government-controlled media... All jailed journalists - and bloggers and many others who are incarcerated for speaking against repression and injustice in Ethiopia - should be freed. It will be one small step on along democratic journey."⁸ A little earlier, the Ethiopian Reporter contributed a relevant and interesting editorial entitled "In Vigilant Defense of Press Freedom" and I would highly recommend readers to read it.^{8A}

As has been argued earlier, the government must shoulder responsibility in guaranteeing free press, but the public and in particular journalists also must be held accountable for a responsible reporting as well as expression of thought that could benefit the larger society or, on the contrary, reporting that could foment unnecessary violence. In other words, while journalists should not be intimidated and harassed by the government, they too should not resort to polemics, political diatribe, and innuendo that misinform the public, or in its extreme version engage in any activity that could create havoc to the safety and security of the Ethiopian people.

The concern of public security is the concern of all countries, including the Western nations with broader democracies. For instance, in the United States, speeches and/or newspaper reporting that utilize slander and obscenity and encourage lawless actions are prohibited by law. The 113th Congress of the United States, for example, introduced the Free Flow of Information Act that "prohibits a federal entity...in any matter arising under federal law from compelling a concerned person to testify or produce any document related to information obtained or created as part of engaging in journalism unless a court makes specified determination by a preponderance that 'disclosure information source's identity is necessary to prevent an act of terrorism, harm to national security, imminent death, significant bodily harm or to identify a person who has disclosed a trade secret, individually identifiable to health information or certain non-public personal information."⁹

I have no serious disagreement or violent objection to the limits of free speech or free press in the context of adverse situations that may negatively affect the larger society, but I have a serious concern with the fact that governments can abuse the delicate balance of the rule of law in regards to any action taken by journalists who happen to be critical (sometimes, overcritical) of the government. More specifically, governments could manipulate the elusive term of "terrorism" and label opposition groups and journalists as terrorists and justify their actions of incarcerating the free press promoters.

It is the abuse of power by governments that prompted me to discuss 'legitimate dissent' in conjunction with 'free press.' What is legitimate dissent? In a nutshell, it is the one face of criticism in a single but dual platform that is entertained in the context of legal framework. Although I believe that dissent must be legitimate and must operate within the framework of

the law, I am of the opinion that the law (however it is defined) should not emasculate or stifle dissent. The latter is too important and it should not be subjected to unnecessary scrutiny or systematically relegated to the backburner.

Ronal K. L. Rollins and David M. Skover, by making reference to the Oxford English dictionary in defining dissent as "synonymous with 'opposition', 'disagreement' or 'a difference of opinion', further argue, "Such adverse perspective, while in deed of elaboration, is obvious to the meaning of dissent. For, to remove adversity from the concept of dissent would be to defang it."¹⁰ Put otherwise, dissent cannot be imagined without opposing ideas and at times it may even involve confrontation.

Catherine Mackinnon says, "The essence of dissent is about standing up to, confronting power. Dissent carries with it a critical stance toward existing structures of domination."¹¹ Criticism is embedded in dissent and because it is part and parcel of it, some scholars like Steven Green offer us a very persuasive analysis of the: "Criticism is the heart of what dissent is all about. You can't be in agreement with something you disagree with. There can be degrees of agreement. But there needs to be a critique of what you find offensive or wrong doing as essential to dissent."¹²

Legitimate dissent, of course, should not be the province of few vigilantes and disgruntled elements. On the contrary, it should be the political tool of well meaning opposition leaders in constructively engaging the government via criticism and confrontation, and the powers that be should view dissent as positive energy for the establishment of democracy and should not view it as a countervailing and/or counterproductive force.

Most importantly, dissent is meant to mobilize the people in order to forge a critical mass that in turn fosters a sufficient momentum against the status quo that is the target of criticism, and by doing so it creates an alternative platform in the democratic process. Dissent, thus, is performed in an open public square because its ultimate objective is to create a relatively transparent and accountable political system. "To have any political or social valence," say Collins and Skover, "dissent requires some public exposure; otherwise there is no real potential to convey opposition to power structures or to facilitate social or cultural change."¹³

It is only through free press and legitimate dissent that we can really establish a relatively stable democratic society. Therefore, if Ethiopia allows free press and dissent, it will enjoy peace and stability and it will also realize a more confident and productive citizenry. Interestingly, it is this kind of citizenry that would have faith in its government and can embrace and respect its elected officials at all levels. Short of this minimum requirement in the making of democracy, it would be simply impossible to witness a sane society and it would not be surprising to witness if people resort to violence and confrontation.

Violence and confrontation should not be the alternative strategies of struggle for the opposition, for they could be counterproductive not only to the tactical objectives of the opposition but it could also negatively affect the democratic process. To the extent possible, the opposition should seek a peaceful engagement within the framework of the law but it should be emphatic on the significance of free press and legitimate dissent. The March 13th and 14th televised debate between the EPRDF representatives (Asmelash Woldeselassie and Redone Mahdi) and the opposition, namely New Generation Party (Asfaw Getachew), Medrek (Merara Gudina), Blue Party (Yilikal Getnet), and Andinet or Unity Party (Te'egist Awelu) was very interesting, but none of them was talking about 'legitimate dissent' although some of them raised the issue surrounding freedom of the press.

Given the above rationale, thus, the Ethiopian Government should tolerate legitimate dissent and allow a broader freedom of the press. If the Ethiopian Government is really ready to buy my ideas and agrees with the overall analysis in the present article, it should allow Ethiopian journalists to freely express themselves and the opposition groups to engage in dissent, if they choose to do so.

Moreover, if the Ethiopian Government endorses the ideas incorporated in this article, it should then release all journalists and bloggers from prison. When I mean all journalists, I mean all without exception unless there are some amongst the journalists that were involved in egregious actions that undermines the sovereignty of Ethiopia. The former journalist of *Addis Neger*, Tesalem Woldeselassie, for instance, defended himself by saying, "I am just a journalist

and journalism is not a crime." Tesalem and his colleagues could have been critical of the government but they are journalists and they should be judged by the parameters set forth in Article 29 of the constitution and they should be freed and allowed to enjoy free press.

That will be the day when free press and legitimate dissent will be officially sanctioned in Ethiopia and establish a genuine democracy, or a government of the people, by the people, and for the people as Abraham Lincoln so aptly put it in the Gettysburg Address.

Notes

1. Thomas Jefferson was known for his advocacy of democracy, but he, in turn, was influenced by George Mason and other prior democratic practices in the United States.
2. Democracy Depends on a Free Press, *Speak Up, Miami Herald*, 9/16/2013
3. Sajid Javid, "A free press is vital to local democracy," News England, BBC, 13 Nov 2014
4. Dipnote, "In recognition of world press freedom day," May 4, 2009
5. Ibid
6. The Freedom Dictionary
7. Constitution of the Federal Democratic Republic of Ethiopia
8. The Washington Post, February 20, 2015 (letters to the Editor) – Source: Diredube, February 21, 2015. 8A The Ethiopian Reporter <http://www.thereporterethiopia.com/index.php/editorial/item/1513>
9. H. R. 1962 – 113 Congress (2013-2014), Introduced in House on 05/14/2013
10. Ronal K. L. Collins and David M. Skover, *ON DISSENT: Its Meaning in America*, Cambridge University Press, 2013, p. 12
11. Catherine McKinnon in Collins and Skover, *ibid*, p. 13
12. Steven Green, in Collins and Skover, *Ibid*, p. 13
13. Collins and Skover, *Ibid*, p. 21

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