Model Interventions: The Evolution of Media Development Strategies
in Bosnia-Herzegovina, Kosovo, and Macedonia from 2000 to 2007

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ABSTRACT

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The United States, in cooperation with European governments and international aid

organizations, has sponsored the development of independent media as a major component of

both conflict interventions and democratization programs, and more recently as part of nation

building efforts. This study explores the evolution and export of those dominant democratic

media models and their impact on recipient communities in Bosnia, Kosovo, and Macedonia

from 2000 to 2007. International donors came to see media development as a silver bullet for

democratization efforts to foster freedom of speech, civil society, good governance, as well as

an engaged citizenry. Donors and practitioners initially believed that institutions, once

established, would function in a specific way, and coupled with assistance to professionalize

and commercialize the media sector, would create or at least jump start systems similar to

those in the US and Europe. Over the years, policy makers have identified the vital parts of a

democratic media system, but what they have failed to fully understand is the dynamic

interaction among them. Now, more than fifteen years after the end of the Bosnian war and

twelve after the end of the war in Kosovo, numerous assessments by government sponsors

and independent evaluators have reported success in achieving fundamental media freedoms

in these countries, yet these media sectors have not demonstrated their anticipated

transformative power – leaving struggling or dysfunctional organizations in the wake of donor

financial retreat. This study argues that media organizations and institutions are trapped

between pressures to commercialize and professionalize, which have become conflicting

rather than enabling forces when combined with weak economic environments. In each of the countries in this study, a lack of synchronization among reforms, political divisions, and poor economic growth have contributed to a web of interrelated challenges. Despite significant economic reforms, growth and stability have never reached a threshold for systemic change.

Table of Contents

Charts, Graphs, and Illustrations

Acknowledgements

My first trip to Yugoslavia was as a young student in 1984, on a two week research trip with 15 other students. It was shortly after the Sarajevo Olympics and spirits throughout the country were high; there were no outward signs of things to come. Upon my return, I wrote my first college paper on workers self-management in Yugoslavia – Tito's economic model meant to bring a form of direct democracy to the workplace along with brotherhood, unity, and prosperity after World War II. It is somehow fitting that my last academic project (I hope!), this dissertation, is also on Yugoslavia – as it again reinvents itself.

The first person I must thank is one of my favorite professors, Dr. Melvin Schlein, a man of extraordinary patience and humor who organized that fateful bus tour and research trip. He opened our eyes to life and ideology in the buffer states and behind the Iron Curtain. He (truly) started his career as a rocket scientist but somehow found teaching political science and herding students around Eastern Europe far more entertaining. I must also express deep gratitude to Dr. Floyd Parsons of Franklin College for "connecting the dots" in his Intellectual History class, and Dr. Anita Mallinckrodt, formerly of American University, for introducing me to the study of communications and for her mentoring in the early years.

In 1998 I enrolled in Columbia University's School of International and Public Affairs, compelled in part by the collapse of Yugoslavia. The Harriman Institute became my second home and I am grateful to the Harriman faculty and staff members (past and present) for all of their support; in particular, John Micgiel and Kevin Hallinan, Radmila Gorup, Andrea Bartoli, and the late Ambassador Warren Zimmermann. I also received a number of grants during that

There are a range of people without whom – personally and professionally – this dissertation could not have been finished. They are my "enabling environment," so to speak. A heartfelt round of applause goes to Lara Nettelfield for her tireless prodding and encouragement and unshakable friendship; Tanya Domi for her "GET IT DONE" voicemails, insights on media development in Bosnia, and for making many important introductions for me; Kimberly Storr for her proofing, polishing, and formatting magic; Rosemary Armao for more than I can even begin to mention; Marija Šajkaš for translating, Serbo-Croatian tutoring, and being my "fixer" in life; Vesna Bogojević for being Vesna; my late mother for her faith and my father for his tolerance.

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Despite the wonderful group of individuals who contributed to this dissertation, I am sure there are things that have been overlooked and I know there are things I could have done better. Any errors or omissions are my responsibility.

To Tony, who has the patience of Buddha

CHAPTER ONE

Introduction

Freedom of Expression is the matrix, the indispensable condition,
of nearly every other form of freedom.
Benjamin Cardozo

The role of a free press in supporting democratic processes has been debated by scholars and politicians in the United States since the country's inception; but since the end of the Cold War, how to export or foster a free press in transitional societies has become a US foreign policy concern. The United States, in cooperation with European governments and international aid organizations, has sponsored media development as a major component of both conflict interventions and democratization programs and, more recently, as a part of nation building efforts. It was during the rebuilding of the rump states of ex-Yugoslavia that international donors came to see media development as the "silver bullet" for democratization efforts to foster freedom of speech, civil society, good governance, and an informed and engaged citizenry. Now, more than fifteen years after the end of the Bosnian wars and over a decade since the end of the conflict in Kosovo, numerous assessments by government sponsors and independent evaluators have reported success in achieving fundamental media freedoms in these countries, yet these media sectors have not demonstrated their anticipated transformative power – leaving struggling or dysfunctional organizations in the wake of donor financial retreat.

This study was conducted to explore the outcomes of media development policies implemented as part of democratization programs in Bosnia-Herzegovina, Kosovo, and

Macedonia from 2000-2007. This spans the timeframe when media development emerged as a core component of democratization strategies, traveling from Bosnia, to Kosovo, to Macedonia before largely tapering out in 2007. It also, conveniently, coincides with the years in which I worked in media development. In my analysis of this period, I have specifically sought to understand why media policies and institutions – imbued with so many expectations both locally and internationally – have faltered. Key questions shaping this research are: Can media development policies, derived from Western models and exported by foreign actors, function as mandated under vastly different local contexts? How do these policies shape the local media sectors they target? How do they interact with local economic and political systems, and what is their impact on society? Ultimately, are these strategies democracy enhancing?

Much of the literature on media development to date encompasses project assessments, case studies, and indexes. On the scholarly level, there are substantive analyses of the potential role for media development in democratization and the need for enabling political, legal, and institutional reform. Most of these studies identify prerequisites for, and challenges to, the development of a democratic media with the expectation that democratic practices evolve from institution building and legal frameworks. Where a dearth of scholarly analysis has been observed is on the patterns of donor activity and the roles of intergovernmental and non-governmental organizations in post-conflict democratization, as well as on the influence of intervening Western powers.[1]

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[1] See: Krishna Kumar, *Promoting Independent Media: Strategies for Democracy Assistance* (London: Lynne Rienner Publishers, 2006); Monroe E. Price and Mark Thompson, eds., *Forging Peace: Intervention, Human Rights and the Management of Media Space* (Bloomington, IN: IU Press, 2002).

After a decade of training and the establishment of institutions and legal frameworks of good governance, this study asks why the media sectors in these countries are not consolidating along the lines of the Western models. That is to say, professional norms are not yet institutionalized, and markets remain weak, there is a lack self-regulation, and they exhibit distortions – conditions which contribute to a highly politicized news media which further reinforce divisions rather than foster democratic transitions. My hypothesis as to why this has occurred differs from other scholarly analysis in its concentration on a dynamic that has been overlooked by both researchers and practitioners in the field: I argue that media organizations and institutions are undermined by donor-driven pressures to commercialize, democratize, and professionalize; pressures that become conflicting rather than enabling forces when combined with weak economic environments such as those that exist in Southeastern Europe.

The policy models and "tool kits" in use in the region were derived from the historical experience of the United States and Western Europe. The expectation was that institution building would establish democratic processes and inspire democratic attitudes. Yet those institutions, legal frameworks, and media organizations – the exported architecture of a democratic system when grafted onto societies with vastly different socio-economic conditions, has resulted in chronically weak institutions and professional norms, and in some instances distorted outcomes. This research seeks to demonstrate that institution building must come with a sufficient level of economic development to ensure basic security and stability to society as a whole. Economic security and stability when it is inclusive can help bridge social divides and enable a more participatory political system which facilitates the emergence of

attitudes, norms, and political and social processes which animate the system. While economic development was included in policy prescriptions, it was insufficient to spur systemic change and donors did not appreciate the full range of effects of this missing piece of the puzzle on transitions. Economic opportunities have remained largely in the hands of the elite and corruption has flourished, resulting in destabilizing inequalities. This research will demonstrate that future media development policies must focus more specifically on economic development as a catalyst for the commercialization and professionalization of the media sector as well as for the cultivation of democratic values that structure its role in society.

Whether recent media assistance strategies are effective is not only an important question for policy makers and scholars, but is of particular weight to recipient countries. The policies and challenges discussed here are not isolated to this region, but represent a paradigm which is shifting to new conflict zones. Many of the organizations and practitioners who designed media development strategies in Southeastern Europe are now engaged in Afghanistan and Iraq. American nation building policies are based on the premise that a more peaceful world will grow from the global spread of democracy – and from the purported universal values it espouses. On the macro-level, sponsors of media assistance believe it is a vehicle for the replication of democratic values, as well as for facilitating international relations and global civil society. On the micro-level, media assistance is seen as a linchpin of democratization as part of state and nation building strategies in transitional and developing societies. It is imperative that practitioners and scholars document and analyze the lessons learned from these countries so that future foreign policy is more effective and aid is invested more wisely.

This serves not only American taxpayers but, even more so, the local populations affected by these policies. Foreign aid most importantly must not inadvertently harm the societies it aims to assist. Flawed policy, even with the best of intentions, can create disillusionment in the democratic project, and in the worst of circumstances can undermine a country's stability and development.

The experiences of and lessons learned in recipient countries can also contribute to more effective *domestic* policy. Over the last decade it has become increasingly difficult for the US to implement democratization and media development programs with any credibility. Preaching the benefits of democracy as the world watches the American system in crisis through the lens US news exports has opened the door to calls of, "Doctor, heal thyself!" A more nuanced understanding of how the model we are exporting has evolved historically, and of the environmental factors it requires in order to function optimally, can help us better foster and maintain a democratic media sphere at home as well as abroad.

Implementer and Scholar: A Dual Perspective

The subject matter for this dissertation grew out of seven years of work, from 2000 to 2007, as the Associate Director for the Media and Conflict Resolution Program at New York University's Center for War, Peace and the News Media. There, I designed media assistance programs for journalists and media organizations in countries experiencing ethnic conflict in Southeastern Europe and Africa, and oversaw their implementation. The majority of the work was based in the countries of ex-Yugoslavia – specifically, Bosnia-Herzegovina, Kosovo, and Macedonia. The overarching goal was to improve reporting on human rights and diversity

issues in order to facilitate a constructive public dialogue on contentious social issues and, hopefully, thereby ameliorate conflict. These programs were sponsored by the US government as well as a range of philanthropic organizations such as the Open Society and Ford Foundations.

During that period, I worked to implement programs with many journalists, editors, and local NGO partners, as well as with fellow international practitioners in the field. We all faced various programmatic challenges, including frequent disillusionment due to the realization that much of the impact of our programs, and of others, seemed transient. At best, the impact was difficult or impossible to truly assess in quantifiable terms – and quantifying programmatic success was a necessity in order to establish the credibility of donors and an organization, and justify continued funding. At worst, the greatest of intentions collapsed as soon as donor money ran out or, in the language of the trade, a program was deemed "unsustainable" and therefore unable to survive in the local environment. In many cases, practitioners and policy makers lamented a "lack of indigenous momentum," demonstrated by weak institutions, foundering professionalization, poor implementation of reform initiatives, as well as skewed and often corrupt markets.

Concurrent to my work in the region, I was also pursuing a PhD in communications at Columbia University's Graduate School of Journalism, which provided an opportunity to embark on a scholarly investigation of why so much hard work, sincere effort, and substantial funding had yielded disappointing results. As both an implementer and a scholarly observer, I experienced my own learning curve while I witnessed the evolution of donor policies. At the

onset, I was optimistic – even idealistic – about the potential of the programs we sponsored. Once confronted with complexities in the field and the politics and bureaucracy of the aid machine, I began to question the viability of the mandate and the methodology.

After the 9-11 tragedy, when America was at war on various fronts – in the ideological arena and on the ground – US society and media showed signs of some of the very characteristics we labeled as a threat to democracy in Southeastern Europe – scapegoating, demonizing of "the enemy," and polarized and polemical reporting that reflected a Manichean worldview. As American society and media have become increasingly divided into the polarized world of red vs. blue, the Tea Party vs. the Occupy movement, social conservatives vs. liberals, my questions have become broader ones about what form modern democracy is taking: What role are various media organizations playing in sustaining or subverting democratic processes? What role is economics playing in shaping the media and political processes? What *are* we exporting? While many of these questions are beyond the scope of this dissertation, they inevitably shaped its framework. As someone who holds on to a belief in Democracy and trusts in the need for responsible and professional media to support the political process, the essential question of media development has become: What should international norms and standards be, and what is required to support those institutions and processes wherever they are implemented?

Methodology and Delimitations

This study employed both qualitative and quantitative methods, comprising extensive face-to-face interviews and a survey instrument conducted in Bosnia-Herzegovina, Kosovo, and

Macedonia.[2] In-depth interviews were conducted with over 100 individuals from the media sector and from donor organizations, including editors, journalists, media analysts, professors of journalism and mass communication from regional universities, board members of professional associations and NGOs, and program officers from the donor community. A survey instrument was used to gather information on the organizational development of 34 organizations, selected for how active they had been in the media sector, how closely they cooperated with international donors, and for the range of organizational changes and survival strategies they had demonstrated. The sample was not selected to develop a statistical analysis but to provide significant detail on individual organizations for case studies.

What is Media Assistance?

Media assistance covers a broad range of policies and projects in support of a free and independent indigenous media in developing nations. Funding is provided by philanthropic organizations and non-governmental organizations (NGOs), as well as by foreign governments as a foreign policy tool, and is usually allocated under the rubric of democratization or civil society development programs. In Southeastern Europe, for instance, the governments of approximately 10 European nations, along with the European Commission, the European Union, and well over 14 NGOs have all sponsored media programs with varying agendas. The exact number of donors and the amounts they have invested are impossible to estimate with any certainty because of a lack of precise data.[3]

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[2] Research was also conducted in Serbia and Romania but is not included in this dissertation.

[3] A Stability Pact-funded assessment of media support to the Balkans over a ten-year period concluded that, "An analytical approach to these evaluations, strictly speaking, is not possible because of discrepancies regarding the geographic region covered, foci of the evaluations, time period covered, and fundamental terminological definitions. No reliable statistical information is available on media interventions, either for the region or on a

However, a study commissioned by the Stability Pact Media Task Force for Southeastern Europe determined that a minimum of 269.2 million euro (nearly $400 million dollars by the current exchange rate) was spent from 1996 to 2006 in that region. Another study[4] on worldwide expenditures estimated that, from 1994 to 2004, US-based sources invested approximately $600 million in foreign aid to independent news organizations and their supporting institutions, equaling over one billion dollars spent when combined with European assistance.

On the programmatic level, media assistance projects are largely designed as capacity-building initiatives to support local independent media. They often include journalism and management training, legislative and regulatory reform, establishment of professional and advocacy organizations, transformation of state media into public service broadcasters, as well as commodity assistance and other specific strategies.[5] These media development activities are separate and distinct from public diplomacy efforts, which are also government sponsored and media-related but which directly and transparently support US foreign policy goals – an example is the Voice of America radio program. Military information campaigns, known as psychological operations or "psyops," should also not be confused with media development.

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country-by-country basis. Indeed, a general lack of data on media support exists." See: Aaron Rhodes, *Ten Years of Media Support to the Balkans: An Assessment*, Media Task Force (Amsterdam: Stability Pact for South Eastern Europe, 2007) 10.

[4] Ellen Hume, *The Media Missionaries: American Support for Journalism Excellence and Press Freedom Around the Globe* (Miami: Knight Foundation, 2004) 9. Also see: Mark Harvey, *Media Matters: Perspectives on Advancing Governance and Development from the Global Forum for Media Development* (Internews Europe, 2006) 196. Available at: http://www.internews.org/pubs/gfmd/mediamatters.pdf

[5] Kumar, 31.

Media Assistance Objectives

Development strategists assert that "objective" and "pluralistic" media are their policy goals, but they are well aware of the power of media to influence "hearts and minds." Development of media sectors has, in some ways, become a panacea in foreign aid circles, seen as the antidote to numerous development issues. The World Bank, for instance, claims that freedom of the media is a necessity for emerging markets and good governance, while others have cited it as an element vital to human development altogether,[6] further raising the stakes of democratization policy interventions.

Donor strategies have developed over the last decade to include a panoply of critical functions now expected of the media in support of democratization and state and nation building. The media have been tasked with everything from the practical function of supporting free and fair elections, to the more sensitive responsibility of promoting post-war reconciliation, to the vastly grander mission of helping form new national identities. They are expected to inform citizens of critical social and political issues, facilitate reasoned debate, and encourage citizen participation; in other words, to form a public sphere where a post-war, fragmented citizenry might negotiate the past, present, and future of their society. Media development proponents aimed to support specific media organizations in hopes they would form a Fourth Estate to provide checks and balances for good governance. Scores have been trained to infuse these democratic values and professional ethics into their daily practices and, in turn, to shape the institutions they inhabit. The promotion of responsible and professional media has also been

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[6] David Hoffman, President, Internews Network; and Chair, Management Committee, Global Forum for Media Development. See: Harvey, 20.

seen as one way to counterbalance the dominance of nationalistic voices, thereby enabling a more tolerant and cooperative civil society.

Despite clear overarching policy goals based on specific Western models, there has been a steep learning curve when it comes to implementation, as theoretically perfect planning has clashed with local realities. During planning phases, of course, programs seem well-aimed and well-adapted to meet local needs, but various studies and assessments of recent initiatives have documented specific problems, including a lack of clear mandates, a lack of coordination among donors, a lack of appropriate legislation and rule of law, and lingering legacies of the previous system which have not been overcome. The lessons learned in each country have led to a deeper understanding of the components of the media sector and the necessary enabling environment for development. In response, practitioners have developed a tool box of strategies to draw on and adapt for varying circumstances, which has given clearer structure and mandate to future policies.   However, the underlying expectation that if political, legal, and economic institutions are reformed, democracy will follow, has proved to be either overly optimistic or simply unrealistic.

Local Perspectives

Serbian journalist and educator Radmila Dulović of media organization InVision posits that many policies in the region, which were simply exported from Western media models or were replications of programs implemented elsewhere, were ultimately inappropriate and ineffective when transplanted to Southeastern Europe. This was more predictably the case with some projects, but there are examples of other projects that were designed or adapted to

local conditions by local actors which still could not take hold. Dulović further believes that local culture, political history, and economic conditions have all critically shaped the role of media in society. In her words, "People thought naively they could cut and paste experiences…Western experiences…which you cannot copy exactly because of the [local] tradition, the historical background…the media approach from the past, where it was completely controlled by the government, completely censored. Another obstacle is the economy."[7] Over and above the failings of policy models, interviewees often cited the economy and culture as chronic obstacles. Economic issues and cultural practices are most often looked at independently, yet they shape one another.

As I began talking with local media professionals and conducting interviews for this research, the pervasive tone of local experts was best summarized in a comment made by Roberto Belicanec of the Media Development Center in Macedonia, who said, "I would be very happy if here in Macedonia we start to speak about the great ideal of democracy, but first we need to have something to eat. And that is a really big problem. It is an everyday survival issue and when you have that kind of set up, people don't care about [democracy] and their attitude is [that] everyone is a crook and there is no one who can make anything good of it."[8] If we unpack Belicanec's comment, it hits on three of the core problems this dissertation will discuss in relation to the cultivation of an independent media sector: the impact of poverty and the resulting lack of economic security on the media development process; the disillusionment that comes when policies fail to live up to expectations, or worse when they backfire with

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[7] Radmila Dulović-Rastovac, interview by author, December 19, 2006.

[8] Roberto Belicanec, interview by author, November 16, 2006.

distorted outcomes; and lastly, how democratic values – the elusive "spirit of democracy" – is fostered in the face of such daily challenges.

While a region's economic ills are in the forefront of development concerns, a rather obvious side effect which is not well acknowledged is that, as long as people are in "survival mode," individual interest will trump common good. Without a sense of trust in the system or a stake in it, citizens will not necessarily participate in the democratization process. A sense of civic responsibility and civil social dialogue, which are both core media development goals, have historically emerged in countries experiencing economic growth and a minimum social consensus on the legitimacy of the political system, as will be discussed in detail in Chapter Two. For instance, unemployment rates in the countries included in this study ranged from 20-45% between 2000 and 2006. Many of the programs and institutions exported to these post-conflict environments could not and cannot take root without the stability, security, independence, and social values that emerge from a healthy economy. The reverberations of the economy on other sectors of society, such as the media, are not as well documented or discussed. Most of the literature on economic effects is concerned with how it influences editorial independence, limits advertising, or how it relates to corruption; but the impact of the economy is much more fundamental. Economic instability undermines institution building as well as overall democratization efforts, not just the economic viability of news organizations.

The Historical Role of Media in Ex-Yugoslavia

The media played a significant, and often insidious, role in fueling the wars in the former Yugoslavia, which led international donors to make media assistance a priority in

democratization programs in the successor states. Specific policy objectives in this region, and thus the models shaped for export and implementation, were derived from the dominant global media institutions of Western Europe and the United States. The complexity of the environment demanded that media interventions and assistance programs were constantly adapted to address ever changing needs during the conflict, and then re-tailored later toward peace enforcement and state building. Therefore, the region provides important case studies in how policies evolved and traveled. Despite the fact that media systems in the countries in this study are linked structurally and historically, and have comparable levels of economic development and a shared political history,[9] they exhibit significant dissimilarities because each country finds itself in its own uniquely entwined blend of post-conflict reconstruction, stabilization, and democratization. It is these variations that have shaped individual media strategies and have determined their impact within each context.

The countries in this study are experiencing multiple transitions simultaneously. They are at once post-socialist as well as post-conflict; each has had to move from a communist and planned market society into a democratic and capitalist one, from a developing nation to a developed one. Concurrently, they are negotiating the complexities of globalization, modernization, the "information revolution," and EU integration. Due to the wars that broke up Yugoslavia from 1990-1999, these countries have faced the additional challenges of overcoming the collapse of the previous economic system, and undergoing post-conflict reconstruction, national reconciliation, and new state formation. Their previous media institutions were strongly influenced by both the ideological and economic environments. For

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[9] Daniel C. Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics* (New York: Cambridge University Press, 2004) 6.

instance, as Radmila Dulović explained, under communist regimes, the media were state-controlled and whatever crossed the airwaves was projected by the government as truth.

> You must understand the psychology of the nation – we were all communists. There was one Party, one political system. You are for the state or you are the state's enemy.… In this atmosphere you do not need censorship, you have a fantastical awareness of patriotism, which puts the values [of the state] first…we were serving society and because politics made equal the people and the state, we were the people's republic and anything you said against it, you said against your own people. This was a fantastically clever system.[10]

Due to the tight government control and the role of journalism as custodians of the state, in Tito's Yugoslavia there was an educated and well-trained, professional corps of journalists. Being a journalist was a respected and sometimes glamorous position that provided access to important people and events, and to international travel. While a culture of censorship and self-censorship was pervasive in so far as criticizing Tito or the foundational values of the state, such as Brotherhood and Unity, journalists could write relatively freely on foreign policy, and on social, economic, and cultural issues. According to Hari Štajner of the Media Center in Belgrade, while freedom of expression was limited under Tito, there was a professional mandate, complete with codes of ethics and underlying values.[11]

During the wars in the territories of the former Yugoslavia, many journalists and media organizations lost whatever professional norms they had, and some became direct agents of propaganda, hate speech, and incitement to violence. Their alliances with corrupt political, military, and profiteering actors served the worst ends. Ironically, because of its power in preparing for and enabling the war, the media was endowed with expectations to facilitate

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[10] Radmila Dulović-Rastovac, interview.

[11] Hari Štajner, interview by author, December 19, 2006.

reconstruction, reconciliation, and national identity formation following the post-war peace processes throughout the region.

The nature of post-conflict environments creates substantial obstacles for democratization policies. War undermines the legitimacy of any remaining state institutions by normalizing force as a method of power and resource allocation, and by reinforcing ethnic divides.[12] And, as Sampson has observed, democratic development is often defeated by the very institutions – parallel institutions and informal networks – that have maintained a society through communism and war.[13] It was clear in ex-Yugoslav societies that for democracy to take root in such an environment required more than political reform; a new concept of citizenship had to be developed and a new national identity shaped – one that supported social cohesion, and a unified understanding of a past and future. It was these objectives that would later prove to be some of the most challenging in these countries, where borders, histories, identities, and truths continue to be contested.

Chronology of Donor Assistance

It is in this atmosphere that the donor community and international governing bodies had to design, negotiate, and implement their media assistance strategies. Since 1993, governments and international organizations from all over the world have been involved in media

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[12] Robin Luckham, Anne Marie Goetz, and Mary Kaldor, "Democratic Institutions and Democratic Politics," in *Can Democracy Be Designed? The Politics of Institutional Choice in Conflict-Torn Societies*, ed. Sunil Bastian and Robin Luckham (London: Zed Books, 2003) 41.

[13] Steven Sampson, "Weak States, Uncivil Societies and Thousands of NGOs: Benevolent Colonialism in the Balkans," in *The Balkans in Focus: Cultural Boundaries in Europe*, ed. Sanimir Resic and Barbara Tornquist-Plewa (Lund, Sweden: Nordic Academic Press, 2002) 27-44. Also available online at: http://www.anthrobase.com/Txt/S/Sampson_S_01.htm

assistance in the Balkans and made it a central component of reconstruction and democratization efforts. A survey of active donors represented a broad range, from:

> [P]rivate foundations (Open Society Institute, Knight Foundation, Westminster Foundation, Friedrich Ebert Stifting, National Endowment for Democracy); to government agencies (USAID, European Commission, Ministries of Foreign Affairs from the Netherlands, Sweden, Switzerland, Norway, Denmark, Germany, France, Finland, United Kingdom; as well as their embassies in the respective countries); to non-governmental agencies acting on behalf of, or with support of, ministries or agencies (for example, Swedish Helsinki Committee, IREX ProMedia, MedienHilfe, Norwegian Peoples Aid, Press Now, Deutsche Welle, IWPR).[14]

As previously mentioned, the precise amount spent on media assistance in the region is unfortunately impossible to estimate due to a lack of comprehensive data, but the Stability Pact for South Eastern Europe was able to estimate figures based on recorded support from participating organizations. As is documented below (see Table 1.1), the majority of this support went directly to individual news outlets to foster pluralism, business development, and technical assistance, then to the media environment for institution building, and finally toward training for professionalization.[15]

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[14] Aaron Rhodes, *Ten Years of Media Support to the Balkans: An Assessment*, Media Task Force (Amsterdam: Stability Pact for South Eastern Europe, 2007) 15.

[15] From Rhodes: "Training" includes funds spent for education and training: journalism training courses, seminars, and professional exchange of experience; media training centers and university institutions, technical training of personnel, and people sent for education abroad. "Direct support" includes a wide range of support for local media (from paying salaries to buying paper), launching new media, technical equipment (from computers to vans for distribution of print media), office rent, various materials, licenses, etc. "Media Environment" includes funds for developing and lobbying for new media legislation, for developing and sustaining self-regulation structures of various kinds (media councils and self-regulation bodies), as well as for journalism associations (trade unions), media networks (employers unions), and networking (e.g., the regular exchange of radio and video materials among TV and radio stations). Media monitoring and media research also qualify as "Media Environment."

Table 1.1

RECORDED SUPPORT FOR MEDIA IN THE BALKANS, 1996-2006 (IN MILLIONS OF EURO)

Country	Training	Direct Support	Media Environment	Total
Bosnia-Herzegovina	17.4	42.0	27.7	87.1
Serbia	5.4	26.4	13.1	44.9
Kosovo	6.1	45.6	6.9	58.6
Macedonia	3.4	9.2	11.2	23.8
Balkans Total	**42.9**	**147.6**	**78.7**	**269.2**

Source: Aaron Rhodes, *Ten Years of Media Support to the Balkans: An Assessment*, Media Task Force (Amsterdam: the Stability Pact for South Eastern Europe, 2007) 15.

The result of this process has been an evolution in policy strategies based on lessons learned by donors, which have moved from short-term intervention strategies toward the view that media development is a vital component of stabilization and democratization programs. These and other difficult realizations have come from what has often been a complicated, frustrating, and expensive process, due largely to the lack of both a coherent development plan and any real understanding regarding the interdependence of the processes of nation building, state building, reconstruction, economic transition, and democratization.[16] On top of this, donors have proven somewhat risk-adverse, unable or unwilling to commit to long-term development strategies and the responsibilities they engender. By and large, this is because sponsoring governments and their constituencies demand quick, quantifiable results which give rise to programmatic schedules that are usually unrealistic for the media sector.

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[16] Thomas Carothers believes that policies conflated the nation and state building processes. See: Thomas Carothers, *Critical Mission: Essays on Democracy Promotion* (Washington, DC: Carnegie Endowment for International Peace, 2004) 1-6.

The first assistance packages in the region were created in the early 1990s after the outbreak

of war in Bosnia-Herzegovina, yet various organizations had already been providing

assistance to media in post-soviet countries. Most were comprised of short-term interventions

geared to protect and assist "independent," unbiased (non-nationalistic) reporting during the

conflict. As early as 1994, the Open Society Institute (OSI) saw the need for coordination

among donors to ensure effective use of assistance funds, and enlisted the support of

Norwegian People's Aid, Press Now, and the Swedish Helsinki Committee. By 1995, the

BBC, The Soros Foundation, and the British Know-How Fund launched a media center in

Sarajevo which provided training, access to equipment and resources, a safe place to work,

and perhaps most importantly, a community of like-minded journalism professionals. This

type of center eventually evolved into a training model for the region. These projects were

undertaken to help mitigate the conflict at hand, but were not designed to support long-term

development.

The mandate of the Dayton Peace Accord (DPA), the agreement which ended the war in

Bosnia in the fall of 1995, encompassed both the immediate goal of putting a stop to the

fighting and the more ambitious aim to assist in the construction of a stable democratic

environment. This was the first time since the military defeats of Germany and Japan that

Western powers had set out to craft a new society. Unlike after World War II, when the

strategy was to create a protectorate, wipe the slate clean, and start politically and

economically from scratch, this time around there were no unconditional surrenders, the

levels of economic development were lower, and the architects of the war remained in power

along with their networks. While western governments and NGOs were active in

democratization efforts in Eastern Europe and Russia after the fall of the Soviet Union, the strategies were different since those countries were not subject to direct political and military interventions. Here, the international community donned the role of "democratic guardianship," and set out to guide not only Bosnia-Herzegovina, but other countries of the former Yugoslavia, in the direction of Europe. The DPA did not address media development per se, only making reference to the right of freedom of speech in its provisions for elections and human rights. As a result, the first policy-mandated media assistance programs were designed to ensure freedom of speech and pluralism in preparation for the 1996 elections. Media activities had a limited mission in this initial conception, focused primarily on establishing peace and stability. Yet as months and years passed, expectations of the media became more substantial as it was deemed one of the most powerful tools in a classic battle for "hearts and minds" being fought in a society deeply divided, both ethnically and ideologically.

The preparation for and execution of the 1996 elections exposed many weak points in the nascent Bosnian state. Elections were considered the first step in mobilizing the public to create new institutions, and it was generally agreed that the DPA could not be fully realized until this was achieved. Media were expected to foster the proper environment in which elections could take place, yet it was nearly impossible to fulfill this mandate without the necessary institutions and legal mechanisms – and more importantly the cultural and public consciousness – to guarantee and protect freedom of speech. There were prerequisites for the functioning of these basic elements that posed a chicken-and-egg problem for policy makers. Policy objectives called for building civil society; but the post-conflict environment was not

civil, the political arena and society were ethnically fragmented, and there was no civic identity on which to mobilize democratization programs. The weakness of the state and its institutions, as well as the absence of rule of law and appropriate legislation, forced international governing bodies to initiate significant reform before the tools and building blocks for freedom of the press could be put into place. Once the country began more formalized reconstruction, full development of the media sector took on greater significance. This period marked recognition of the differences in media capacities during peace enforcement versus state building.

The Organization for Security and Cooperation in Europe (OSCE) was one of the primary organizations tasked with promoting a stable, peaceful, and democratic Bosnia-Herzegovina. A key function of the OSCE was to monitor elections and coordinate media development in an effort to facilitate the establishment of "independent, pluralistic and professional media in Bosnia as a means to support the overall transition to a free and democratic society."[17] Some of their most important goals included promoting media independence from state and political party control, fostering media professionalism, and contributing "to the development of laws and standards concerning the media and to encourage compliance by the media."[18] During this early period, from 1996 to 1999, significant efforts were made to create a broadcast regulatory authority (The Independent Media Commission), initiate legal reform, and begin the transformation of state media into a public service broadcaster. Journalism education, training

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[17] OSCE Media Affairs, http://www.oscebih/mediaaffairs/eng/media-affairs.htm (accessed December 15, 1999; link discontinued).

[18] Ibid.

programs, and media monitoring for inflammatory speech were also undertaken.[19] Further, innumerable projects were geared to promoting ethnic tolerance and reconciliation, many of which integrated conflict resolution techniques into media projects. The media were seen as a conduit of those values necessary to create a unified Bosnia-Herzegovina: multi-ethnicity, pluralism, and democracy. In many ways these efforts were in fact an attempt to forge a common identity and future on which to craft the new state, over and above mere democracy promotion.

Nation building efforts are arguably most challenging in a post-conflict environment, where there is a failed state, institutions are defunct, and there are often parallel or shadow institutions with great influence over society – such as criminal networks, paramilitary groups, and disenfranchised military. On the community level, ethnic groups find solidarity as in Kosovo by the Albanians' aspiration for independence and their shadow institutions, or in Bosnia where extended families and ethnically based social networks helped rebuild homes, towns and find the missing. On the state level, in societies experiencing ethnic conflict it is difficult to cultivate a sense of common destiny among warring parties or of having a stake in society, and therefore difficult to achieve inclusive politics. Civil society is often dominated by a culture of fear and trauma, and an urge for justice. As political theorist Michael Walzer observes, "There is no community and no common good without social justice."[20] In

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[19] During periods of unrest in Kosovo and in Bosnia, international organizations established media monitoring groups to generate daily qualitative and quantitative analyses of the local media. They provided the OSCE and other international organizations with news summaries and overviews of political developments, and documented incidents of hate speech, inflammatory reporting, and violations of any codes or laws. During election periods they also produced quantitative reports on the amount of time main news broadcasts dedicated to various political parties, politicians, and important personalities or events.

[20] Michael Walzer, ed. *Toward A Global Civil Society* (Oxford: Berghahn Books, 1995) 3.

multiethnic societies with negotiated peace settlements, where there have been egregious human rights abuses and accounts of the war remain contested, a sense of justice has been a chronic, unmet need. Further complicating matters, justice in these environments is not one dimensional; it is very subjective and can mean different things to different groups. Until these societies are able to negotiate a shared narrative of their past conflicts and employ mechanisms for a sense of justice, they will not be able to overcome their ethnic divisions or mistrust to develop an understanding of common good. And dire economic conditions further exacerbate divisions.

The media have been charged with creating a civic national identity which will supersede ethnic divisions in these societies. A new concept of citizenship must be developed, not only on the state institution level but also on the community level, or the "imagined community" level that Benedict Anderson defines. In Anderson's model, newspapers play a large role, constituting a form of "performance art that enacts nationhood and national consciousness."[21] International donors have generally seen the establishment of national newspapers and public service broadcasters as some of their most powerful tools to provide ethnic representation, as well as to cultivate a common national voice. Other media interventions in support of nation building have included programming which is designed to encourage truth and reconciliation dialogues, and which addresses critical social issues common to all ethnic groups.

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[21] Michael Schudson, *The Sociology of News* (New York: W. W. Norton & Company, 2003) 68. Also see: Benedict Anderson*, Imagined Communities* (London: Verso, 1983) 5.

In 1999, a noteworthy shift in donor learning occurred. Between March 24th and June 20th of that year, NATO launched a military attack on the Federal Republic of Yugoslavia (FRY) – comprised then of Serbia, Montenegro and Kosovo – in response to the forced expulsion of over 850,000 Albanians from Kosovo by Serbian forces.[22] Kosovo was eventually occupied by Western powers as an international protectorate and this new war had broad impact both regionally and internationally. An exodus of Albanian refugees into neighboring Macedonia and Montenegro destabilized the region. In Macedonia, the plight of the refugees triggered an aggrieved Albanian-Macedonian population to revolt against the ethnically-motivated injustices they experienced within Macedonia. In response to the regional crisis, major media assistance programs funded by Western governments were designed and implemented in Macedonia, Kosovo, and Albania to quell ethnic tensions. Direct aid to the FRY was cut off during the conflict, but media assistance continued through what was called the "ring around Serbia," wherein a series of FM transmitters were set up to broadcast news and information into Serbia as a means of counterbalancing state-run, propagandistic media.

After the conflict, direct support to Yugoslavia resumed to assist those outlets and organizations rallying for regime change. Many of the new programs in Kosovo, Macedonia, and Yugoslavia were designed and implemented by NGOs and practitioners with experience in Bosnia. Also in 1999, the Stability Pact for South Eastern Europe was established as an international coalition of 40 partner countries and organizations "to replace the previous, reactive crisis intervention policy in South Eastern Europe with a comprehensive, long-term

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[22] Human Rights Watch, *Under Orders: War Crimes in Kosovo* (New York: HRW, 2001) 4. According to Human Rights Watch, "All told, government forces expelled 862,979 ethnic Albanians from Kosovo, and several hundred thousand more were internally displaced, in addition to those displaced prior to March 1999. More than 80% of the entire population of Kosovo – 90 percent of Kosovo Albanians – were displaced from their homes."

conflict prevention strategy." This major international effort was in the works before the

NATO intervention, but it gathered sufficient political backing in the face of new crises. The

goal was to aid these countries "in their efforts to foster peace, democracy, respect for human

rights and economic prosperity in order to achieve stability in the whole region." This

initiative came in response to criticism that much previous aid had been uncoordinated, ad

hoc, and had resulted in a duplication of efforts. Further, it was undertaken with the

understanding that if these countries were to one day join the European Union, they would

require institutional structures and practices on par with European standards.

The Pact's Secretariat, located in Brussels, was organized into three Working Tables, or

committees, to focus on specific issue areas including Democracy and Human Rights;

Economic Reconstruction, Development and Cooperation; and Security.[23] Media

development was included in the Stability Pact's Working Table I, the table for

democratization and human rights. A task force was established to determine the best way to

promote adherence to current international media standards for freedom of expression and

regulation, as well as to assist independent media in the region. The task force described its

mandate as follows:

> An objective and independent media is a fundamental element of a functioning
> democracy. To this end the idea of Media Charter has been elaborated with the aim of
> promoting freedom of expression, development of objective and independent radio and

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[23] The Stability Pact was operational until 2008. According to the Pact's website: "The role of the Pact changed over time. While at the outset it served mostly as a platform to channel funds for reconstruction and to co-ordinate donors' activities, focusing on the hardware of regional co-operation, it later evolved in a forum where countries of the region and international actors could sit side by side on an equal basis to identify common problems and devise shared strategies to tackle them. The broad mandate and the strong international support for the Stability Pact allowed it to convince South Eastern European countries to engage in a wide and articulated regional co-operation programme, which brought about both practical benefits and deeper political understanding." See: http://www.stabilitypact.org/

television broadcasters and, encouragement of professionalism in journalism. The Working Table is asked to consider proposals to ensure that the public throughout the region is able to receive diverse sources of information and that high professional standards are observed by the media. The media must be utilized to promote pluralism of ideas, opinions and cultures and to foster a climate of tolerance. Active efforts by the media to combat stereotypes and hate speech are necessary. The need to establish new institutions or upgrade existing ones in order to train media professionals should be considered. Priority must also be given to address the regulatory framework for the media in order to guarantee freedom of expression.[24]

Expectations of mass media as a transformative institution expanded and became codified within international policy formation at this time. Programs moved from efforts in ad hoc news production and training to serving longer-term objectives that targeted the sector as a whole, including institution building, legal reform and, most importantly, the normative goals of fostering a "climate of tolerance" and pluralism to reinforce democratization efforts. In recognition of the complexity of the development task at hand, donors solicited numerous program assessments and policy papers based on recent experience in the field. Assessments were frequently conducted by outside contractors to provide an unbiased evaluation of program objectives, achievements, weaknesses, and failures. They always included recommendations to help shape future programs. They are useful documents for detailed information on specific initiatives but are occasionally criticized by those in the field for being written by outsiders who have insufficient knowledge of the local circumstances to provide accurate evaluations. Indexes are another of the tools used by practitioners. The Media Sustainability Index (MSI) by the International Research and Exchanges Board (IREX), a US based non-profit, conducts country studies through extensive interviews with local experts and media professionals. Their MSI "assesses five 'objectives' that shape a

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[24] "Annotated Agenda for the meeting of Working Table I, Democratization and Human Rights" (Budapest, February 21-22, 2000) http://www.see-educoop.net/graz_2003/downloads/budapest.htm (accessed August 28, 2011).

media system: freedom of speech, professional journalism, plurality of news, business management, and supporting institutions."[25] Each country's progress is rated by how they measure up. Other regularly cited indexes on media freedom are those published by the Freedom House and Reporters without Borders. While influential in policy and media circles, they too have been criticized for lacking cultural neutrality, employing faulty methodology, and not taking into account the impact of new digital media in their assessments.[26] Despite their various potential flaws, all of these reports are useful tools for policy makers as they provide insights on specific projects and problem areas, as well as measuring general benchmarks on a broader scale.

Commissioned papers and reports by USAID and European organization have delved deeper into core development concerns. In 1999, a USAID-sponsored report, entitled *The Role of Media in a Democracy*, called for a sectoral analysis to help in designing media strategies which consider a "'web' of mutually reinforcing activities,"[27] an approach other authors have referred to as "holistic." A more in-depth study of that concept was carried out by Monroe Price in his work on the "enabling environment." Based on the premise that media is a "key element in contributing to transparent and accountable government," his study set out to

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[25] IREX, Projects: Media Sustainability Index (MSI), http://www.irex.org/project/media-sustainability-index-msi (accessed November 06, 2011).

[26] John Burgess, *Evaluating the Evaluators: Media Freedom Indexes and What They Measure* (Washington, DC: Center for International Media Assistance, 2010). Available at: http://cima.ned.org/ publications/research-reports/evaluating-evaluators-media-freedom-indexes-and-what-they-measure

[27] Center for Democracy and Governance, *The Role of Media in Democracy: A Strategic Approach* (USAID: June 1999) 5.

identify the "legal and institutional requirements for free and independent media."[28] To that

end, the study offers a compendium of media-related laws and institutional structures, as well

as of variables such as political pluralism, that comprise the necessary components for

democratization. Although Price points to the relevance of economic factors – including some

which are specific to media, like taxes and state subsidies – he does not discuss the impact of

the overall economic environment on values creation and behaviors. While the

democratization process can be lengthy and not necessarily linear, he writes that all

institutions and procedures must be in place so that they can operate once consolidation

begins. He implies that once the institutions and frameworks of good governance are in place,

democratic practices will follow. He concludes that states in different stages of development

require different strategies of program implementation, not just a cut-and-paste from other

systems. In the end, he does not tie each to a specific stage of transition, concluding that,

"there is not yet a Rosetta Stone that decodes how distinct elements of the enabling

environment can be related to the stages of a society as it passes, for example, from state

control to more democratic forms."[29]

In general, 2000 marked an awareness among donors of the enabling environment and its

component parts, which Ellen Hume defines as "the alchemic mix of economic and legal

reforms, political culture and media policies that transforms autocracy into civil society." By

2001, the Stability Pact Task Force had a long list of chronic and stubborn challenges to

address, including political influence over media, economic dependence of organizations,

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[28] Monroe E. Price and Peter Krug, "The Enabling Environment for Free and Independent Media," Cardozo Law School, Jacob Burns Institute for Advanced Legal Studies (December 2000) 2.

[29] Price, "The Enabling Environment," 47.

poor training, weak professional structures, and unfinished legislative frameworks. They

called on donors to undertake a collaborative and regional approach that would specifically

target institution building and the reform of state media and legislation. The focus of donors

shifted accordingly, to formalizing journalism education, implementing legal reform, and

offering business and management training. In the face of rising economic concerns in 2002,

the new buzz word was "sustainability." News outlets and organizations were increasingly

aware that the economic health of the media landscape was a long-term condition dependent

upon broader political and economic developments. Yet regionally, in 2003, programs

continued to target education, with approximately 40% of funding earmarked for professional

training. Coming in at a close second were content production and technical assistance, which

accounted for 34% of direct support to media outlets. And, third was institution building, with

26% of funds going toward associations, media centers, and legal reform.[30] Starting that year,

sustainability strategies included business plans and management assistance to help ensure

that organizations would be locally run and financially independent in the wake of donor

withdrawal. That withdrawal was apparent by 2004, when smaller donors had left the region

and major donors were plotting their final exit strategies.

Donor tactics in the years from 2005 to 2007 focused on bolstering the sustainability of local

media institutions, implementing university reform to take over educational and training

capacities,[31] and the pursuit of ongoing legal reform specifically for public broadcasting and

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[30] *Overview of Media Support to Southeast Europe*, Media Task Force, Stability Pact of South Eastern Europe (2003). Available at: http://www.stabilitypact.org/media/overviewmediasupport.doc

[31] Donors deemed Universities sustainable while vocational centers were seen as practical in the short term but not sustainable in the long run. See: *Support to Media in SEE: Strategy 2005-2007*, Media Task Force, Stability Pact for South Eastern Europe (December 2004) 6.

regulatory bodies. While economic problems were recognized, they were targeted primarily

through more business training and commodity assistance, such as the purchase of equipment.

Despite the time, effort, and money spent in the region, The Stability Pact's Media Task Force

strategy paper for 2005-2007 came to bleak conclusions:

> While there are many media outlets, far fewer are sustainable and genuinely independent.
> The advertising market is small, the spending power of the population is relatively low,
> and the costs for printing newspapers and producing television programs are high.
> Mergers and closures can be expected, yet for the time being the overcrowded market
> impacts on the quality in a variety of ways… many outlets contend with a lack of
> resources, in particular for staff… many outlets depend on donations from the business or
> political elite. The support tends to come with strings attached. Many newspapers and
> smaller electronic media follow the editorial line of their owner or the one who
> pays…Unions are ineffective and contracts regularly absent…Finally, strong competition
> has resulted in what many consider lower standards and a grave lack of respect for
> journalistic ethics.[32]

The underlying edict of this analysis was that ownership of future development needed to

shift to local actors but also that governments have a responsibility to enable change. The

Stability Pact report also noted the problem of media outlets relying on donations from

business or political elite, which has infringed on their independence, compromised standards,

and opened them up to coercion. This growing concern in the region, termed "tycoonization,"

will be discussed in greater detail in the following chapter.

By 2008, donor mandates and funding moved to other crisis zones, leaving it up to recipient

organizations to make the most of what was left behind. And left behind were numerous

institutions, well trained journalists, and legal frameworks per European standards; yet

something was clearly missing. At the heart of weaknesses highlighted by the Stability Pact

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[32] *Support to Media in SEE: Strategy 2005-2007*, 3.

Task Force were poor economic conditions. While many instructive insights came from the identification of phases of development and political openings, and the mapping of the enabling environment, what was – and is still – missing is an understanding of the underlying impact of the economy on development processes.

Field Research and Outline of Chapters

The primary focus of this research was to explore the outcomes of media development initiatives and their interaction with local political and economic environments. To that end, the following chapters explore donor learning as their policies emerged and were adapted to different contexts in three countries. The case studies that follow will analyze donor strategies and the institutional development of the media markets. Specifically, I will illustrate how, in practice, donor initiatives sought to 1) professionalize the sector by training a corps of journalists to adhere to professional norms, self-regulate, uphold a civic mandate, and establish professional advocacy organizations; and 2) commercialize the sector by establishing regulatory bodies and legal frameworks, and supporting pluralistic independent media organizations representing civic over elite interests to appeal to mass audiences. Together, efforts to professionalize and commercialize were expected to support an overall democratization of the sector, where a marketplace of ideas could inspire civic debate and consensus, and act as a check on corruption and abuses of power. What donors still fail to fully understand is that these are interdependent processes that require particular levels of economic stability in order to succeed.

Chapter Two discusses donor expectations and the assumptions behind media development policies and their resulting outcomes. It argues that the focus on institutional development, although it succeeded in legislative reform as well as the mapping and recreating of the component parts of a democratic media system, failed to institutionalize necessary professional norms and practices. A lack of understanding by donors of the interdependence of the concurrent processes of professionalization, commercialization, and economic development has undermined their policies. This has led at best to disappointing results, and at worst to distorted outcomes. In an effort to explain how and why this happened, the chapter explores the historical evolution of the international standards currently being exported, as they emerged in the US and UK. Those experiences demonstrate how economic development is critical for supporting professional differentiation and consolidation as well as instigating changes in editorial hierarchies and civic awareness, and motivating democratic practices and values.

Chapter Three is a case study of media development in Bosnia-Herzegovina (BiH). It was here that donors began the first reconstruction of a post-war media sector since World War II, and thus it became the starting point of donor learning in the region. Many of the programmatic strategies and institutions that emerged in Bosnia were later transferred to the other two countries in this study. The chapter will argue that today, over fifteen years after the signing of the Dayton Peace Accords, the media sector continues to founder professionally and economically. While in many ways Bosnia does appear to finally be emerging from post-war reconstruction, shadows of the ethnic divide which media development was meant to address continue to keep the country from truly achieving stable, independent statehood; and

major political and economic challenges are additionally impacting the sustainability of media organizations and their supporting institutions. The media market is weak and disjointed, and is in a virtual crisis for numerous reasons. Many citizens feel that media outlets, like politicians, are ethnically divisive, and that they represent the opinions and interests of business and political elite. These perceptions continue to undermine the credibility and integrity of media organizations and their capacity to support social or political change.

Chapter Four explores the impact of media assistance in Kosovo, in another international protectorate scenario. It provides an interesting comparison because many models introduced in Bosnia were exported and adapted to Kosovo – some more successfully than others. More than a decade after the war there, and over three years since declaring independence, Kosovo still suffers from a lack of a long-term development strategy. There is also rising discontent in the country over the role of international organizations. This stems from a fundamental disconnect between local expectations and the capacities and role of international implementing bodies, resulting in questions of accountability. The weak and oversaturated media market is not regulating itself due both to an infiltration of significant advertising monies paid by international organizations, and to the artificial sustenance of non-transparent sources of income. While donors have committed far more time and funding than anticipated, the structures they leave behind are fragile. Urgency for commercialization to support sustainability, without sufficient economic development and investment or strong institutions, may lead to the unraveling of many international initiatives.

Chapter Five offers further contrast by presenting the situation in Macedonia, where media development began late and largely in response to the spillover of the crisis in neighboring Kosovo, yet it evolved as a tool to address Macedonia's internal political and ethnic strife. Levels of international intervention and subsequent investment were significantly less than in the other two countries. Consequently, rather than disillusionment with international involvement, several of the media professionals interviewed there expressed concern that *only* international assistance can provide the money and power to alter the status quo in Macedonia. They voiced a need for foreign leadership to strengthen regulatory and self-regulatory bodies and to put pressure on their government to respect its own laws. Media-related organizations in Macedonia, like those in the other countries in this study, are struggling to maintain a professional mandate in a frail economy fraught with high unemployment, and where "tycoonization" has usurped the sector. Political influence over economic and editorial independence has eroded any credibility that media is representing the public interest and has undermined the capacities of professional organizations. Foreign investment in the media sector was initially looked to as a means of setting standards and regulating the corrupt market, but Macedonian organizations continue to feel highly dependent on donors, not only financially but also for leverage within their own environment, which does not bode well for sustainability.

The development community has learned an enormous amount about media assistance since the early interventions in ex-Yugoslavia. The media sector has been mapped and it is now viewed as part of an interconnected system. Bosnia-Herzegovina, Kosovo, and Macedonia have some of the best media laws in Europe because of donor sponsored legislative reform;

further, thousands of journalists have received training, professional organizations have been established, and newsrooms have been reorganized and updated with the latest technology. Yet the chronic issues noted by the Stability Pact point to problems with professionalization and economic pressures. While economic development has indeed been an area of considerable focus by the donor community, many policies have faltered because their success has depended so vitally upon complementary reforms in the legal, financial, and political sectors. Policies have targeted all the requisite institutions and legal frameworks, but not the processes – such as commercialization, professionalization, and economic development – that actually drive the system. This inter-reliance is central to a key problem in democratization strategies: Which development processes are essential in such efforts, and how can reforms be synchronized in various sectors so that the broader political, legal, and economic systems – and hence the media system – can function properly?

CHAPTER TWO

**That Alchemic Mix: The Role of Economic Development
in Professionalizing and Commercializing Media Sectors**

*"...the problem of the press is confused because the critics and the apologists expect the press...to make up for
all that was not foreseen in the theory of democracy..."*
Walter Lippmann, *Public Opinion* (1922)

For the first time since World War II, a broad range of international allies and bodies have

attempted to construct democratic societies out of post-conflict occupations or quasi-

protectorates, such as Bosnia-Herzegovina (BiH) and Kosovo, and rump states, such as the

Republic of Serbia and the Republic of Macedonia. The media development strategies of

reformers have been guided by goals and objectives that specifically support democratic

consolidation, with the media playing a vital role. Fifteen years after such programs were

implemented in Bosnia, Kosovo, and Macedonia, their media markets are weak,

professionalism is low, and in some cases there have been distorted and unexpected outcomes.

In the words of a media professional from Bosnia, "We have had so many trainings of

journalists, you would expect there to be 200,000 Christiane Amanpours. But what

happened?"[33] What happened is, media system models that evolved out of the specific

historical conditions of the West have not functioned as expected or mandated when

transplanted elsewhere.

Donors and practitioners initially believed that institutions, once established, would function

in a specific way, and coupled with assistance to professionalize and commercialize the media

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[33] Samra Lučkin, interview by author, September 12, 2006.

sector, would create or at least jump-start systems similar to those in the US and Europe in relatively short time – preferably under ten years, at which point donor budgets and patience are usually exhausted. Scholars refer to this dominant global media model as the "liberal" model, based on the US and UK systems. Policies were largely normative, and sought to create institutions and practices as they *should* function in a democracy, without fully considering how far from the ideal most media systems in the West truly are. The first donor programs sought to professionalize the media sector through training and technical support; the limited impact of those programs instigated a broader more holistic approach, in which the media sector was mapped and a foundation of institutional and legal frameworks were established. As the sector continued to struggle, donors identified new obstacles and new policy solutions. The next area of focus was the market, and developing business models for sustainability; then policy makers identified corruption as the latest in the long string of obstacles to democratization. The "new" curative was investigative reporting, which would expose the criminals, mobilize civic action, and foster good governance. Donor strategies began to look like hit-or-miss quests for some alchemic mix.

Policy makers and donors have correctly identified vital individual parts of the democratic media system over the years, but what they have overlooked is the dynamic interaction among them. Enormous strides were made through reforms that have established some of the most modern laws and well-structured institutions in Europe, yet by the time donors exited, the systems they left behind were weak and hollow. What was missing at each juncture were the standards, practices, and underlying values – on a professional as well as on a broader social level – that animate the laws, the institutions, and hence the media sector. Donors believed

those values and practices would emerge organically from institution building and legal reform, but this did not happen on the scale they imagined it would.

This chapter will argue that policy makers and donors did not fully appreciate or understand the dynamic effect of economic growth and stability on democratic development. For the system to function as anticipated in their model, a basic level of economic development is necessary to support processes of professionalization and commercialization within the media market, which in turn enable the emergence of professional values, the institutionalization of standards, and a regulated rational market, as well as give the sector its civic mandate and independence. By examining the model that is being exported in the context of its own historical evolution, we can better understand underlying assumptions, institutions, socio-economic and political processes, and why its application in different arenas has been so problematic. Those unique historical circumstances are difficult if not impossible to replicate, after all. Implementers, especially Americans, do not always see the difficulties that accompany such replication of "their" model, since they tend to have an idealized, even mythic, picture of their own system, despite the fact that much of what they are attempting to export no longer exists in their own societies.

Donor Expectations and Operating Assumptions

There are certain conceptual assumptions about media capacities which underlie most democratization initiatives, and thus drive expectations. The Center for International Media Assistance (CIMA), established in 2006 with a grant from the National Endowment for Democracy, lists a broad range of the roles media can and should play in a democratic

political system: "Independent media are an inextricable element of democratic society. Citizens rely upon information from the media to make informed decisions and hold their leaders accountable. Free media act as a catalyst for political reform, contribute to consolidation of democracy, and facilitate the unfettered exchange of ideas necessary for the development of civil society."[34] Ultimately, the expectation is that media development can create these conditions in transitional societies and that, with targeted support, local independent media will assume the role of watchdog over the political system.[35] The foundation for these assumptions is the longstanding concept of the media as Fourth Estate. This idea views journalism as an institution independent from the state with a social responsibility to represent the public interest by acting as a check on political power through factual and accurate reporting.

Recent scholarship in democratization further develops and defines the role of media in this process. If we use democracy experts Larry Diamond's or Robert Dahl's definition of democracy – *polyarchy* – free media is one of seven primary institutions.[36] The media is vital to facilitate the two primary dimensions of democracy: competition/contestation and participation. Democratic political processes occur in the public sphere – that space between government and the individual where the institutions and organizations of civil society,

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[34] The National Endowment for Democracy, "Center for International Media Assistance: Background," NED, http://ned.org/about/cima.html (accessed July 6, 2007).

[35] A study conducted by Pippa Norris of Harvard University for UNESCO theorized that "the news media is most effective in strengthening the process of democratization, good governance, and human development where they function as watch-dog over the abuse of power (promoting accountability and transparency), as a civic forum for political debate (facilitating informed electoral choices, and as an agenda-setter for policy makers (strengthening government responsiveness to social problems.)" As cited in Harvey, *Media Matters*, 69.

[36] Robert Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989) 85.

including the media, come together to negotiate identities, norms, and values, and to form

public opinion.[37] For this system to work, certain institutions and feedback mechanisms must

be extant and functioning.

On a policy level, donors have crafted their programs to support "professional," "sustainable"

and "independent" media. If we unpack those terms; *professional* means a mass media that

adheres to Western ideals of truth-seeking through an open marketplace of ideas and balanced

sourcing of information, *independent* means striving for an editorial line free from political

and business influences, and *sustainable* means that ultimately the news media is expected to

be financially stable yet maintain a public service mandate. To achieve these goals,

development programs have focused largely on professionalizing the media sector while

supporting the emergence of a pluralistic and commercialized media market. And as regional

needs have evolved along with donor capacities and understanding, new programs have been

rolled out every 2-3 years to target weak areas. In over a decade, legal and regulatory reform

was promoted, journalism and management training was provided, financial and technical

assistance was offered to news outlets, professional organizations and educational institutions

were established, and the transformation of state broadcasters into public service or private

broadcasters was facilitated.

Donors developed their strategies not only through discussion with local partners but also in

response to a range of reports and indexes that tracked local conditions. Assessments by

outside evaluators gave donors important feedback on specific programs. Yearly indexes on

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[37] Jurgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge, MA: MIT Press, 1991);
Ernest Gellner, *Nations and Nationalism.* (Ithaca, NY: Cornell University Press, 1983).

press freedom from Reporters without Borders, Freedom House, and IREX (the Media

Sustainability Index) helped gauge each country's achievements and challenges. And, as

discussed in Chapter One, donors actively adjusted their programs in an attempt to make them

more effective based on these various findings. One of the most influential of these analyses

was entitled "The Enabling Environment," by legal scholar Monroe Price, and it identified the

necessary legislative and regulatory frameworks for consolidation of the media sector. Then,

in a subsequent report, *Mapping Media Assistance*, Price defined all the players (donors,

foundations, implementers) and institutions, and their roles. In an effort to account for the

uniqueness of each situation, Price linked media development opportunities to four stages of

democratic transitions. These stages, however, as the author admitted, were delineated by

political openings rather than economic capacities. Ad hoc media assistance gave way to an

understanding of the media sector as part of a larger system, but requiring a specific legal and

political environment of its own.

In evaluating media assistance strategies, some scholars such as Price assert that all pieces of

the system should be in place (specifically, the institutions and legal frameworks) so that they

can facilitate democratic development, even if ultimate consolidation is a lengthy, potentially

non-linear, and complex process. Others such as Polish lawyer and media scholar Karol

Jakubowicz argue further that democracy must be consolidated before a democratic media

system can be achieved. Above and beyond political and economic transitions, he writes,

there must be a change in culture and conscience that empowers media and leads to

"collective professionalization."[38] The catalysts for change in culture and conscience, he

implies, as well as for collective professionalization, are the democratic practices and values

that would ostensibly emerge after democratic consolidation.

If Jakubowicz is correct, many media development policies are doomed from the start, or are

in for long, perilous journeys toward their goal. He offers a list of prerequisites that looks very

much like a donor's "wish list" for development. They include: 1) the existence of civil

society, 2) an established role for public opinion in public life, 3) a willingness to de-politicize

important areas of social life, 4) some accepted notion of the public interest, 5) trust and

acceptance of public broadcasting regulation to serve public interest, 6) the emergence of

journalistic professionalism based on a notion of public service, and 7) a free market and

economic growth.[39] Donors, however, have funded media assistance programs meant to foster

each of these prerequisites, based on a belief that a democratic media will in fact play a role in

developing them. The problem with Jakubowicz's theory is that democratic practices and

values are necessary to attain his prerequisites for consolidation in the first place. They may

be stronger after consolidation, but they must emerge earlier for transitions to be successful.

Over the span of 15 years, donors along with international experts from various fields mapped

a model media sector and put all the necessary institutions in place. Yet donors found that

when they built institutions and implemented reforms, they often ended up attaining vastly

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[38] Karol Jakubowicz, "Media in Transition: Poland," in Monroe E. Price, Beata Rozumilowicz, and Stefaan G. Verhulst, eds. *Media Reform: Democratizing the Media, Democratizing the State* (London: Routledge, 2002) 204.

[39] Monroe E. Price, Beata Rozumilowicz, and Stefaan G. Verhulst, eds. *Media Reform: Democratizing the Media, Democratizing the State* (London: Routledge, 2002) 260.

different outcomes than what they expected. Following is a list of some core policy
assumptions and the associated disappointments and distortions that emerged. These
permutations on the model will be discussed at more length in the individual country case
studies in the following chapters.

1. *Pluralism will create a marketplace of ideas.*
   Donors have financed the establishment of independent news organizations as well as
   supported numerous local outlets to ensure a diverse sector. Donor funding, coupled
   with an influx of non-transparent income from business and political interests, has led
   to artificially-sustained and oversaturated markets and the phenomenon known as
   hyper-competition. Pluralism, in sheer numbers rather than voices, has been achieved;
   but markets cannot regulate themselves, resulting in sectors that are dominated by
   tabloids and special interests rather than informed debate.

2. *Legislative reform will create rule of law.*
   New laws have been and are being written, but are not well understood, publicized, or
   properly implemented. Donors have sponsored programs to fix this problem through
   public service campaigns and the training of journalists and legal professionals, but
   implementation is still weak. In Bosnia, for instance, a study found that 57% of FOIA
   (Freedom of Information Act) requests are ignored.[40]

3. *Journalism education and training will create a cadre of professional journalists with
   a public service mandate.*
   Much media education is non-standardized and ad hoc, or simply out of the financial
   reach of many working journalists. Those who are well trained find they cannot
   practice the journalism they have learned because the structure and culture of
   newsrooms are dominated by business and political interests.

4. *Journalism associations will establish professional standards and a self-regulating
   community.*

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[40] Tarik Jusić, *Democracy Assessment in Bosnia and Herzegovina*, Open Society Fund Bosnia and Herzegovina
(Sarajevo, 2006) 303.

Despite numerous efforts to institutionalize codes of ethics, most newsrooms do not enforce them because editors and owners often see no benefit in doing so. Institutionally, many professional associations lack local credibility; they are seen as foreign imports. In addition, journalists often cannot afford the dues for professional associations and publishers rarely pay them.

5. *Market research and management training will enable sustainable commercial news organizations.*

   Market research has indeed helped broadcast outlets, but the advertising markets are small and impact is limited. Accurate circulation figures for newspapers are nearly non-existent. There is also a range of poor business practices, such as price dumping, that need to be regulated. The bottom line is that all the training and research in the world will not change market conditions.

6. *Training in specific styles of journalism, such as investigative journalism, will facilitate the watchdog function of the media.*[41]

   The reality is that most news organizations do not have the time, financial capacities, or even the patience to support investigative journalism and other long-format styles of reporting; so most of these activities are funded by outside sources. More importantly, journalists must have access to resources, such as through a FOIA, within a culture that respects freedom of information and demands accountability. The political feedback loop must also function, which means the citizenry trusts media reports and the system is responsive to pressure from the citizenry. An extreme distortion of this is seen in vigilante journalism in Kosovo, where news organizations investigated alleged war criminals without an understanding of privacy, due process, or respect for professional norms.

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[41] According to a report for the Center on International Media Assistance (CIMA): "The field's emphasis on public accountability and targeting of crime and corruption has attracted millions of dollars in media development funding from international donors, who see it as an important force in promoting rule of law and democratization." David E. Kaplan, *Global Investigative Journalism: Strategies for Support*, Center for International Media Assistance (Washington, D.C.: National Endowment for Democracy, 2007) 4, http://www.ned.org/cima/CIMA-Investigative_Journalism_Report.pdf (accessed May 10, 2008).

7. *Public Service Broadcasting will help create a civic identity through representation of an inclusive national voice.*

    It took over ten years to establish laws on the Public Broadcasting System in Bosnia, all of which were finally imposed by the High Representative because ethnically-divided political elite could not reach an agreement. Macedonia's public broadcaster is also ethnically divided, financially dependent upon government funding, and thus subject to political influence.

An enormous amount of time, money, and expertise have been invested in media development in the region, with very mixed results. It is as if all the international organizations and donors pooled their resources to build a race car; it was designed by top engineers and "should" have worked ideally, but when they tried to start it up, it wouldn't run – so everyone pushed and pushed to get it started but still it would not go, and no one realized there was no fuel in the car. Everyday professional norms and practices, trust in the system, a sense of civic responsibility – all aspects of a democratic culture that give a system life (the fuel in the car, if you will) – were absent or were too weak to drive consolidation. The core question, then, is how to develop and institutionalize those norms and practices that will change the culture of journalism and lead to the professionalization and commercialization required for media organizations to assume their prescribed role in democratic processes? Observation of how this process took place in other countries offers answers.

Media Development in Post-Soviet Countries

After the fall of the Soviet Union the US, the EU as well as a range of many of the same NGOs involved in Southeastern Europe, provided democratization assistance to Russia and post-soviet Eastern Europe. Media development was included in these programs but had yet

to take on the significance it would later in Post-Dayton Bosnia. The overarching goals, however, were similar – to help transition state run media into a market based media sector balanced between commercial and public service outlets poised to assume a role in the emerging democratic processes – but the approaches were tailored in each country to the different contexts. Since donors were acting more as advisors in Russia and Eastern Europe rather than occupiers or guardians, they had less leverage and sought more to shape rather than orchestrate the transition. Although the approaches were less imperial, they could also be coercive. The EU accession process, membership in NATO and the Council of Europe as well as support from international financial institutions such as the IMF and the World Bank provided policy carrots and sticks motivating the necessary institutional, economic and legal reform required to align their systems with European standards.

Politically, economically and culturally there were similar challenges to those in Southeastern Europe. Post-Soviet countries also had to transition from a command to a market economy and make the ideological shift from communism to democracy. Culturally, journalism in many East European countries - especially Poland, Hungary and Romania - played a significant role in their early nation-building by educating people on their language, history and literature. Due to the more literary and elite orientation of the press, advocacy journalism was seen as serving the public interest and journalists deemed it their responsibility to educate readers and interpret events rather than just inform. Since new democratic institutions and legal frameworks were supposed to overwrite the legacies of the previous system, media assistance came in similar forms such as training, technical consulting, and the establishment of media or press centers. There are also parallels with some of the distortions.

Many of the media markets have been plagued by hyper-competition, tabloidization,

tycoonization, and high levels of political parallelism and freedom of speech in some

instances has also been interpreted as a right to say anything without regard for professional

standards or responsibility. The causes for these distortions are political as well as economic.

The tycoonization of the media sectors, the capturing of the market by vested interests leading

to dependence and instrumentalization, are side effects of developments in the broader

political realm which Sociologist David Stark calls from "plan to clan." In his study on

privatization processes in Hungary, he observed that the economic transitions and

privatization processes as designed by donors and international organizations, also took a

"blank slate" approach which ignored their distinct historical experiences and cultural

traditions.[42] He calls their policies "designer" or "cook book capitalism," where a major

permutation was the replication rather than the eradication of previous power structures and

behaviors. He believes change during the transitions from communism to capitalism was

often "involutionary" rather than evolutionary, and people tended to revert to old behaviors

and attitudes when adapting to new conditions. Moreover, because change is negotiated and

constructed with the social and political capital of the past regime, it is often limited by the

remaining networks, norms and attitudes. Therefore, change ends up being path dependent

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[42] David Stark, "Path Dependence and Privatization Strategies in East Central Europe," in *Transition to Capitalism? The Communist Legacy in Eastern Europe*, ed. Janos Matyas Kovacs (New Brunswick, NJ: Transaction Publishers, 1994) 64-67. See Also David Stark and Laszlo Bruszt*, Postsocialist Pathways: Transforming Politics and Property in East Central Europe*, (New York: Cambridge University Press, 1998) 80-104.

when by design it should emerge along the line of the new model. In essence, you can change the institutions and the rules quickly, but not so easily the non-formalized norms.[43]

Similarly, Jakubowicz observed that East European elites, were often Janus faced – one side embracing western reform rhetoric while the other side was employing whatever aspects of the previous system were useful for consolidating power and maintaining the status quo. He believes this tactic created a media system "based, in different proportions, on social responsibility, paternal, development communication and authoritarian press theories, infused with different versions of nationalist discourse."[44] Democratization efforts in Russia and Eastern Europe supported institutional and legal reform as well as market development but because the reforms were top-down, superficial and recreated the elite power structures those changes did not necessarily foster democratic attitudes in the political realm or create the conditions for media to act as a "fourth-estate."

Since the late 1990s economic ills on the national as well as global level have lead to social instability and disillusionment with the democratic project which has in many cases instigated a shift to the right politically. In countries governed by soft-authoritarian policies, state paternalism and clientalist networks democratic reforms are often thwarted by special interests which prevent normative shifts based on liberalization. Economists Daron Acemoglu and James Robinson in the their recent book "Why Nations Fail" term such

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[43] Ibid.

[44] Karol Jakubowicz and Miklos Sukosd , "Twelve Concepts Regarding Media System Evolution and Democratization in Post-Communist Societies," in *Finding the Right Place on the Map*, eds. Karol Jakubowicz and Miklos Sukosd (Bristol: Intellect Books, 2008) 19.

political and economic structures as extractive since they concentrate power in the hands of an elite few, creating a vicious circle of rent-seeking behavior .

In their model, prosperity and pluralism cannot not be engineered, but rather are the outcome of "critical junctures" where incentives for pluralism are strong enough to create political openings. They believe institutions and political systems either invite or resist change, and similarly to Stark, that those events which trigger change will be shaped by political, institutional or even communications infrastructures and hence change may be path dependent. Acemoglu and Robinson recognize media as powerful tools for exposing abuses of power and rallying support for political reforms but concede that they can only operate at the margins. It is ultimately citizens who must demand and enact change. Foreign aid, to that end, Acemoglu and Robinson write, should be used to create and empower more inclusive pluralistic structures for durable liberal reform.

 Although they see the success or failure of nations as the result of their political choices, many of the catalysts they identify for political openings, are economic shifts. European and American experiences detailed later in this chapter will show that inclusive economic and political institutions are necessary in order to create the proper environment for independent media to flourish which in turn oversee and protect the system from abuse. US media did not become independent institutions, as Paul Starr and others point out, until they became profit making institutions, within a political framework marked by a weak state and strong liberal constitutionalism which provided media autonomy from the state and a market which enabled

its commercial independence.[45] For Diamond, it is the self-enforcing acceptance of restraint on political power which is a prerequisite for the normative shift necessary for media independence and a watchdog role in society and hence a pivotal aspect of democratic consolidation

Media transitions in Russia, Poland and Hungary are illustrative of these complexities. Russia was still a superpower, even after the abdication of Soviet rule, with a well educated and trained workforce shaped by strong cultural traditions. It also had a large and potentially profitable media market.   Because of Russia's status, donors for the most part left Russians to manage their own legal, economic and institutional reform. Media assistance came from various donors and was largely invested in training and technical consulting. By 2003 the Russia media sector had received over 44 million from USAID alone which was divided between two media development NGOs with different territories and approaches: Internews and The Russian-American Press and Information Center (RAPIC). Internews, the primary contractor for the broadcast sector, kept their focus narrow and worked predominantly with smaller regional broadcasters, most of which were run by young managers eager for change.[46] The tone of the collaboration was apolitical and the goal two-fold: to make the reporting professional and the stations more profitable. They distinctly sought Russian solutions over American models.

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[45] Paul Starr, *The Creation of the Media: Political Origins of Modern Communications* (New York: Basic Books, 2004) 385.

[46] Krishna Kumar and Laura Randall Cooper, "Promoting Independent Media in Russia: An Assessment of USAID's Media Assistance," Bureau for Policy and Program Coordination, August 2003, viii. http://pdf.usaid.gov/pdf_docs/PNACR757.pdf (accessed March 15, 2012).

The strategy for print was quite different. The Russian-American Press and Information Center (RAPIC) had a more ideological bent, emphasizing press freedom, civil society, access to information and setting of journalistic standards, more than business development.[47] Their reach was broader and they often were challenged by older generation managers and editors with less interest in change and innovation. A USAID assessment in 2003 criticized RAPIC's tactics for not focusing enough on financial independence and for internal management problems.[48] USAID shortly thereafter decided to shift their funding strategy in support of more commercial models. It was during this same period that donors in Bosnia were concerned about "sustainability" and began backing more business and market oriented programs.

The Russian media sector went through a series of phases. As in most of the post-communist countries, they experienced an initial opening with a rapid increase of new outlets and market growth. Emerging oligarchs formed a so called "media-industrial- complex" and waged "media-wars," during which these new media barons jockeyed for political influence and access to yet to be privatized state property. A financial crisis in 1998 turned the situation around as advertising revenues dropped 70-90%. High inflation along with a rise in the prices of commodities including newsprint resulted in a further constriction of the market. In response, some oligarchs abandoned their media platforms while others held on but had to shift their priorities to earning profits rather than political favors in order to keep the businesses afloat. Russian media scholar Elena Vartanova summarized the developments:

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[47] Ibid, ix.

[48] Ibid, 14-18.

"The transition of the Russian economy from a planned, state-controlled, and highly ideologized system to a market system was followed by economic depression, the loss of social unity, disappointment in politics and economic reforms, and a moral crisis in society."[49] She wrote further, "[t]he decline of journalisms's moral standing occurred under conditions of economic crisis, new social stratification, and impoverishment of the majority of Russians in the late 1990s…"[50] In the midst of this crisis in 1999 Putin assumed power and quickly exerted his control over the media sector. One of his key policies was the establishment of a ministry for print and broadcast media to oversee reforms. Over the next decade, the government continued to tighten its control over the media.

By 2010 IREX's MSI ranked Russia as unsustainable and concluded that the quality of journalism was declining, investigative journalism was all but dead and that there was little market for independent journalism.[51] During the 2011 election season, stations aligned with the government began producing pro-government documentaries in response to anti-government protests. These documentaries instigated a revolt by independent minded journalists and a boycott of NTV (one of Russia's leading stations) by activists. Although very little changed editorially in the dominant stations after the protests, journalists and citizens were becoming more vocal with their discontent. Blogs and social networks were also developing as sites for organizing political opposition and protests.

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[49] Elena Vartanova, "The Russian Media Model in the Context of Post-Soviet Dynamics," in eds. Daniel C. Hallin and Paolo Mancini, *Comparing Media Systems Beyond the Western World*, (Cambridge; Cambridge University Press, 2012) 126.

[50] Ibid,137.

[51] IREX, Media Sustainability Index (MSI) 2012, Russia, http://www.irex.org/sites/default/files/EE_MSI_2011_Russia.pdf (accessed March 20, 2012).

Russia is an example of a highly development country which has modernized along the lines

of many western societies with modern technology and education but one which has failed to

liberalize. Western influences were accepted and employed more in relation to market

development and capitalism rather than in the social and political realm, resulting in weak

democratization and liberalization.[52] Economically Russia has a form of hyper-capitalism

supported by a statist, conservative and extractive political environment which is highly

integrated with the economic elites. This has inhibited social reform, the development of a

politically engaged civil society, and the emergence of journalism into an autonomous

profession

In Post-Soviet Eastern Europe the primary motivation for reform was admittance to the EU

and the international financial system. Donors favored training and exchanges as means of

"resocializing easterners according to western standards."[53] Despite the significant reforms

and membership in the EU, both Hungary and Poland have experienced periods of democratic

regression. Their media sectors also show signs of media capture, hyper-competition and

rampant commercialization unchecked by weak institutions and legal reform.

 Hungary followed a similar pattern to Russian where an initial liberalization stalled during a

serious economic downturn between 2006-2008 and was followed by a subsequent shift to the

right politically. The Hungarian government, for instance, in 2010 established a new media

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[52] Vartanova, 129.

[53] Alina Mungui-Pippidi, "How Media and Politics Shape Each Other in the New Europe," in *Finding the Right Place on the Map: Central and Eastern European Media Change in a Global Perspective*, eds. Karol Jakubowicz and Miklos Sukosd (Bristol: Intellect Books, 2008) 93.

council and media authority, both lead by the ruling party, requiring journalists to register

with the authorities. Later in 2010 the Hungarian Parliament passed another law to regulate

all media – broadcast, print, and online. The guidelines were not clearly defined and the

violations come with heavy penalties which would constrain freedom of speech and increase

self-censorship out of raw fear of vague laws. These institutional and regulatory reforms

violate European standards and laws as outlined by the Council of Europe, Article 10 of the

European Convention of Human Rights and other European Union policies. The OSCE

voiced concerns that "The changes put into place a new legal, institutional and regulatory

framework for media regulation and supervision that can be easily misused for political

purposes and that could contradict the principle of the separation of powers and of the checks

and balances typical of liberal democracies. Public-service media are especially at risk of

direct political control."[54] The situation worsened in early 2012 when the Hungarian right-

wing Prime Minister Viktor Orbán revamped the constitution to increase his power, reduced

the power of the constitutional court, made advances on the independence of the national bank

and even removed the term republic from the official name of the country.[55]

Poland is yet another example of a country where all the institutional structures are in line

with western standards but the informal mechanisms, political clientalism and economic

instability are subverting them. Historically, Poland's mass press developed late, was elite

dominated, and exhibited a high degree of political parallelism. Under communism Poland,

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[54] OSCE Press Release, "Hungarian Media Legislation Severely Contradicts International Standards of Media Freedom," Vienna, September 7, 2010, http:www.osce.org/fom/72229 (accessed May 24, 2012).

[55] Clemens Hoges, "Nosedive in Budapest: The Political Origins of Hungary's Economic Crisis," Spiegal Online International, 1/17/2012, http://www.spiegel.de/international/europe/nosedive-in-budapest-the-political-origins-of-hungary-s-economic-crisis-a-809434.html (accessed May 24, 2012).

similar to Hungary, was one of the more liberal regimes. They had some clandestine access to western television and radio, and a limited independent press operated under the protection of the Catholic Church. Despite state censorship, many Polish journalists did have a strong sense of identity and professional mission as dissidents and to protect Polish culture from communist domination. During the transition, Poland received significant assistance from western donors and along with the EU accession process they were able to quickly reform their political and legal frameworks to European standards. Despite joining the EU in 2004, Poland is still confronting the effects of its transition - economic "shock therapy," the current EU crisis and the resulting social and economic dislocations.

 In 2005 Poles fed up with 20% unemployment, government corruption and recurring economic struggles voted two center-right parties into power. The stronger of the two, The Law and Justice Party, is a conservative, nationalist and populist party then run by the twin brothers Lech and Jaroslaw Kaczynski. Under the Kaczynskis, media came under tight government control and political observers have labeled this a period of de-democratization. Although commercial media may have gained greater economic independence, the tradition of advocacy journalism and levels of political parallelism remained high. Cooperation with donors and investment from Western media conglomerates, which many had hoped would raise standards and establish western editorial practices, has not proven true. Instead investment from leading European media has contributed to strong commercialization as well as tabloidization. Polish lawyer and media scholar Karl Jakubowicz describes the media institutions as "hollow" and laments that the "mimetic" transformation strategies have not yielded the expected results. He grants that such political and economic transitions will take

years, possibly generations, and are not necessarily linear, but he is concerned that the legal

and political frameworks may not survive the time it will take for democratic consolidation to

take place.[56]

In Russia, despite training and collaboration with the west, those hailed standards of the

liberal model are not well institutionalized, in part due to the embedded cultural norms and

historical traditions but also destabilizing economic crises which have emboldened

authoritarian politicians. In post-Soviet Eastern Europe admittance to the EU may have

created ideal laws and institutions on paper, but in practice development has not had the

expected modernizing effect since the political and economic institutions remain extractive,

largely benefitting minority interests. In addition, those foreign companies which have been

investing in media outlets in Eastern Europe have not brought their management and

journalistic practices. Instead they have allowed local managers to run the business as they see

fit. The corporate leaders say they do not wish to interfere in national affairs, but critics argue

that as long as there are profits, corporate owners are not worried about upholding journalistic

standards. The result has been low levels of self-regulation, weak professional association

and high levels of commercialization and homogenization. In the words of Jakubowicz,

"Without the supporting environment of democratic political culture, democratic institutions

remain empty, and the implementation of democratic norms as well as their proper operation

and performance is missing. (Gross 2004) Moreover, such empty institutions often turn into a

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[56] Karol Jakubowicz, "Finding the Right Place on the Map: Prospects for Public Service Broadcasting in Post-Communist Countries," in *Finding the Right Place on the Map*, ed. Karol Jakubowicz and Miklos Sukosd (Bristol: Intellect Books, 2008) 120.

Potemkin village: they satisfy merely formal criteria while their essence is misinterpreted and misused in the interest of political and economic elites."[57]

The Western Media Model

The international standard for journalism, and the dominant media model shaping policies and expectations as well as Jakubowicz's prerequisites, is the liberal model. It is characterized by journalism that is both professionalized and commercialized. Reporting is therefore "objective" or politically balanced, and is marked by independence of media from business interests, social groups, or political parties. News organizations are business oriented and profit driven, yet generally maintain ethical standards. Other critical factors are a respect for the rule of law and legislation that protects the growth of pluralistic markets as well as freedom of the press.

In both the American and European cases, professionalization of the media was the outcome of very specific socio-economic and historical conditions. Before the late 1800s, the US had a highly partisan press. At first glance there are similarities between US journalism of the 1850s and Southeastern European journalism today – for instance, the reliance on government contracts for advertising; the use of stringers who write for many papers and hold various jobs, some with political connections; and the tight affiliation of editors with political parties.[58] Yet it would be a mistake to assume that there is a standard trajectory of development and therefore that conditions in Southeast Europe now are inevitable signs of a

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[57] Ibid, 22-23.
[58] Michael Schudson, "The US Model of Journalism: Exception or Exemplar?" in *Making Journalists*, ed. Hugo de Burgh (London: Routledge, 2005), 95-96.

nascent democracy that will evolve over time along a path similar to ours. A very specific and unique set of political, social, and economic forces shaped each system, and will shape different ends.

It was during the 1890s that a major shift occurred in American journalism, "from representing political loyalties to civic responsibilities."[59] A catalyst for this change was the Progressive movement, led by the growing middle class. According to sociologist Michael Schudson, significant changes in voting practices turned political participation from a truly gala affair – where ballots were often either bought, pre-printed with the candidates of choice, or came with libations – into a private and individual duty shielded from political coercion, at least in the voting booth. New progressive attitudes fueled citizen outrage over levels of political corruption, brought about a decline in the power of political parties and a wave of political reforms, and supported the emergence of the press as a watchdog institution liberated from political affiliations.

The press was able to make this ideological shift not only due to changes in the political sphere but also partly due to changes in the economic landscape. Wire services fed new mass markets with politically-neutral information for consumption by diverse national audiences, as opposed to previously politically-aligned news for target audiences. Standards of objectivity, however, came from more than changes in the market. As Schudson points out, partisanship was still probably the most lucrative form of journalism, but journalists had begun to develop

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[59] Michael Schudson, *The Power of the News* (Cambridge: Harvard University Press, 1995) 202-203. Also, Michael Schudson, "Good Citizens and Bad History: Today's Political Ideals in Historical Perspectives" (keynote lecture presented at "The Transformation of Civic Life," conference, Nashville, TN, November 12-13, 1999), http://communication.ucsd.edu/people/f_schudson_nashville.html (accessed April 24, 2006).

a professional culture with distinct norms and standards, and an allegiance to their profession and their readers rather than to business or political interests.[60]

Commercialization was a parallel and complementary historical process that included the development of a mass circulation press and a strong advertising market, which provided financial stability for business development and independence from political interference. The development of mass circulation press was important not only because it offered a broad market for advertising but also because of its capacity to facilitate communication from elites to the masses. This is a very different context than is found in Southeastern Europe, where circulation is generally limited to elite readers, engendering a more horizontal, elite-to-elite communication model.[61]

Under the growing market conditions of the late 19th and early 20th centuries, US newspapers could afford to hire full-time reporters, which increased journalists' job security and status, and hence improved standards. This newfound autonomy and professional mandate contributed, by some accounts, to muckraking – or reporting on scandals – as a means to root out corruption.[62] Journalists began playing an important role in setting the news agenda which motivated them to utilize the legal system for protection of citizen's rights as well as their own. These new values and standards were then seen by media owners as the foundation of

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[60] Schudson, "The US Model of Journalism...," 99-100.

[61] Daniel C. Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics* (New York: Cambridge University Press, 2004) 22.

[62] Ibid., 279. Hallin and Mancini note that "commercialization contributes to a shift in the balance of power between media and political institutions, with the media themselves becoming increasingly central in setting the agenda of political communication" (278). Also see: Schudson, *The Sociology of News*.

credibility that earned them audience loyalty and, ultimately, profits. This process, through which owners realized that quality news reporting could strengthen their businesses, linked commercialization and professionalization in a mutually supporting way.

The financial stability of news organizations also supported important management and structural changes. Owners transferred responsibility for running newsrooms to editors, allowing a more distinct separation between the business and editorial sides of the press. It was also during this time that professional schools, press associations, and codes of ethics were established. And, by 1923, the first national code of ethics was established by the American Society of Newspaper Editors.

The strength of economic conditions during these tandem processes of commercialization and professionalization further strengthened the mass circulation press and mitigated the negative effects of commercial pressures. These processes were complex, not necessarily as straightforward as their presentation here, and took decades or more to evolve. What this oversimplification demonstrates, however, is the dynamic among these interdependent processes and how they impacted each other, enabling both institutional changes as well as the attitudes and practices that shaped the system. But this was truly an evolution, as opposed to a revolution or a strategy of social engineering.

In the American press, the next formative period spanned from 1945 to 1980. Modernization theory[63] elevated media to the status of an institution required for social progress. According to modernization theorists, economic development would create specific variables in a society – such as education and mass media – that would allow it to modernize and democratize. Economic growth during this period further strengthened markets as well as the middle class. Newspapers were largely family-owned, profitable monopolies and the broadcast market was limited to three national broadcasters, which were tightly regulated. Politically, there were high levels of ideological consensus, civic awareness, and unity after the Cold War, as well as trust in political leaders, all of which coalesced to create conditions for journalism to emerge as a social institution. Journalists had the independence and a sense of professionalism to set themselves above the political fray as "objective" guardians of civic interest. Various professions, including journalism, continued to consolidate as each took on responsibilities to uphold ethical standards, enforce a public service mandate, and balance forces in capitalist markets.[64]

After World War II, with the publication of *Four Theories of the Press*, scholars defined the role of media in different ideological systems for the first time.[65] While this book has been widely criticized for being too strongly biased toward the liberal philosophical tradition, it did

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[63] Modernization theory was also the core theory behind nation-building policies during the Cold War. The US and USSR both invested heavily in developing the Third World in order to build ideological and political allies. This theory lost credibility once some of the modernizing countries regressed backward. Development, it was discovered, was not necessarily linear.

[64] Daniel C. Hallin, "The Passing of the "High Modernism" of American Journalism Revisited," *Political Communication Report* 16, no. 1 (Winter 2006), http://www.mtsu.edu/~pcr/1601_2005_winter/ commentary_hallin.htm (accessed October 29, 2006).

[65] Fred S. Siebert, Theodore Peterson, and Wilbur Schramm. *Four Theories of the Press* (Urbana, IL: University of Illinois Press, 1963).

have significant influence at the time. According to the authors, the libertarian theory is the one adopted in most democratic societies, wherein freedom of the press acts as a check on state power, and truth is derived through an open marketplace of ideas. Yet it is actually the social responsibility model, an outgrowth of that libertarian model, which has shaped modern media development policies. This paradigm emerged in the US, to balance the extreme commercial-centered media model and the libertarian stance of limited government regulation and sponsorship.[66] It calls on the media to accept its responsibility to advance civic interests. Freedom of expression, in the libertarian theory, is an inalienable natural right; in the social responsibility theory, it is "balanced against the private rights of others and against vital social interests."[67]

The North and Central European experience echoes certain elements of the North American experience, yet provides some insights into a system where contradictory forces were able to coalesce on the path to professionalization. For instance, the early development of a market economy and the emergence of a middle class were similarly critical factors; however, in Europe, while the strength of the economy did allow an independent press to emerge, historical social divisions based on religion and ethnicity created space for special interest papers to thrive as well. In this alternate model, professional and advocacy press coexisted.[68] Hallin and Mancini point out that, despite a number of contradictory forces inherent in this media model, it operates with a high level of professionalism. For instance, politicized media

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[66] Michael Schudson, e-mail message to author, March 30, 2008.

[67] Siebert, Peterson, and Schramm, 97.

[68] Hallin and Mancini, 195-196. The Hallin and Mancini models are very relevant to this discussion as they are empirical models rather than normative models; their study was specifically aimed toward understanding the evolution of institutional structures and their impact on values.

is balanced by strong unions and other professional associations in support of self-regulation. In addition, there is also substantial state regulation of the media as a social institution, which is tempered by respect for rule of law and effective legislation to protect press freedoms. Public service broadcasters are an example of one of the most important social institutions which the state supports financially and protects legally.

In these models, journalism was able to consolidate as a profession through a process called differentiation, by which groups organize themselves horizontally and are bound by a common identity, set of values, code of ethics, and sense of autonomy.[69] As professions differentiate, their roles in society become solidified, and thereby alter underlying power structures. In the case of the media, this process increases autonomy from other social, political, or economic groups. In the examples of the US and Europe, this was facilitated by the economic independence that resulted from growing national economies. Sociologist Jeffrey Alexander sees the level of media autonomy in a society as a sign of its modernity. He identifies three forces which push media to differentiate, and hence modernize toward the liberal model: (1) growth of professional norms and self regulation, (2) universalism in national civil cultures, and (3) demands for "more universalistic" information instead of advocacy journalism that supports entrenched groups.[70]

If Alexander has accurately identified the pre-requisite forces that enable the liberal model, then a deficiency of these forces has posed significant challenges to media assistance in

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[69] Ibid., 35. Hallin and Mancini cite Randall Collins, "Changing Conceptions in the Sociology of the Professions," in *The Formation of Professions: Knowledge, State, and Strategy*, eds. Torstendahl and Burrage (London: Sage, 1990).

[70] Hallin and Mancini, 79.

Southeastern Europe and has prevented the profession, and hence the sector, from

consolidating. Economic development plays a large role in fostering all three of these forces:

professional values cannot emerge without a basic level of economic stability and

independence, social consensus is impossible in a society experiencing economic and physical

insecurity, and advocacy journalism appeals through stereotypes to entrenched groups and

therefore reinforces divisions. Economist Graciana Del Castillo, an advocate for effective,

dynamic, and socially inclusive economic development in post-conflict societies, wrote in a

recent book, "welfare improving projects between unfriendly nations have often served as

confidence-building measures and have contributed to better security and improved

relations."[71] When economic development brings stability and security, it can neutralize

divisions and contribute to greater social consensus. Yet economic development is not a

panacea, and when it comes without appropriate regulations and checks and balances it can

undermine democratization. Amy Chua warns in her study of ethnically-divided societies that

economic growth in democratizing countries can in fact lead to *in*stability if it predominantly

benefits an ethnic minority and prompts an impoverished majority to fight for political

rights.[72]

Economic Development and Values Creation

The relationship between economic development and the emergence of values is a sensitive

topic in the social sciences and has divided theorists for decades, if not centuries.

Modernization theory, with its early origins in the ideas of Karl Marx and Adam Smith, holds

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[71] Graciana Del Castillo, *Rebuilding War Torn States: The Challenge of Post-Conflict Economic Reconstruction* (Oxford: Oxford University Press, 2008) 17.

[72] Amy Chua, *World on Fire* (New York: First Anchor Books, 2004) 16.

that socio-economic development leads to shifts in underlying values that impact culture and therefore political institutions. This theory was challenged during the Cold War when assistance from the United States to support industrialization and economic growth in the developing world ended up strengthening authoritarian regimes rather than democratic governance. Hence, economic development in and of itself does not necessarily lead to democratization. Another school of thought from the 1950s and 1960s, referred to as preconditionalism, stressed the need for certain structural requirements for democracy to emerge. Such requirements included socio-economic development, levels of social consensus, as well as the existence of specific cultural practices and beliefs.[73] This mode of thinking was later discredited as too deterministic and elitist; its parameters rendered much of the globe apparently unfit for democracy. Political changes in the 1970s spurred what is called the "third wave of democratization," shifting the focus from structural preconditions to the universal potential for unique paths to democratization predicated upon political openings and specific stages of transformation. Institution building, rather than mere economic development, was believed to hold the key for cultural change and democratization.

A new theoretical challenge came with the fall of the Iron Curtain, and many subsequent transitions from communist societies to democratic ones, and from command to market economies. Latin American models were not appropriate in these new contexts and the distinctive nature of the various transitions defied attempts to keep them on specific reform pathways. The implosion of the former Yugoslavia and turbulent transitions in Southeastern

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[73] Sheri Berman, "How Democracies Emerge" in *Debates on Democratization*, eds. Larry Diamond, Marc F. Platter, and Philip Costopoulos (Baltimore: Johns Hopkins University Press, 2010).

Europe added further complexities. These transitions were demonstrating that there was no linear progression toward democratization and that democracies came in many different varieties – so called qualified or illiberal democracies – some of which could even regress.[74]

Political scientists Linz and Stepan write that democratic consolidation requires more than markets and elections, it requires the cultivation of specific attitudes and habits. The question, then, is how to cultivate them in a developing society? Consolidation, in their model, also requires five interconnected and mutually-reinforcing conditions: civil society, autonomous political society, rule of law, state bureaucracy, and institutionalized economic society. However, as is seen in the countries in this study, those five conditions will only function with the proper underlying attitudes and habits. Linz and Stepan's model illustrates the problem of the sequencing of reforms. They believe that simultaneous reforms in institution building and economic development are impossible because certain reforms are necessary before a market can emerge, regulate, and grow. This is true, but even when all the necessary institutions and laws are in place, there is no guarantee that they will play their part in market development, professionalization, and commercialization unless they are animated with democratic attitudes.

Critics and those less sanguine about contemporary transition processes have described democracy as a Western phenomenon, or even a "wayward historical development"[75] – one

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[74] Qualified democracies are those that exhibit the basic requirements that categorize them as democracies, yet lack specific freedoms or processes. For more, see: Juan J. Linz and Alfred Stepan, "Toward Consolidated Democracies" in *Debates on Democratization*, eds. Larry Diamond, Marc F. Plattner, and Philip J. Costopoulos (Baltimore: Johns Hopkins University Press, 2010). Linz and Stepan rank consolidated democracies on a continuum from high to low quality.

that is unique in each environment and cannot be replicated elsewhere. In discussing the

exportation of democracy and the relationship between institutions and values, historian

Jacques Barzun wrote, "the parts of the machinery are not detachable; the organism is in fact

indescribable, and what keeps it going, the 'habits of the heart,' as Tocqueville called them,

are unique and undefinable. In short, we cannot by any conceivable means 'show them how to

do it.'" [76] Current nation-building efforts demonstrate that politicians continue to try to "show

them how to do it," and donors continue to finance them. Philanthropist George Soros,

through his Open Society Foundation, has invested nearly $500 million annually since 1984

toward fostering democratic societies, including support for independent media and freedom

of information. [77]

Despite all the institution building of recent democratization efforts, in *The Media*

Missionaries Ellen Hume notes that, "most of the difficulties in media development stemmed

from a region's failure to develop that requisite democratic culture."[78] The pendulum has

swung once again and recent scholarship is reconfiguring the former preconditionalist and

modernization arguments. One such effort is The World Values Survey conducted by

Inglehart and Welzel, a grand revisioning of modernization theory. They collected survey data

from 81 societies, comprising 85% of the world's population, between 1981 and 2001. Their

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[75] Jacques Barzun, *Is Democratic Theory for Export?*, Sixth Morgenthau Memorial Lecture on Ethics & Foreign Policy (New York: Carnegie Council on Ethics and International Affairs, 1986) 25. Available at: http://www.carnegiecouncil.org/media/268_barzun.pdf

[76] Ibid.

[77] Ellen Hume, *The Media Missionaries: American Support for Journalism Excellence and Press Freedom Around the Globe* (Miami: Knight Foundation, 2004) 23.

[78] Ibid., 27.

conclusion was that: "Economic prosperity is strongly linked with the emergence and survival of democratic institutions, but it operates primarily through its tendency to give rise to self-expression values."[79] According to this theory, economic development leads to greater access to education and information, which builds human capital and creates opportunities. These new resources and opportunities give rise to "self-expression values" that lead people to seek to safeguard the civil and political liberties that constitute democracy. Societies then design institutional structures to protect their interests and freedoms. Inglehart and Welzel found that these self-expression values are the catalyst of democratic culture, which in turn shapes and animates institutions.

Interestingly, the countries of ex-Yugoslavia have very mixed rankings in the World Values Survey. Croatia and Slovenia, for instance, had some of the highest ratings in Eastern Europe for self-expression values.[80] Slovenia experienced less conflict than the other former republics, and both Slovenia and Croatia have greater economic prosperity and are socially more cohesive. Bosnia, Kosovo, and Macedonia have some post-industrialist qualities, such as access to education and information, but continuing economic instability and social divisions keep their levels of secular-rational and self-expression values low.

Media assistance to post-conflict countries is an external intervention, even when sanctioned by the political elite. In practice, this means that reform is largely imposed from outside; so the question of fostering local support and democratic values is paramount to success. In

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[79] Ronald Inglehart and Christian Welzel, *Modernization, Cultural Change and Democracy: The Human Development Sequence* (Cambridge: Cambridge University Press, 2005) 4.

[80] Ibid., 159.

countries going through transitions that are domestically inspired, the focus on phases has greater relevance since reform is usually instigated by internal value shifts. In Bosnia and Kosovo, transitions were "pacted" – peace was negotiated by the architects of the conflict along with international forces. In such cases, reform is dependent upon aligning the interests of local politicians with those of international governing bodies and the needs of society, all of which are frequently at odds. Post-conflict environments lack a unified public sphere and there are numerous obstacles to fostering greater cohesion: the social fabric is torn and fragmented, there is a general lack of trust and cooperation, the state often lacks legitimacy, and there is either a weak or complete absence of civic allegiance. Enduring survival needs inhibit the emergence of self-expression values and the mass belief needed to fuel political legitimacy and transformation.

As Carothers observed in *Aiding Democracy Abroad*, aid providers eventually realized that replicating institutions was futile unless they found a way to "confront the underlying interests and power relations in the sectors in which they wish to help bring about change."[81] Democratic attitudes emerged in the American and European models, not exclusively from institution building but also from shifts in power brought about by economic growth and changes in the marketplace. For instance, political parties lost power as the middle class gained it and began demanding accountability; economic stability enabled professions to consolidate with a social mandate and professional standards; and revenues from mass markets allowed newspapers to adopt editorial independence, balanced reporting, and a role in civil society. Political openings and sequencing of reform are important for development, but

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[81] Thomas Carothers, *Aiding Democracy Abroad*: *The Learning Curve* (Washington, D.C.: Carnegie Endowment for International Peace, 1999) 159.

the necessary attitudes and values emerge from the spaces in between, from the interaction between institutional and legal frameworks and economic growth.

The Dynamics of Economic Development

Economic development has been perhaps the weakest of all the development processes in these recent examples, yet is the one that underpins the success of all others. How and when to develop a market economy – and its impact on democratization, and nation- and state-building processes – is contested, and gets to the heart of the intractable problems facing media development in these countries.[82] In the American and European experiences, economic development contributed to an altering of the power structures in society, and to modernization and norm creation; but these historical processes have been difficult to replicate in transitional countries. As far back as 1959, American political scientist Seymour Martin Lipset believed that stable democracy was predicated on social and economic progress in tandem, leading to programs for political reform that supported economic development. Others, such as economist Jagdish Bhagwati, argue that countries should develop markets first and then democratize later. Economic development, in his view, is a precondition to democratization because the business of creating a stable economy can undermine the political viability of those who enact often unpopular policies.[83]

Bhagwati may go too far in advocating the development of markets first, in advance of democratization, since this strategy has in some instances only solidified authoritarian leaders

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[82] Problems such as political accountability and the forces of commercialization and professionalization.

[83] Peter Burnell, ed., *Democracy Assistance: International Co-operation for Democratization* (London: Frank Cass, 2000) 40.

and institutionalized inequalities. In fact, the greatest benefactor to Eastern European transitions, global financier and philanthropist George Soros, has come to fear that neo-liberal-style capitalism may be among the biggest threats to democracy, allowing market values to suffocate liberal ideals.[84] On the other end of the spectrum, the implementation of democratizing initiatives first may create the institutional and legal frameworks for a viable state, but these alone will not generate democratic attitudes and behaviors. A more systemic and process-oriented approach that recognizes the mutually supporting nature of economic development and institution building can alter underlying power relationships required for democratic change. Economic growth, when protected and regulated through democratic mechanisms, contributes to modernization, greater social equality, institutional independence, and demands for civil liberties. Amyrta Sen has observed that democracy is a demanding system, not just a mechanical one.[85] It is a system in which the need for economic and social security is interconnected with political and civil rights. Those rights include access to media to facilitate social and political dialogue, which helps support the political process and the emergence of democratic practices and attitudes.

Experiences in Southeastern Europe have shown that democratization programs really must be synchronized with economic development. I argue, and I believe the case studies presented here demonstrate, that donor organizations undermined their own efforts by focusing on democratic reforms and institution building without fully appreciating that their success was predicated on levels of economic development that would support systemic change. It does

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[84] George Soros, *The Crisis of Global Capitalism: Open Society Endangered* (New York: Public Affairs, 1998). Also see: Burnell, 298.

[85] Amyrta Sen, "Democracy as a Universal Value," *Journal of Democracy* 10, no. 3 (1999): 6.

not come down to how much money is spent by the World Bank or the IMF on economic restructuring, but to how effective economic development policies are. Growth or development must be sufficient to reach a threshold where society feels the impact in the form of lowered unemployment, rising real wages, as well as greater equality and stability. In the following chapters, I will show that chronic poverty, economic inequality, a lack of opportunity, and resulting social and economic insecurity have not only weakened civic engagement but have actually further entrenched social divisions and instability. The result is institutions and organizations with no base of economic support, which are left in survival mode, living on the brink of bankruptcy, both financially and professionally. Commercialization dominates these weak markets, creating permutations of the model, particularly in the media sector.

Donors *did* understand the necessity for economic reforms, and in fact implemented substantial programs to facilitate transitions to market economies, but in the end their efforts were insufficient to achieve levels of growth that would promote social stability and adequately fuel transitions. For economic reform to be meaningful on the societal level, the formal economy cannot be subverted by the informal economy, and there must be job openings and money for investment in a broad range of businesses – not just those owned by elites. Citizens need a particular level of economic security to buy into reforms and participate in the political processes, which in turn gives credibility and vibrancy to institutions and the legal system. Donors in these countries had too limited a mandate, and lacked adequate funding and political will for effective economic reform.

An economic overview of the situation, not even taking into consideration the social ramifications, is bleak. Each of the countries in this study suffers from high unemployment, large grey markets, low foreign direct investment, and sizeable current account deficits. In Bosnia, despite substantial investment by the World Bank and the IMF in the first years after the war, conditions for long-term growth have not been achieved. The majority of early aid went toward infrastructure, which is to be expected in a post-conflict situation; yet an overall lack of internal development and investment in the private sector left the country with low growth, at 5% per year after 2000, along with unemployment averaging 29-45% and a grey economy estimated to account for 1/3 of GDP. Public expenditures alone demand up to 60% of GDP, a condition attributed to the complexity of the political system created by the Dayton Accords.[86] In Macedonia, the economy has seen shrinking growth, estimated at just 3 or 4%, due to internal ethnic strife and the global economic ills, and the country has a 35% official unemployment rate and a grey market accounting for over 1/5 of GDP.[87] Kosovo is still heavily dependent on foreign aid, estimated to be 50% of GDP. It is also the poorest country in Europe, with a per capita GDP of $2,300, unemployment around 40%, an average growth rate of just 4%, and a 2009 account deficit at negative 18.837%.[88]

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[86] Azra Hadžiahmetović, "Dayton 'construction error' blocks Bosnia's path to prosperity: Don't Expect an economic revival in Bosnia until its constitution is drastically simplified," *BIRN*, November 18, 2005, http://birn.eu.com/en/10/10/1228/ (accessed Novermber 12, 2010).

[87] Economy Watch, "Macedonia Economic Statistics and Indicators," www.economywatch.com/economic-statistics/country/macedonia (accessed November 7, 2010).

[88] Economy Watch, "Kosovo Economic Statistics and Indicators," www.economywatch.com/economic-statistics/country/kosovo (accessed November 7, 2010).

Timothy Balding, Director General of the World Association of Newspapers, believes the policy approach has been backwards and has called for new assessments to identify the economic barriers to development of the media in emerging democracies:

> My first contention is that, historically, media assistance programmes have largely focused on the wrong end of the wide spectrum of potential areas of intervention. Until a few years ago, and in many cases even more recently and still today, they have aimed almost exclusively at media content in developing and transitional nations, in other words in trying to improve the ethical and journalistic quality of news and information enterprises. As often as not, they have completely neglected the industrial, business and market issues and this has, necessarily, led to a failure to have any impact on the development of the independent press.[89]

I agree with Balding that donors have focused too much on content and not enough on market issues; but to address those issues we must break down strategies and define the scope of the problem. My argument goes farther than Balding's and I hope to demonstrate that donors understood the scope of the problem too narrowly and should have addressed underlying market conditions. When they did eventually target "industrial, business and market issues," donors' approaches were based in more training and institution building. An independent press requires editorial independence, which is enabled and protected by the strength of the market and business practices as well as the structure of the newsroom and the industry. Reforming the media market is outside the purview of media development, and no amount of training can fix economic problems.

Though the World Bank has supported media development projects and related research because there is a belief that freedom of the media is critical for market development, their focus has been on how media can assist markets to develop but not necessarily on how to

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[89] Timothy Balding, "Media Aid: The Case for a New Strategy" (presented at the Global Media Assistance Strategies Conference, University of Oxford, February 4-5, 2002), http://pcmlp.socleg.ox.ac.uk/archive/mas/presentations/balding.shtml (accessed April 24, 2006).

develop markets that enable independent media. The question of whether a free press supports economic development, or economic development supports a free press, is often presented as a chicken and egg question, but the two are mutually supporting. James Wolfensohn, President of the World Bank in 1999, wrote about the importance of a free press for economic development and pointed out that a free press supports good governance by putting a spotlight on corruption, enfranchising a range of citizens from the rich to the poor, and building public consensus for change. Furthermore, according to Wolfensohn, "studies have shown a strong positive correlation between voice and accountability and measures such as per capita income, infant mortality and adult literacy."[90] Wolfensohn, however, makes an argument similar to that of Welzel and Inglehart that societies with greater income and education tend to be more civically engaged and hence demand accountability. That dynamic creates the space in civil society and within the profession for independent media to assume the role of watchdog, as a mechanism to hold those in power to account, and as credible arbiter of public discourse. For media to play their expected role, structures that ensure the free flow of transparent information need to be in place to facilitate market development, but there has to be enough economic development to reach a threshold high enough support independent organizations, afford dissemination of information through the system, and create a market for that information.

In his book *Exporting Press Freedom*, Craig LaMay also faults the donor focus on training over economic development. According to LaMay, commercialization in many media

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[90] James D. Wolfensohn, "Voices for the Poor," *Washington Post*, November 10, 1999, http://chora.virtualave.net/voicesofthepoor.htm (accessed October 28, 2011).

development areas has not led to independence, and the donor fix of using management training to achieve sustainability is insufficient to combat pressures.[91] He attributes corrupted editorial policies and a lack of sustainability in many media development initiatives to a lack of revenue sources, weak civil society, and too great an influence of governments. Ultimately, however, he views the problem as part and parcel of a larger crisis in global democracy – a subject worthy of another dissertation.

In the face of such grim statistics and enduring social rifts, critics have been reassessing economic policies. Monroe Price has questioned whether there is sufficient understanding of the "potential relationship between media development and economic growth," and in post-conflict environments he recommends focusing media projects toward enhancement of stability and economic development in advance of democratic reform.[92] Economist Graciana Del Castillo has been highly critical of the World Bank and the UN for not grasping the unique economic needs of post-conflict societies, especially in Bosnia and Kosovo. She argues that economic development in post-conflict societies must begin as soon as possible since it is essential for building political and social stability, particularly in countries facing reconstruction and national reconciliation. Economic growth then must not only reach specific levels, it also must be structured in such as way which benefits society as a whole and not just one ethnic group to the detriment of another, if it is to contribute to a security and stability that can promote civic over ethnic interests.

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[91] Craig LaMay, *Exporting Press Freedom* (New Brunswick, NJ: Transaction Publishers, 2007) 274.
[92] Monroe Price, *Mapping Media Assistance*, The Programme in Comparative Media Law & Policy, Centre for Socio-Legal Studies, University of Oxford (February 2002) 56.

The significance of economic development in fostering democracy and hence Tocqueville's "habits of the heart" was learned during the reconstruction of Germany and Japan after the devastation of WWII, yet those lessons do not seem to have informed more recent policy prescriptives. The economic miracle, or *Wirtschaftswunder*, that occurred in Germany, along with an overall economic recovery in Western Europe through the 1950's, gave people faith in the new democratic system.[93] Inglehart and Welzel put it this way: "The key factor needed to transform this authoritarian culture into a democratic culture was a prolonged period of economic prosperity that generated a sense of existential security and human autonomy."[94]

The situation in Japan was similar to that in Germany. There, "during the latter stages of the occupation period, when US and Japanese economic policies and the economic stimulus provided by the Korean War produced accelerated economic recovery, most Japanese were rewarded for their adherence to constitutional democracy."[95] While the countries of the former Yugoslavia had a different socio-economic starting point than either Germany or Japan, the need for rapid economic stability to support reconstruction is similar. To paraphrase Jacques Barzun, industrial development has historically been liberating, by giving people hope and a means to develop the ideas and habits that make democracy work.[96]

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[93] Roy H. Ginsberg, "Germany into the Stream of Democracy" in *Establishing Democracies*, ed. Mary Ellen Fischer (Boulder, CO: Westview Press, 1996) 88.

[94] Inglehart and Welzel, 162.

[95] Steven A. Hoffman, "Japan: Foreign Occupation and Democratic Transition," in *Establishing Democracies*, ed. Mary Ellen Fischer (Boulder, CO: Westview Press, 1996) 131.

[96] Barzun, 30.

Distortions and Skewed Outcomes

The lack of synchronization between state building, democratization strategies, and economic development has created distortions which have negatively impacted the outcomes of many assistance projects. A range of factors have contributed to the distortions, including a lack of trust and accountability within the political system, faulty rule of law, and media markets which are beset by tycoonization and hyper-competition. For instance, on the surface, media markets in the countries in this study appear to be pluralistic – but these markets are not regulating quantity or rewarding quality as would be expected. To borrow from the criteria of IREX's MSI, there is a plurality of affordable public and private news sources, citizens have unrestricted access to domestic and international media, independent news agencies gather and distribute news for print and broadcast media, and state and public media represent different linguistic communities. However, these markets are dominated by the twin problems of tycoonization and hyper-competition which subvert the quality and diversity of content, editorial autonomy, and transparency of ownership.

"Tycoonization," the collusion and creative ownership relationships between political parties, big business, and media holdings, is a region-wide phenomenon that is holding development captive to the interests of elites. This problem has emerged largely in post-socialist countries as a result of the privatization process, through which local elites were able to amass wealth by buying up previously state-owned assets. Corruption has flourished in the post-conflict environment of these countries, marked by protracted legal reform, weak rule of law and regulation, political turmoil, and criminal networks. Tycoons frequently prop up their struggling media holdings with profits from their other businesses. This has been seen as a

good investment strategy, not because media outlets are valued as social institutions or even as viable businesses, but because they are viewed by tycoons as tools to help enhance their political careers, other businesses, or simply to influence politics.

Alina Mungiu-Pippidi has developed a model of post-communist media evolution that she calls "Oligarchization," in which media move from overt censorship under communism, to self-censorship under *Glasnost* (a period of liberalization), to media anarchy during deregulation, when new media proliferate before legal reform is complete. At this juncture, media follow one of two paths; Mungiu-Pippidi theorizes that in an environment where politics are competitive, media will become more pluralistic, but if politics are less competitive and dominated by oligarchs, then media will be "captured." She defines this as a "situation in which the media has not succeeded in becoming autonomous to manifest a will of its own and to exercise its main function, notably of informing people, but has persisted in an intermediate state, whereas various groups, not just the government, use it for other purposes."[97] She finds a strong correlation between low freedom of the media scores and high levels of corruption when she compared Freedom House's Index on Freedom of the media with its data from its Nations in Transit project. In her model, media capture is most likely in societies with systemic corruption, where the state is still dominated by vested interests ("state capture" frequently leads to "media capture" or vice versa), there is concentrated, non-transparent ownership of media outlets, strong ties between media and political elites, and

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[97] Alina Mungiu-Pippidi, "How the Media and Politics Shape each other in the New Europe," in *Finding the Right Place on the Map: Central and Eastern European Media Change in a Global Perspective*, eds Karol Jakubowicz and Miklos Sukosd (Chicago: University of Chicago Press, 2008) 91.

local elites control the media. Chapter Five, on Macedonia, will present a situation which closely follows this model.

Tycoonization is similar to a problem that Hallin and Mancini identify as "clientelism" in their Mediterranean Model. They define clientalism as "a pattern of social organization in which access to resources is controlled by patrons and delivered to clients in exchange for deference and various kinds of support."[98] This manifests itself in the media sector in various ways – for instance a heavily politicized media, judicial system, and bureaucracy; frequent trading of law suits between media owners and politicians; a generally weaker rule of law than in the liberal model; and a condition in which information is often seen as a private resource. Within political culture, Hallin and Mancini note that clientelism leads to a cynicism of "public interest transcending particular interests" and they credit this as a factor that is inhibiting the development of journalistic professionalism in Southern Europe.[99] The point is illustrated by the example of Greece , where "industrialists with interests in shipping, travel, construction, telecommunication, and oil industries dominate media ownership, and a long tradition of using media as a means of pressure on politicians continues. As Papathanassopoulos (2000) notes, 'give me a ministry or I will start a newspaper' is a traditional political threat in Greece."[100]

Extreme competition for severely limited resources in an environment of weak rule of law has created the phenomenon of hyper-competition. In normal competitive markets, the market

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[98] Hallin and Mancini, *Comparing Media Systems*.135.
[99] Ibid, 138.

[100] Ibid, 115.

should consolidate as competition increases. Healthy market growth should lead to an increase in financial commitments to news production – to improve quality and diversity, to gain audience loyalty, and hence increase advertising and profits. Such stable, diverse markets pose an obstacle to those peddling influence and ultimately improve the quality of news content. Appropriate regulation and anti-monopoly legislation further protect the press from abuses. This only works, however, when there is enough profit to be won in the marketplace to support such commitments. The notion that the more pluralistic the media, the more balanced and democratic the flow of information, has been a guiding principle of the donor community. Recent studies show, though, that in emerging media markets, core assumptions of the capacity for market forces to promote transparency and improve quality through competition are failing.

As Anne Hollifield observed in her study on hyper-competition, markets are not consolidating and competition exceeds market rationality because, "the externality value of media ownership creates incentives to stay in the news business even when the business is not profitable. In many nations, ownership of commercial media is used to pursue business and political goals external to the media business itself. Market concentration has not emerged, and hyper-competition in the media industry continues."[101] Hollifield says further that this situation is at its most extreme in countries experiencing political or economic instability because the power of the externality value of the media is lasting. A downward spiral ensues when competition increases in a market with limited resources to the point where profits

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[101] C. Ann Hollifield, "News Media Performance in Hyper competitive Markets: An Extended Model of Effects," *The International Journal on Media Management* 8, no. 2 (2006): 66. Also see: C. Ann Hollifield, et al., "Examining the Suspected Adverse Effects of Competition on Media Performance" (presented at the International Communications Association Annual Meeting, Dresden International Congress Centre, Dresden, Germany, June 16, 2006).

disappear, opening up organizations and journalists to corruption. Salaries and quality both drop, resulting in a rise of sensationalistic or politically-aligned reporting at the expense of public interest or informative journalism. Journalism is co-opted by commercial pressures and can no longer fulfill a social mandate.

Weak media markets undermine professionalization; journalists rarely earn living wages, often work without contracts, and have multiple jobs. Consequently, journalism holds an uncelebrated status and many reporters are women, since they will tolerate the low wages and difficult work environment in return for flexible hours that allow them to attend to family needs. Others use jobs in journalism as stepping stones to higher paying public relations positions. Under these conditions, in which journalism is seen as merely a job and not as a profession, the sector cannot differentiate. Furthermore, institutionalized and formal self-regulatory mechanisms, such as press councils, professional organizations, and codes of ethics, are often absent or lacking any real influence. Journalists often cannot afford to pay the requisite fees, or they refuse to pay them, claiming these organizations are ineffective or corrupt. And editors rarely support these organizations since their allegiance is not with journalists but with owners and special interests.

Versions of hyper-competition and tycoonization exist in developed democracies, even those of the liberal tradition. Robert McChesney's book, *Rich Media Poor Democracy,* for instance, documents how neoliberalism has contributed to hyper-commercialism and the dominance of corporate interests over the American media. Rupert Murdoch, among the media world's current most reviled tycoons, is behind the politically conservative Fox News as well as the

British News of The World scandal. Clearly, established democracies such as the United States and the United Kingdom need to reform their own media systems, which are not living up to their own standards of professionalism or democratic ideals.

The problem in Southeastern Europe is one of degree, as well as of donor objectives. These problems are systemic and they are eroding rather than enhancing the democratic processes and attitudes that donors are trying to advance. The markets are so small and so competitive that impact is magnified. Hyper-competition is preventing a stable commercialization process and undermining professionalization; this hyper-competition is at once a side effect as well as an enabler of tycoonization of the media, by weakening the media to the point where they are co-opted and instrumentalized by political and business interests.

In Southeastern Europe, tycoons who have co-opted the media may feel they have gained power, but in many ways it is illusory, because the conversations they are having are largely with themselves. Often, the media they support aren't making a profit and aren't terribly influential, because citizens recognize their bias and opt out. In such circumstances, media are robbed of their agency as is the public. James Carey, in a discussion about Walter Lippmann's book *Public Opinion*, describes an analogous situation in the US when the state, interest groups, and the media competed and colluded for influence:

> Elites and journalists, in other words, mutually manipulated one another to mutually shared ends. The Public stood toward this game as an increasingly bored and alienated and, above all, cynical spectator, learning to distrust appearances mounted by both elites and journalists and, most damagingly, to distrust all language, to look at language as a mere instrument of interest and obfuscation. In this context, journalism could no longer

> link political impulses with political action; it could produce publicity, scandal and drama, but it could not produce politics.[102]

Without effective politics and institutions there can be neither trust in the system nor any expectation that a culture of participation will emerge. This becomes a vicious cycle in which accountability is discarded. According to polls conducted for the 2005 UNDP Early Warning Report for Macedonia, less than 25% of respondents believed "that the media in Macedonia report objectively and accurately on political issues."[103] In Kosovo, there has been a significant decline both in approval ratings of political figures and trust in institutions. Voter turnout, for instance, reached a high of 90% in 2000[104] but fell to less than 50% in 2010, when 20% said that they will *not* vote if new elections are held.[105] In addition, just over two-thirds of those polled for a UNDP Early Warning Report ranked "unemployment and poverty" as the circumstances that most threaten the stability of Kosovo.

While voter turnout and trust in the media are also declining in the US and worldwide, ultimately it is that trust which is the glue of democracy. As Michael Schudson has written, the US political system depends on such trust – trust that representatives within our

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[102] Eve Stryker Munson and Catherine A. Warren, eds, *James Carey: A Critical Reader,* (Minneapolis: University of Minnesota Press, 1997) 248.

[103] Ibrahim Mehmeti, et al., *Early Warning Report: Macedonia* (Skopje: UNDP, December 2005) 13.

[104] Genc Krasniqi, *Security and Democracy in South Eastern Europe: National Assessment for Kosovo* (Pristina: KIPRED, 2006), http://www.balkanmosaic.org/downloads/doc/Kosovo.doc (accessed November 24, 2006). Also see: Index Kosova/BBSS Gallup International, "Main Problems in Kosova, Most Urgent Issues for the Government of Kosova, Approval of Leaders" (December 2004) http://www.indexkosova.com/Publications/PDF/Pub12.04b.pdf (accessed October 19, 2006).

[105] UNDP Early Warning Report Kosovo April-June 2010, page 15. http://www.kosovo.undp.org/repository/docs/EWR_eng_web-opt.pdf

institutions and government will work in our collective public interest.[106] Without respect for the media or trust in the system, the feedback mechanism that is vital for democracy cannot function. In the US, that feedback mechanism has recently been flooded with cries of distrust in government institutions and the media that has led to a level of public protest not seen since the 1960s; many say it is a loss of trust specifically that has re-opened this social space to populism. Another phenomenon of this reawakened protest has been the parallel rise of citizen journalism and social media reportage in the US, injecting new life into a media landscape that has arguably become divisive. How the sector establishment integrates or competes with this popular and increasingly respected form of journalism will mold at least the short-term future of US media markets.

In Bosnia, this feedback mechanism is rarely operational. Examples in that case study will show that investigative journalism has not had significant impact because citizens rarely react to allegations of corruption; they find it unsurprising and generally do not expect politicians to act in their interest. Politicians in turn frequently operate with a lack of transparency because they know they will not be held to account. In Bosnia, as in Kosovo, because of the dominant political role of international governing bodies, politicians often feel more accountable to international administrators than they do to their own communities.

Despite all the development dollars marked for training, journalism remains heavily advocacy-oriented in these countries because of continued political and business influences, and to a lesser extent historical traditions. Universalism in national civic culture, identified by

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[106] Michael Schudson, "Good Citizens and Bad History…"

Alexander as a modernizing force, has proved a near impossibility due to the political and ethnic divides that still polarize and dominate these societies. Inflammatory speech has reemerged in the Bosnian media sector, which continues to reflect ethnic priorities. During a farewell speech in June 2007, former UN High Representative Christian Schwarz-Schilling warned that rising nationalist rhetoric was fomenting a political crisis and that "such behavior not only holds the country back, it is playing with fire and could jeopardize the stability that has been built up over the last 12 years, if it continues."[107] As Snyder and Ballentine have warned, complete media freedom in transitional societies that lack democratic practices can actually provide an unconstrained space for nationalistic voices.[108]

"Vigilante journalism" in Kosovo is a prime example of how freedom of speech without requisite professional standards and rule of law leads to distortions. Rationalized by a need for justice, coupled with frustration with incompetent courts, police, and international mechanisms, news organizations published detailed personal information on alleged war criminals without respect for due process or professional norms and standards. This resulted in violence against those identified, who had neither been formally indicted nor convicted of any crimes. A maelstrom of international debate ensued, regarding how to address the situation and what professional and systemic constraints allow freedom of speech to work as a democratic mechanism. Kosovar media defended their actions under the cloak of freedom of speech, and many journalist organizations in fact supported them. Most international bodies

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[107] "Nationalist Rhetoric Jeopardizing Bosnia, Envoy Warns," *Agence France-Presse*, June 13, 2007.

[108] Jack Snyder and Karen Ballentine, "Nationalism and the Marketplace of Ideas," *International Security* 21, no. 2 (Fall 1996): 5-40.

viewed this vigilante-ism as a corruption of the precepts of freedom of speech, though, and felt it needed to be punished and rectified.

This type of reporting emerged again in Kosovo in 2007 and 2011 and is an example of how, when one part of a political system fails, other institutions or parts of that system move in to take on the function of that failed part, but usually act in their own interest and based on their own norms. In a bizarre twist in 2011, the EU's Rule of Law Mission in Kosovo (EULEX) issued indictments against five members of the staff at the Pristina[109]-based *Infopress* newspaper for a nearly two-week-long "hate campaign" against a fellow journalist, BIRN Kosovo director Jeta Xharra. According to a news report, "The newspaper alleged without substantiation that Ms. Xharra had committed treason and the paper appeared to encourage vigilante action against Ms. Xharra. It issued an implicit death threat in a newspaper article stating: "Jeta has herself chosen not to live a long life."[110]

What crime of treason did Xharra commit to anger fellow journalists so? She reported on problems of freedom of speech in Kosovo, including a segment on how her camera team had been chased at gun point from the municipality of Skenderaj for trying to report on local government issues. While Xharra was doing what good journalists do, she purposely or inadvertently violated local political boundaries. The problem stems from the fact that *Infopress* has strong ties to Kosovo's Ruling PDK party, which coincidently is a large

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[109] There are both Albanian and Serbian spellings for most place names in Kosovo. For the sake of simplicity and clarity, I will use the same spelling of place names in Kosovo as the United Nations uses in their official documents.

[110] "EULEX Issues Indictments Against Kosovo Daily," *Balkan Insight*, August 16, 2011. http://www.balkaninsight.com/en/article/eulex-issues-indictments-against-kosovo-daily (accessed January 4, 2012).

advertiser with the paper, and the mayor of Skenderaj, who is also implicated in this scandal, happens to be a PDK party member.

Although the incident took place in 2009 with significant international attention, the judiciary did not act until 2011. In a statement, Xharra decried the two-year delay of justice, saying it gave the offending media outfit the impression they "could act disgracefully and dangerously with impunity," and that the "young state's fabric – specifically its capacity to uphold freedom of speech – was allowed to corrode."[111] This case highlights many of the intricacies of media politics in Kosovo, where politicians have close ties to news outlets, reporting territories are protected, and officials in the judiciary often fear reprisal for upholding the law. Clearly, consolidation of the media sector cannot occur without a commitment to the rule of law and trust in legal frameworks.

In Southeastern Europe, one of the most serious issues relating to accountability is the relationship between internationally-funded organizations and local communities. Many of these organizations are now locally-registered NGOs in the process of developing a local identity, after having been either established or heavily funded by international donors. They are confronting strong local perceptions that there has been a lack of fiscal and programmatic accountability, resulting in easy money for local managers or directors. This has led to resentment and suspicions of money laundering, often referred to as the international "washing machine." These beliefs on the part of the public make it that much harder for such organizations to gain local credibility, and hence to function as mandated.

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[111] Ibid.

Another point of contention at the local level is that international actors do not always practice what they preach, and many of their policies and institutions are not as democratic as they could, or should, be. Monroe Price, for instance, has gone so far as to question the origin of the legal authority exercised during the early media intervention in Bosnia and whether it was in line with international standards. Anna Di Lellio, former Temporary Media Commissioner in Kosovo, wrote the following about her experiences:

> Though the rhetorical stress of the international administration was always on building self-sustaining institutions and local ownership, very little or no trust at all was given to Kosovo residents. They were implicitly judged as incompetent to hold executive positions…while I was never allowed to staff the TMC office with local media analysts, I had to rely extensively on contacts outside the office to decipher the media discourse, understand political processes, and test the eventual impact of executive decisions. It was indispensable work, but did not contribute to building a locally owned institution.[112]

There is also an underlying flaw, or worse hypocrisy, in media development projects in the countries in this study. Media assistance is viewed locally by some critics as reflecting an ideology – an imposed and competing one at that. There are still journalists and editors who subscribe to the socialist role of journalism, which assigns a civic duty to journalists to personally and professionally advocate a political course for the country. Mixed into these competing ideologies are the conflicting political agendas of donors, who purport to build "independent" media but also to "use" them for promoting democracy and reconciliation. Donor money, in effect, acts as a carrot that leads to particular agendas becoming institutionalized.

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[112] Anna Di Lellio, "Empire Lite as a Swamp," *Transitions* XLV, no. 1 (2005): 61-78.

While media assistance is very much a political undertaking, most development practitioners are loath to view their work as a form of social engineering. They believe that label is more appropriately reserved for less hallowed ideological missions; and democratization is often considered a "just intervention,"[113] a moral imperative for international stability. Yet in the worst case scenarios, that ideal end has justified undemocratic means and yielded undemocratic outcomes. As Price observes, "It is virtually assumed that shaping media is a necessary part of controlling and building a democratic state. Indeed, one of the paradoxes of the post-conflict media restructuring is contained in this policy. Control (and often censorship) is considered a prerequisite for a successful transition from war and authority to democracy and stability."[114] In the countries in this study, this particular irony has contributed to high levels of resentment. These are societies where the media have been used habitually as a tool of indoctrination or propaganda, and where their use for the purposes of creating a new narrative may be viewed as more of the same coercive social engineering.

Beyond the liberal model and all of the expectations it brings, there are other viable, if less "ideal" media systems. The Mediterranean countries of Greece, Italy, Spain, and Portugal have media systems that are closer socially and economically to their Balkan neighbors in this study. They face potentially destabilizing social divisions, a history of advocacy press, weaker professionalization, and a commercial press that also developed late and lacks the level of independence and self-sustainability seen in North America and Northern Europe. While all four of these countries are democratic and are members of the European Union, their media

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[113] Peter Burnell writes that democracy assistance has a long history and can be traced back as far as the French Revolution when "leaders regarded a 'just intervention' on behalf of liberty, equality, and fraternity as an international duty." See: Burnell, 34.

[114] Price, et al., *Media Reform*, 91.

systems fall behind the international standard and are therefore less influential in shaping media policy internationally. However, they could offer alternate and potentially more effective remedies for media development in many places. For instance, state subsidies and even state ownership of media outlets, as a means of ensuring diversity in the press, is common, particularly in France and Italy. Price and others have suggested similar policy goals be added to assistance programs but those views have been largely ignored due to concern by the US over government interference.

In Bosnia, Kosovo, and Macedonia, state ownership and subsidies have largely been eliminated by privatization laws meant to further align the sector with liberal practices. However, faulty privatization processes allowed special interests to gain control of many smaller local media outlets and donor support has taken the place of subsidies, both of which undermine policies designed to spur independence. Although donors have encouraged editorial independence of media organizations, this has resulted in a form of financial dependency which has in turn challenged sustainability. Recognition of this by donors has heavily influenced their programmatic shifts.

Similarly, the transformation of state broadcasters into public service broadcasters has been an ongoing battle on the international as well as national levels. On the international level, US and European donors have regularly had territorial and ideological disputes over the structure, financing, and role of public broadcasters. On the national level, rather than representing an inclusive national voice, public broadcasters tend to represent ethnic communities and are frequently exposed to coercive political pressures. For example, in Bosnia the public

broadcaster is divided along ethnic lines; in Macedonia it is heavily influenced by the ruling party, and the programming is divided linguistically and content-wise along ethnic linesl and in Kosovo, despite multi-ethnic and multi-lingual programming, it is widely rejected by the Serbian community. In the end, a stronger economic basis is needed for a more independent media sphere to emerge, either through greater development or transparent forms of subsidies with limited government intervention.

Conclusions

Donors have learned many lessons as they have struggled to assess local needs and political openings, and match them to their organizational mandates and capacities. The shift from ad hoc programs to a systemic or holistic approach, in which the media system was mapped, was a step in the right direction; this led to the establishment of institutional and legal structures to meet EU and international standards as well as a deeper understanding of the intertwining of institutional and legal reform. Donors have also learned to adjust their expectations and their timelines. The limited results and critical evaluations have shown that "tool boxes" and models should be used sparingly and that more ethnographic approaches should be tried. They have also learned the hard way that real change requires longer term commitments and that training, in and of itself, will not mold attitudes and behaviors. There is more that needs to be learned, however, on a fundamental level.

Policy makers have focused too much and placed too much faith in structures and sequencing of reforms without a full appreciation of the dynamics among them. In describing democratization processes, Linz and Stepan wrote: "Democracy is more than a regime; it is an

interacting system. No single arena in such a system can function properly without some support from another arena, or often from all of the remaining arenas…furthermore, each arena in the democratic system has an impact on other arenas."[115] Institutions and legal frameworks are critical and some sequencing is of course necessary – for instance, there cannot be investigative journalism without freedom of information – but democratization is about more than institutions, and development is not linear. It is economic growth that fuels and shapes democratic reform and hence the media system. If economic development comes first, without the supporting institutions and legal frameworks, it often benefits the elites who then have little incentive to later democratize. On the other hand, if institutions come first, they are frequently weak and ineffective. Economic development, when it benefits society as a whole, can shift power structures, bridge social divides, help create norms, and shape emerging attitudes.

For media development to succeed, future policies must address the dynamics of the interdependent and concurrent processes of commercialization, professionalization, and economic development. Without adequate economic development in the countries in this study, journalism as a profession has not been able to differentiate and consolidate to balance the forces of commercialization. Strategies to boost commercialization in the absence of either a growing economic base, strong laws, or professionalized journalism to keep it in check has contributed to tycoonization, yielding hyper-competitive markets that render these media sectors unable to play their expected role in the democratization process. As Alexander points

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[115] Linz and Stepan, 11.

out, media must fully differentiate in order to fulfill the function of replicating social values and norms, but even then they cannot *create* those norms.

In the liberal model, as we have seen, economic independence and the strength of mass markets have shielded editors in consolidated democracies from political influence and fiscal blackmail. In these dual transition examples, commercialization without a secure and professionalized media sector have prevented newsrooms from crafting editorial hierarchies, leaving editors feeling forced to side with publishers and other financial interests at the expense of the integrity of journalism and journalists. While donors have recognized the superficial elements of this problem, their curative programs have targeted the symptoms without confronting the root cause. Newsrooms have been reorganized, management and journalism trainings have been conducted, and advertising strategies have been implemented – to limited effect. In some cases blame is put on the legacy of the former system, and while that may be a factor in some cases, the structure and culture of the sector are shaped as much or more by economic influences as they are by ideology.

The bigger question that must be answered is how we can expect recipient countries to live up to standards we often fail to meet at home, and accept the creation of media systems based on models which are arguably in decline or collapse in our own societies? In the worst of cases, outcomes in the countries in this study represent wasted money and have resulted in unintended consequences in the local environment. Some distortions, such as dependency and skewed markets, undermine development and can have negative long-term consequences. The most significant side effect is a potential democratic deficit, including disillusionment with

and a lack of trust in budding democratic systems. Policy makers would do well to revisit the experiences of their own past, the historical evolution of their own media as well as the post-war experiences of Germany and Japan. Lessons there can help identify potential solutions to problems within our own system and lead us to more coherent and effective policies abroad.

Going forward, more local ownership of media assistance that allows each country to craft its own system is vital. In the end, this will be the outcome anyway, as the US specifically and Europe generally have limited timelines for support. As funding, interest, and patience wane, these countries will have to pick up the pieces and work within whatever environment they inherit. Hopefully, institutions and training developed by donors have created a base for democratic media sectors in the future, but only time will tell. Ultimately, the uniqueness of each country's own process – their own "habits of the heart" – will determine what role these media systems will play in each cultural context.

CHAPTER THREE

A Silver Bullet or a Blank Cartridge: Media Assistance
in Bosnia and Herzegovina and the Disabling Economic Environment

"A politically controlled media helped to start the war. A free and open media will help keep the peace."
From the Annex to the Madrid Declaration of the Peace Implementation Council
December 16, 1998

The postwar reconstruction of Bosnia is the story of media development that evolved from a

short-term tactic of conflict intervention to a core component of democracy assistance. This

was the first time since World War II that an alliance of countries and international

organizations came together in an attempt to reconstruct and democratize a country. Billions

were invested and teams of international experts and organizations consulted on how to steer

this dual transition country onto the path to democracy.[116] Media reform was expected to act

as a catalyst in this process. The Organization for Security and Cooperation in Europe

(OSCE) facilitated numerous donor strategies to help establish "independent, pluralistic and

professional media in Bosnia as a means to support the overall transition to a free society."[117]

Yet recent analyses in publications from *Newsweek* to the journal *Foreign Affairs* have

labeled Bosnia a failing state due to economic stagnation and institutionalized political

rivalries.[118] Instead of facilitating civic debate, many media outlets have reflected and

encouraged these divides, causing Reporters Without Borders to downgrade Bosnia from its

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[116] Patrice C. McMahon and Jon Western, "The Death of Dayton: How to Stop Bosnia From Falling Apart," *Foreign Affairs* 88, no. 5 (September/October 2009): 69-83. Also see: Ginanne Brownell, "From Dayton to Dysfunction: Five Numbers that suggest Bosnia is Becoming a Failed State," *Newsweek*, October 14, 2009. Available at: http://www.newsweek.com/id/217875

[117] "OSCE Media Affairs," Organization for Security and Co-operation in Europe, http://www.oscebih/ mediaaffairs/eng/media-affairs.htm (accessed December 15, 1999; link no longer active).

[118] McMahon and Western; Brownell.

standing of 21st out of 173 countries in 2006 to 39th just three years later. Allegations of inflammatory speech, politically biased reporting, corruption, and collusion with business interests all point to failed professionalization and commercialization of the media sector.

While the convoluted political structures of postwar Bosnia have contributed to this outcome, a lack of economic development has played a larger role in hindering the overall transition and specifically the capacity to transcend ethnic divisions. With both growth and aid on the wane, Bosnia ranked last out of all the countries in Southeastern Europe in the 2010 Economic Freedom report, which cited the country's inefficient and difficult entrepreneurial environment as reason for this ranking.[119] Insufficient economic reform has crippled reform in general, leaving institutions and processes without a foundation for development. The case of Bosnia provides important lessons for democratization policies elsewhere since those organizations and foreign governments that were active in Bosnia later employed their acquired experience in media assistance to shape programmatic strategies for subsequent missions in Serbia, Kosovo, and Macedonia – as well as outside the region in Afghanistan and Iraq.

After the signing of the Dayton Peace Accords, which formally ended the wars in Bosnia in 1995, the international community – comprised of the United Nations as well as a range of European and American government agencies and NGOs – entered into the complex environment of an ethnically-fueled war in the wake of a failed communist state. The initial

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[119] Sabina Nikšić, "Balkans Becoming Economically Freer, says Index," *Balkan Insight*, January 21, 2010, http://www.balkaninsight.com/en/article/balkans-becoming-economically-freer-says-index
(accessed January 25, 2010).

post-conflict environment required peace-building along with frequent peace enforcement; both of which had to be negotiated among the leaders of the three warring groups and the international diplomatic bodies responsible for implementing the peace agreement. Only once a particular level of stability and security had been achieved could the long term processes of state and nation building and democratization begin. Media reform ultimately played a role in all of these various efforts, yet in the early phases, these separate processes were for the most part conflated, rendering many strategies unsynchronized with developments within the sector and with reforms in other sectors.

Donors focused predominantly on the architecture of democratization, establishing legal frameworks and institutions. As part of that strategy they set out to build a pluralistic media environment, expecting independent media to help create the necessary attitudes and values for reconstruction and transition. However, those democratic values and attitudes did not emerge from institutions, legal frameworks, and media alone. As outlined in Chapter Two, economic development plays a vital role in establishing a society with security, stability, and a stake in state building, and generates shifts in power structures and the emergence of the democratic attitudes and behaviors which in turn animate the system. On the other hand, a lack of sufficient economic development undermines attempts to professionalize and commercialize the media sector. Weak and oversaturated markets in Bosnia prevented the growth of media as profitable pluralistic business and the expected associated rise of editorial independence and the institutionalization of professional values.

Although economic development was a primary objective of the international community in

postwar Bosnia and the country was the recipient of one of the largest per capita assistance

projects by the World Bank (among other international organizations), such development did

not follow. Donors sought to enable a transition to a market economy through sustainable

economic development comprising the reduction of poverty as well as eliminating forms of

economic exclusions such as discriminatory labor practices or unequal access to loans or

investment. However, according to a United Nations Development Program (UNDP) Donor

Mapping report from 2007, economic development was plagued by many of the same

problems as the media sector, such as poor cooperation among donors, a lack of long-term

strategy, and insufficient data to inform policy.[120]

Azra Hadžiahmetović, professor of economics at Sarajevo University, concurs with this

assessment, and believes this is largely due to the complexities of the ethnically-based power-

sharing structures created under Dayton. She describes Bosnia as over-institutionalized; a

system without a system: "Indeed, despite its apparent excess of institutions, Bosnia suffers

from a notable absence of any institutionalized economic body that might mediate between

the state and the market."[121] In her assessment, the Entities (Republika Srpska (RS) and the

Federation) were given too much autonomy economically, and the state too little, and then

there is little cooperation between the Entities' individual economic institutions and then with

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[120] UNDP, *Donor Mapping Report - 2007: Donor Coordination Forum in BiH* (April 2008) 41-45. Available at:
http://www.donormapping.ba/pdf/DMR-2007-ENG.pdf

[121] Azra Hadžiahmetović, "Dayton 'construction error' blocks Bosnia's path to prosperity: Don't Expect an
economic revival in Bosnia until its constitution is drastically simplified," *BIRN*, November 18, 2005,
http://birn.eu.com/en/10/10/1228/ (accessed November 12, 2010). In her assessment, Hadžiahmetović says the
economy is not the core problem; it is the fragmentation of the political system, which prevents meaningful
cooperation. International agencies even complain that it is nearly impossible to get reliable statistical data for
development plans, and necessary EU pre-accession funds are being held up due to bureaucratic obstacles.

those on the state level. The resulting fragmentation and lack of coordination has had serious consequences. Unemployment is still at a pernicious 29-45%, GDP in 2005 was only 60% of prewar rates, lending to private industry is low and interest rates are higher than the European average, the grey economy accounts for nearly one third of GDP, the balance of trade deficit in 2009 was 29% of GDP, and Bosnia receives 10 times less investment than its neighbor Croatia.

Overview of Media Assistance Strategies in Bosnia

This chapter will first offer a chronological overview of the evolution of media assistance in Bosnia to demonstrate how and why it became a key component of democratization policies. Then, the chapter will present the outcomes of these policies on professionalization, commercialization, and institution building within the media sector. This chapter seeks to demonstrate that, despite donors' best efforts, the success of many projects in Bosnia was contingent upon levels of economic development that were never achieved. The impact of the economic situation on the media sector was either not recognized at the time or was deemed to be outside the scope of the media assistance mandate.

In order to understand the dynamic of the media sector in Bosnia and the region, it is important to take a step back to assess the nature of the media in Yugoslavia and the impact the war had on the sector. The Federal Republic of Yugoslavia spent 45 years under communist rule, during which the media space was largely controlled by one political party and one ideology. Some of the toughest legacies to address from this previous system have been the lack of commercial experience, lack of democratic legal and regulatory structures,

and state ownership and political control over municipal broadcast outlets, printing presses, and distribution channels. An even more complex issue is the lack of a tradition of public opinion and responsive government institutions. Under communism, the state and its institutions were frequently circumvented or exploited for personal gain, rather than utilized to meet civic ends. This has led some practitioners to conclude that, even with economic and structural reform, the political culture required for the media to function as a Fourth Estate was not inherent in Bosnia.

During the war, the structure of the media in the region changed dramatically. The formerly integrated Bosnian media quickly split along ethnic lines as the influence of electronic and print outlets shifted. Before the war, in all of Yugoslavia, there were 27 daily newspapers, 17 major news magazines, hundreds of local papers, 202 radio stations, one news agency, and 9 television stations.[122] By 1995 in Bosnia alone, total print media had dropped to 145 news publications (including local papers), while broadcast media, the primary vehicle for propaganda, had ballooned to 92 radio stations, 29 television stations, and six news agencies.[123] By 1996, a year after the war ended, there were over 400 estimated electronic media outlets in the country.[124] As many seasoned journalists had emigrated, served in the army, or had been killed, a new crop of young and inexperienced journalists did much of the

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[122] Mark Thompson, *Forging War: the Media in Serbia, Croatia, Bosnia and Hercegovina* (Luton, UK: University of Luton Press and Article 19, 1999) 7. Another publication estimated that, before the way, media in Bosnia comprised 377 print publications, 54 radio stations, and four television channels, but these numbers do not match other sources.

[123] International Crisis Group, *Media in Bosnia and Herzegovina: How International Support Can be More Effective,* March 18, 1997, 5.

[124] Elmira Bayrasli, ed., *10 Years OSCE Mission to Bosnia and Herzegovina 1995-2005* (Sarajevo, March 2006) 126.

local reporting, with no formal training. A resulting lack of professional standards and virulent nationalism prompted interventions from international organizations. The Open Society Institute, for example, established the Soros Media Center to provide equipment and training to independent journalists, to counter wartime propaganda. The non-nationalistic Sarajevo daily *Oslobodjenje* and the news agency SAFAX (Sarajevo Fax) received donations from the international press as well as from various European non-governmental organizations.

The Dayton Peace Accords did not directly address media development. The agreement made reference to the right to freedom of speech only in its provisions for elections and human rights, but later political and legal reforms to safeguard freedom of speech were laid out in Annex Four. Since the media had such a powerful influence during the war, policy analysts believed the media should in turn be able to support the reconstruction and reconciliation processes for a new Bosnian state and society. Initially, since there was no clear mandate for media development, programs emerged loosely as donors responded to the evolving situation and adapted their approaches.

The United States government, through USAID alone, spent $38 million between 1996 and 1999 on media related programs in the country.[125] Estimates that include European funding total a minimum of just under $131 billion for media assistance in the decade from 1996 to 2006, yet many organizations and government agencies have not reported their numbers, which means the actual figure is significantly higher. The overall range of actors involved was

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[125] USAID Bosnia-Herzegovina, *Fact Sheet: Assistance for Free and Independent Media* (Sarajevo: USAID BiH, 2006) http://www.usaid.ba/fact_sheet_files/media-feb%2006.doc (accessed September 15, 2006).

broad, and by 1997 there were reportedly "17 foreign governments, 18 UN agencies, 27

intergovernmental organizations, and about 200 nongovernmental organizations (NGOs)"[126]

assisting reconstruction in Bosnia. While only a small segment of them were directly involved

in media development per se, many humanitarian NGOs and international agencies conducted

small media-related trainings to advance their causes. Media assistance became a "silver

bullet" for everything from disseminating reconstruction information and news to quelling

ethnic tensions.

The 1996 elections, the first after the war, constituted a major test of the peace agreement and

of the capacities of international governing bodies. The OSCE was in charge not only of

monitoring the elections but also of overseeing political debates and election coverage. The

Provisional Election Commission (PEC), under the auspices of the OSCE, established The

Media Experts Commission (MEC). Its mandate was to create an open yet responsible media

space by enforcing the PEC election rules, guaranteeing freedom of speech in the media and

balanced coverage of the political party platforms. Short-term financial assistance went to

local non-nationalistic media as well as toward financing the creation of new independent

outlets and media monitoring to check standards and practices. With little time to prepare for

the elections, it was impossible to transform state broadcasters per European standards, so a

more expedient solution was implemented. The showpiece of the Office of the High

Representative's media strategy was a $10 million-dollar television project,[127] the Open

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[126] McMahon and Western.

[127] According to Kumar, combined US and European donations in the first year were $10.2 million, but total estimated expenditures were $15 to $20 million. The US invested $2 million the first year and then $1 million from 1997-2000. See: Krishna Kumar, *Promoting Independent Media: Strategies for Democracy Assistance* (London: Lynne Rienner Publishers, 2006) 98.

Broadcast Network, locally referred to as "TV-Bildt," named for then-High Representative

Carl Bildt. It was envisioned as an independent commercial television network that would

function as a balanced source of news and information for the elections, and for which the

international community would be able to fully monitor content. In the long run, it was

expected to act as a model network that would set standards in the Bosnian media industry.

The reality of TV-Bildt was far from these lofty hopes. The network was assembled in haste

with a conspicuous amount of financing, resulting in a fair amount of waste that caused

resentment among local journalists who believed the money could have been better spent on

other projects. Management was "top down" and poorly coordinated since it was administered

by the Office of the High Representative and run by various international specialists.[128]

Although the station was equipped with the latest technology, had hired many of the top

journalists in the country, and was comprised of a small network of stations from both

entities, it gained little credibility. Its programming was generally considered unimpressive,

though technically slick and with an international format, and tended to cover topics deemed

important to the international community but not to the local community.[129] Despite the

urgency and importance of the project, it only went on the air one week before the elections

and therefore never had the chance to play its anticipated role. Instead of becoming a model

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[128] Kumar, 98-108.

[129] For instance, the international community's highly publicized search for the war criminals Radovan Karadžić and Ratko Mladić was intended to rally support for their apprehension and to help create an awareness of individual as opposed to collective guilt. Unfortunately, it had the opposite effect and fostered more suspicion and fear in the minds of Bosnian Muslims (Bosniaks), thus lending support to the SDS (Bosnian nationalist party).

for commercial broadcasting, it became a symbol of misguided internationally-sponsored projects.

That first post-Dayton election provided many hard lessons for the international community. Unfortunately, due to the volatility of the political environment and weak oversight, the political debate remained inflammatory and journalists very often found that their rights were violated and their freedom of movement constrained. A common feature of all three ethnic enclaves was the continued dominance of often nationalistic state- or entity-controlled electronic media. There was chronic over editorializing, prone to "inflammatory generalizations like 'Serb fascist hordes' to describe persons from Republika Srpska."[130] Of those polled in September 1996 by *Dani*, 46.6% said television was their main source of information, while newspapers came in at just 7.54%.[131] At the time, newspapers were very expensive relative to average income; and in the Republika Srpska (RS) the situation was even more pronounced since there were fewer sources of news. The result was disastrous – votes fell exactly as they had in the 1990 election that preceded the outbreak of violence. Not only was the timing and coordination of media projects off base, numerous voting and media violations only served to solidify the post-conflict status quo.

The election results instigated reforms upon reforms. On May 14, 1997, the Peace Implementation Council signed a declaration in Sintra, Portugal that codified the development

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[130] Office of the High Representative, *Bosnia and Herzegovina: Essential Texts,* 2nd revised and updated edition (Sarajevo: January 1998) 106.

[131] International Crisis Group, *Media in Bosnia…*, 5.

of an independent media as a policy objective. It broadened the scope of media policy and

significantly increased enforcement mechanisms. In an effort to control inflammatory

broadcasts, the OHR was given the "extraordinary power"[132] to "curtail or suspend any media

network or program whose output is in persistent and blatant contravention of the spirit or

letter of the Peace Agreement."[133] Such undemocratic policies were deemed necessary by

international actors in a post-conflict environment, to protect the peace and create stability for

a future transition. This seeming hypocrisy seriously impaired the credibility of the governing

authorities and many media outlets saw these actions as interference rather than improvement.

A following meeting in Bonn, in December of 1997, called for the establishment of an

independent media council to regulate the media sector and enforce the newly established

media protocols.

Despite the best of efforts, policies in Bosnia were more reactive than proactive. In the

absence of any regulatory bodies or self-regulatory mechanisms, donors funded copious

training seminars as a means of professionalizing the sector. In both an effort to improve

coordination and a reflection of spheres of influence that had emerged due to ideological

divisions among donors toward media development, the US and the Europeans concentrated

their efforts in different areas. European donors focused on transforming the state broadcaster

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[132] The term "extraordinary power" refers to the Bonn Powers, which were laid out in 1997 during a meeting of the Bosnia Peace Implementation Council. The powers allowed the High Representative to take all necessary measures to implement the peace accord, be it imposing legislation or removing obstructionist officials. Such actions are usually termed a "decision" by the OHR and are often viewed as undemocratic means to a supposed democratic end. "While the Bonn powers were conceived as emergency powers to confront concrete threats to the implementation of the peace accords, they have today become the regular instruments of an open ended attempt to develop institutions by decree." See: Gerald Knaus and Felix Martin, "Travails of the European Raj," *Journal of Democracy* 14, no. 3 (July 2003): 69. Available at: http://www.journalofdemocracy.org/articles/gratis/KnausandMartin.pdf

[133] Tanya Domi, *The Media Experts Commission 1998: Final Report*, November 30, 1998 (OSCE, Sarajevo) 8.

into a public service broadcaster, while the US supported independent commercial media and market development via direct assistance to favored outlets. Policy analysts mapped the media sector within an "enabling environment," which launched the state building phase of institutional and legal reform.[134]

Donors set out to foster the proper environment for a thriving independent media. Primary areas of focus were reform of the legal and regulatory environment and transformation of the state broadcasters. The OHR and OSCE, responding to the call for a dedicated regulatory body, teamed up to create the Independent Media Commission (IMC) in 1998, which was merged in 2001 with the Telecommunications Authority to become the Communications Regulatory Authority (CRA).[135] Funding was provided by the US Department of State and the European Union and its mandate was "to issue licenses to all electronic media, to regulate the frequency spectrum, to implement a code of conduct for radio and TV, to determine license fees, and to establish a mechanism to protect the work of the media."[136] The broad objectives of the IMC were to liberate the media from direct political influence and to help them adjust to Western European standards of journalism. The first hurdle was to bring order to the anarchic "Wild West" broadcast environment that had 280 broadcasters operating on 750

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[134] International experts were hired to write assessments and analyses of the reconstruction efforts. As discussed in Chapter Two, one of the most influential was, "The Enabling Environment for Free and Independent Media" by Monroe Price and Peter Krug. This was the first analysis to take a systemic approach. As a lawyer, Price's focus in the article is on cultivating the proper legal environment for independent media to flourish. He does mention that economic reform is critical and warns that it must be "in balance" with political reform to have the required impact on media law.

[135] This merger was accomplished by a Decision of the High Representative.

[136] Independent Media Commission, *Report by Independent Media Commission March to June 1999* (Sarajevo: IMC, 1999).

transmitters.[137] By 2000, through a long-term licensing competition, the CRA was able to reduce the number of legally operating stations by about 30%. This was achieved by requiring stations to exhibit balanced programming, "sufficient finances, management skills, adequate technical standards, and some semblance of audience research."[138]

Legal reform was an enormous task, also led by the OSCE and the OHR, and included reforms to the Permanent Election Law, Equitable Access Guidelines, the Bosnia and Herzegovina Press Code, and the Bosnia and Herzegovina Press Council Code of Implementation. Two of the most important reforms were the decriminalization of libel and defamation,[139] as well as the establishment of a Freedom of Information Act. Journalists faced many threats, which restricted their movement and reporting. And they, along with many news outlets, were frequently charged with libel as a quick way to silence or bankrupt them. Without a Freedom of Information Act journalists did not have access to the information they needed to do any serious investigative reporting. Donors learned the hard way that no matter how good the laws were on paper, in order for them to be used, they had to be understood.

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[137] Dan De Luce, *Assessment of USAID Media Assistance in Bosnia and Herzegovina, 1996-2002* (Washington, DC: USAID, 2003) 19. During an interview, Regan McCarthy, Director of the OSCE Media Department, noted that the reported 750 transmitters throughout Bosnia would amount to one for every 17,000 inhabitants, as opposed to one for every 300,000 in the US and one for every 250,000 in the UK. This number of media outlets is totally out of proportion to the population.

[138] De Luce, 19.

[139] Local politicians resisted the decriminalization of libel and slander to such an extent that the law had to be changed via a decision by the OHR. On a few occasions the OHR has had to step in to enact media related decisions or decrees in order to force policies through the system. This was the case with the issue of illegal transmissions from Croatia and Serbia, laws pertaining to the transformation of the state television into a public broadcasting service, and in calling for an end to criminal sanctions for defamation until new legislation could be put into effect.

Therefore, the OSCE introduced The Media Law initiative, a project to educate lawyers, the judiciary, and media outlets on current media laws and how to use them.

But it was not enough to reform Bosnian institutions; the donor community learned that they had to reform their approaches as well. While many noble efforts were put forth, aid was riddled with problems, including a lack of coordination that led to much duplication, unsynchronized policies, and inconsistent funding. A complex yet chronic problem was that much media assistance was not appropriately synchronized with reform in other sectors, specifically economic reforms, privatization, and business development.[140] In addition, project funding from donors was typically granted for one to three years, in order to address a specific issue. After that period, donors frequently ended funding in favor of supporting a newly identified problem area. The peril in this cycle was that it could take three years just to launch a significant project; pulling funding after three to five years could kill a program just as it started to become effective.

In some cases, IGOs and NGOs put the promotion of their own projects, programmatic "territory," and reputations before the overall welfare of reconstruction. As a result, many local NGOs replicated the divisions and petty competitions seen in the larger IGO community. In a continuing effort to address donor issues, the OHR was given a more significant role in coordinating international support to independent media projects, including regular media roundtables in Sarajevo with all major donors. A detailed database of existing

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[140] De Luce, 47. In De Luce's Assessment of USAID Media Assistance from 1996-2006 he concluded, among other things, that assistance was managed from too many different government agencies and that it was "pursued in isolation from USAID expertise in other sectors such as business development and privatization. A thriving media depends on the wider business and communications environment."

and proposed projects was set up to create an effective instrument for avoiding overlap

between donors and agencies, and to promote cooperation among them.[141] Efforts were

earnest but the results were weak, and a 2001 report by the Soros Foundation quipped that "no

other place in the world knew of more coordinating bodies with less coordination than B-H

[Bosnia]."[142] International assistance was too frequently transitory, imbalanced, and

conditional, making for an unstable environment for development.

By 2000, most of the smaller donors began pulling out of the Bosnian media sector as its

needs shifted from short-term interventions to more complex long-term development.

Training fatigue, frustration with poor professional standards, and the oversaturated market

gave momentum to establishment of the IMC as a broadcast regulatory body as well as to

establishment of the Press Council and The Association of BH Journalists/ BH Novinari, a

journalist association, as self regulatory bodies. During the period between 2000 and 2003,

the institutional structures and legislative procedures required for democratic development of

the media sector were put in place. By 2003, there was a programmatic shift toward business

development, civil society strengthening, and the media's role in supporting good governance.

This included fostering domestic content production, especially investigative journalism in

selected local outlets, along with support for the institutionalization of training centers,

university reform, professional associations, and media related NGOs. Then, after 2004, very

little funding entered the sector for new programs. Those major donors still investing in media

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[141] Office of the High Representative, 260.

[142] Open Society Fund Bosnia-Herzegovina & the Soros Foundation, *International Support Policies to SEE Countries: Lessons (Not) Learned in Bosnia-Herzegovina* (Sarajevo, 2001) 168.

assistance put their efforts into developing sustainability strategies and business models with their core grantees as the final phase of their exit strategies.

Ecology: The Media Development Tool Box and a Disabling Enabling Environment

Despite the ad-hoc nature of media assistance in Bosnia, a rough template for media development did emerge to inform future interventions. The broad goals of building a pluralistic and sustainable independent media sector to support good governance, civil society, rule of law, and a marketplace of ideas were core concepts. To that end, the media environment was mapped, critical institutions and legislation were identified, and a tool box of strategies was developed. In practice, policies were designed for a two-pronged approach to commercialize and professionalize the sector. Training and institutional reform were meant to raise professional norms to Western standards, and financial and technical support to create a balanced market of sustainable, independent news sources and a public service broadcaster. Although ostensibly all the necessary structures are in place, the sector is not functioning as expected and many primary media outlets represent ethnic interests over civic responsibility in an oversaturated and weak media market that depends upon surreptitious financing from political and business interests.

Much of the current analysis blames the situation in Bosnia on the complex political structures of the Dayton Accords and subsequent international oversight, or on the legacies of the war and the communist system. An area of critical importance that has not received adequate consideration is the role of economic development in democratic transitions. As discussed in previous chapters, commercialization and professionalization have been most

successful in creating media that support democratic practices in countries with particular

levels of economic growth. The following section will explore the evolution of specific

institutions and organizations and discuss their strengths, weaknesses, and distortions that

have arisen. A lack of economic development has undermined institutional development,

preventing the emergence of professional values, democratic practices, and market regulation.

Professionalization and Supporting Institutions

The primary catalysts for professionalization were educational institutions, professional

organizations, and regulatory agencies. Per donor policy objectives, universities and training

centers would teach required skills as well as the role of independent media in a democratic

society; professional associations would promote self-regulation through the

institutionalization of codes of ethics and advocate for journalists' rights; and regulatory

agencies would bring order to and enforce standards in the broadcast arena. Together, these

institutions would, it was thought, give the profession the identity, mandate, and agency it

needed to act as a Fourth Estate.

Training

The Mediacentar Sarajevo

Of the three largest postwar training initiatives – Media Plan Institute, Internews BiH, and

The Mediacentar Sarajevo (MC) – only the Mediacentar is still operational and its scope of

activities has shifted dramatically. These parallel educational organizations were initially

established by donors as short-term programs intended to fill the gap until University reform

could be undertaken. They were critical to the sector; journalists participated in sponsored

trainings and trainers spent additional time in selected outlets working with the entire

organization to improve management, marketing, and business practices. The Mediacentar

was sponsored by the BBC, the Soros Foundation, and the British Know-How fund in 1995,

while the war was still raging. Between 1996 and 2003, they trained 13 cohorts of broadcast

journalists from all over the country and region. In 2003, the BBC training program ended and

other donors, including Soros, were phasing out. From 2003 to 2006, the Mediacentar

implemented programs on behalf of USAID and received direct grants for technical

assistance. With donor support on the wane and fees out of the reach of most individuals and

institutions, the organization was forced to diversify its programs beyond training in order to

survive.

In an effort to develop a sustainability strategy, the Mediacentar registered itself as a for-profit

LLC in 2000. In 2002, the organization purchased its own building, and again expanded its

real-estate holdings in 2004 through use of its own profits, a bank loan, and donor support.

The purchase of real estate with the aim to generate income by renting out space is a tactic

employed by several media related organizations in Bosnia and in the region, and profits are

used to support their greater professional mandate. According to financial analysis in their

ten-year report in 2005, Mediacentar profits had decreased but their sales revenues, property

value, and donations had continued to rise, enabling them to maintain operations.[143]

Economic realities, as is often the case, motivated significant innovation in Bosnia, offering

many new services to the media community yet fewer training programs. A new business plan

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[143] Mediacentar Sarajevo, *Mediacentar 1995-2005* (Sarajevo, 2005) 55.

for the Mediacentar in 2006 targeted five profit centers: 1) iDoc, an information

documentation center; 2) Center for Media Training, offering education in print, broadcast,

and online journalism; 3) Center for Media Policy, which conducts research on and

monitoring of the BiH media sector; 4) Center for Strategic Communication, offering training

in public relations and communications consulting services in partnership with the Center for

Strategy and Communications in London; and 5) Production Center, one of the country's

leading independent production houses. The organization also offers publishing services,

space and equipment rental, and use of the Mediacentar Café Club for event hosting – which

brings in additional revenue under a separate license. This type of innovation is critical to the

survival of any organization and the Mediacentar has been a model for other organizations in

the region facing similar challenges. While the market may not support greater training

initiatives, the unanswered question is whether training needs can even be met under current

market conditions.

Media Plan Institute

Media Plan Institute (MPI) was among the first locally-established NGOs and played a

significant role in providing hands-on training for journalists, as well as providing research on

the developing media scene in Bosnia. However, it was not able to innovate or find a

sustainable business model and was forced to slowly shut down its programs as donor funding

ran dry. The organization was started during the war as an informal news service, Sarajevo

Fax (SAFAX), sending reports to friends and colleagues in France before expanding into a

media monitoring role and offering analysis of the media sector to international organizations

that were operating in the country. In 1998, the MPI established a school of journalism for

short-term trainings in partnership with the High College of Journalism in Lille, France. Two years later, the program was renamed the Media Plan High College of Journalism and a year-long certificate program for future journalists was added. A primary goal for the future of the College was to align the curriculum with the Bologna process so that their certificate would be internationally recognized. Students were required to be bi- or multilingual and have already received a BA, or be in the final phases of completing their undergraduate studies, to be accepted. The student body hailed from all over the region and donors provided full funding for all students, not just those from Sarajevo. Over 140 students in 7 cohorts were trained. The curriculum was 80% practical and 20% theoretical, and the daily routine mimicked that of real newsrooms, teaching students through practice of the craft – something still lacking in the university system.

In an ongoing effort to diversify and survive, MPI launched an online magazine in 2000, in cooperation with their news service SAFAX, to cover media issues in Southeastern Europe. A spin-off organization was also created, the Association Media Initiatives (AMI). AMI, the goal of which was to "support the development of professional journalism in a post-conflict environment," focused on educating minorities, particularly Roma. The Media Plan Institute earned a great deal of respect locally and regionally for its public interest programs, and cooperated internationally with various educational and media institutions. Unfortunately, in 2005, the College was unable to take a new class of students due to a lack of funding and the inability of students to pay fees on their own. By 2008, MPI had yet to find a financial strategy that could keep them operational and by 2012 their website appears to have been taken down.

Internews

Internews is another example of an organization that reinvented itself numerous times. It began as a USAID-sponsored broadcast training program in 1996, and then moved into local production before registering as a local NGO by 1999. In 2000, Internews secured grants to launch a journalism training program at the University of Sarajevo to balance its heavily theoretical curriculum. Over five years they trained nearly 1,500 students but, like MPI, the training they offered was too expensive for students to pay individually and the University did not have the budget to continue the program.

Although five universities in Bosnia have journalism departments, journalism education needs were not being met according to sources for this study. International governing bodies as well as local decision makers in Bosnia believed that the university system must be the primary venue for journalism education and therefore fully embraced the Bologna Process. The Bologna Process, meant to harmonize the country's university system with new European standards, began in 2004 but was protracted and fraught with problems. According to a 2006 report, Bosnia was last among 45 nations to implement the reforms and its education remained over-politicized and underfunded.[144] Reforms were mired in legal battles over the passing of relevant laws, political struggles over language and cultural rights, and prevailing suspicions that professorships and diplomas are often awarded based on connections or bribes rather than merit.

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[144] "Story 1: Bologna; BiH Has Pledged to Reform and Improve Higher Education, But it Hasn't Done Much," *Izvor*, January 20, 2006, http://www.cin.ba/Stories/P4_Education/?cid=339,1,1 (accessed February 22, 2006).

According to journalism Professor Besim Spahić of the University of Sarajevo, "on paper all the reforms have taken place. In practice: nothing. There is no accountability, no connection between faculty, unions, and media outlets; no cooperation, no community."[145] In the Bologna system professors are not supposed to have more than 30 students in a class, but Spahić had over 300, with no assistant. There were nearly 1,200 journalism students in Sarajevo alone in 2006, far more than the University could accommodate, and many more than could find opportunities in the media sector upon graduation. In addition, many journalism professors, having received their education during the previous system, had to learn a new curriculum that is quite different from the more theoretical and historical approach they were accustomed to teaching. A larger and related problem was that most had never even worked in a newsroom; as the range of educational opportunities in Bosnia withered, so too it seems, did the quality.

Regulation and Self-Regulation

Regulatory agencies, coupled with industry and member associations, are some of the strongest mechanisms for professionalizing the media and enhancing the sustainability of the sector as a whole. When strong, they provide a venue for establishing professional identity and standards, promoting self-regulation through the institutionalization of codes of ethics and providing a mechanism to organize for professional advocacy. From 2001 to 2006, international donors invested heavily in establishing and developing these organizations, which have borne the brunt of the country's fragmented political and social environment and

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[145] Dr. Besim Spahić, interview by author, September 13, 2006.

weak economy. Despite heavy investment, media professionals and survey respondents for this study still saw professionalization as a serious concern for their organizations.

Journalists' Associations

BH Novinari

One of the most significant developments in the country's advocacy sector was the establishment of BH Novinari/ The Association of BH Journalists in 2004, the goal of which was to create a platform of professional interests that would supersede ethnic politics. It united three distinct associations: the Independent Union of Professional Journalists of BiH, from Sarajevo; the Association of Journalists (APEL), from Mostar; and the Independent Association of Journalists of the Republic of Srpska, from Banja Luka. It took four years of negotiation to merge the three associations any by 2007 BH Novinari had 600 members. It represents the interests of print, broadcast, and online media journalists from all over the country.

The mission of BH Novinari is to become the leading media association for protection of journalists' rights as well as for the promotion of professional standards and democratization of the media sector. To meet these goals it worked on the development of the Press Code, lobbied to have the VAT rescinded on newspapers, and it runs a Media Help Line that provides free legal assistance to journalists. BH Novinari also conducts research, does media monitoring, and organizes trainings and other special events. The association closely cooperates with other local media organizations, such as the Communications Regulatory Authority (CRA/RAK), the Press Council, the Mediacentar, and the Media Ombudsman. One

of their most important projects was a working group on employment rights for journalists,

funded by the Friedrich-Ebert-Stiftung Academic Foundation, which aimed to pass a

collective agreement on labor rights for media professionals at the state level. One of the

biggest obstacles to professionalization has been the fact that many journalists work without

contracts and, while pay rates have rose at some outlets over the years, at other less affluent

outlets, pay levels are actually declined.[146] Coupled with extremely long work days and a lack

of benefits, the prospect of more security in related fields, such as public relations, means

journalism faces a high attrition rate.[147] This results in high turnover and an industry drain – a

reality which can be attributed to the fact that laws or agreements at the state or entity levels

are not effectively regulating employment practices.[148]

Unfortunately, BH Novinari suffered a major setback in 2006 with the discovery that an

employee had been mishandling funds from a benefit plan that was offered to journalists

working without contracts. In an effort to rescue the institution, USAID and Press Now

provided guidance and financial support to create a strategic plan for the near term and a

business plan for the longer term. At that time, BH Novinari was entirely donor dependent, as

only 10% of its funding came from the collection of membership dues. Their plan was to

increase that amount by 30% each year, and they estimated they could reach sustainability by

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[146] The Independent Journalism Center-Moldova, *Labor Relations and Media: Analyzing Patterns of Labor Relations in the Media of SEENPM Member Countries* (Chisinau, Moldova: IMS, 2008) 103-107. Available at: http://ijc.md/Publicatii/resurse/Labor_Relations_and_Media.pdf

[147] *Media Sustainability Index (MSI) 2011: Development of Sustainable Independent Media in Europe and Eurasia* (Washington, DC: IREX, 2010) 20.

[148] Dr. Tarik Jusić, et al., *Democracy Assessment in Bosnia and Herzegovina,* Open Society Fund Bosnia-Herzegovina (Sarajevo, 2006) 301.

meeting 70% of their budget with revenue from dues.[149] But, the allegation of fiscal

impropriety mentioned above seriously compromised the reputation of the Union, impacting

dues collection as well as their legitimacy. Still, in 2007, BH Novinari announced the

establishment of a "Solidarity Fund" to assist journalist members in the case of job loss,

illness, or any other similar threat; and they adopted a 3-year business plan that aimed to

reduce donor dependence by 60%. While they continue to require donor support, the

organization has managed to remain true to its mission, recently organizing a series of public

debates that examine the role of the media and worked closely with the Council of Europe to

monitor election coverage in 2010.[150]

Regulatory Agencies

The regulatory environment in Bosnia consists of two core organizations; the

Communications Regulatory Authority (CRA), an FCC-style organization for regulating the

broadcast environment, and The Press Council, which promotes self-regulation within the

print media. Both were firsts in the region and have been used as models for other countries,

yielding important lessons in institution building for the donor community.

The Communications Regulatory Authority (CRA)

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[149] Borka Rudić, interview by author, September 7, 2006.

[150] BH Novinari, "Events," http://english.bhnovinari.ba/index.php?option=com_content&view=category&
id=63&Itemid=241&lang=en (accessed January 4, 2012).

The CRA is frequently hailed as one of the greatest media development success stories in Bosnia. Originally formed in 1998 by the Office of the High Representative and the OSCE, as the Independent Media Commission (IMC), it was "a regulatory body authorized to issue licenses to all electronic media, to regulate the frequency spectrum, to implement a code of conduct for radio and TV, to determine license fees, and to establish a mechanism to protect the work of the media."[151] Today, one of the CRA's primary missions is to support a market-oriented and competitive communications sector for the country. Since 2001 it has been locally run, and since 2005 the CRA Council is entirely Bosnian. It is also one of the only organizations that is financially self-sustainable from licensing fees.

A primary challenge of the CRA has been maintaining independence from political influence. In 2002 the Council of Ministers attempted repeatedly to reduce the operating budget of the CRA by 25%, despite amendments proposed by the Ministry of the Treasury. Intervention by the OHR was necessary to protect the independence of the Agency. Again, in 2004, the Council of Ministers interfered with the financial stability of the CRA by proposing its staff convert their salaries to civil service scales, opening them up to government regulation. Then in 2005, the CRA faced pressure from the Council of Ministers once more when it recommended that 1.1 million KM be transferred from a surplus in the Agency's operating budget to support a deficit in BHT and BH Radio 1 satellite channels. The CRA is in a constant struggle to resist various forms of political and economic coercion.

The Press Council in Bosnia and Herzegovina

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[151] Independent Media Commission, *Report by Independent Media Commission...*

The Press Council was the first self-regulatory body in Southeastern Europe and struggled for a long time to carve a niche for itself in the Bosnia media sector. It was established in 2000 by the British Press Council, with additional core support from the OSCE, IREX, and the CRA. The conceptual framework of the Press Council was modeled after the British system and has two primary functions geared toward solving chronic problems in the Bosnian media sector. The first is to increase professional standards through self-regulation, via the adoption of and adherence to the Bosnian Press Code, written by the journalists unions. The second is to act as a complaint mediator, resolving disputes between citizens and the press when allegations of unprofessional reporting are made. In the past, when libel was still a criminal offense, politicians and businesses frequently used the courts to threaten media organizations who did not report favorably about them. The Council provides a more efficient and fiscally responsible means for resolving grievances. Disputes are to be addressed by "right to reply, publishing of retraction, apology or denial."[152] Unlike the CRA, the Press Council has no legal capacity to levy fines or sanction print media in violation of the Press Code. Unfortunately, outreach to media organizations and the public was insufficient at first, leading to a general misunderstanding of the Council's purpose. Outreach efforts since 2006 have corrected this misperception, but arguably should have been implemented from the outset.

Since its inception, the organization has struggled to develop a focused mandate, structural coherence, a clear identity, local legitimacy, and most importantly economic viability. In 2005, publishers complained that although the Council had merit, it was too often ignored and

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[152] Press Council of Bosnia and Herzegovina, *The Press Council of Bosnia-Herzegovina: The Strategic Plan 2006-2008* (Sarajevo, 2006) 2.

was unable to enforce the Press Code. Jozo Pavkovic, editor-in-chief of *Vecernji List*,

commented, "today, nobody cares about the law, so you can imagine how much they care

about the Press Council."[153] The Council also experienced a rapid succession of turnover in

leadership in its first few years, keeping the organization in a constant state of flux; in the first

six years, it had three directors and three chairmen. The Executive Director, Ljiljana Zurovac,

reorganized the Council in 2006 to bring it in line with European standards and better

integrate it into the Bosnian press sector. Zurovac believed the organization's difficulties

stemmed, at least in part, from a failure to engage publishers from the onset in the

development of the Council. [154] In addition, due to international leadership in the early stages,

the Council was unable to efficiently assess or react to local needs and was hence viewed

more as a foreign project than as a valuable domestic institution.

The previous Director of the Press Council, Nerman Durmo, believed the two biggest

challenges were the lack of a clear mandate and financing. The donors "wanted publishers but

there was no publishers association so we had to talk with each one individually. No one

wanted to cede control. The Press Council was supposed to be a self-regulator, the profession

giving advice to the profession, not a regulator as in some kind of censorship, but they did not

accept it. Those that did want to help did not have the money, and those that had the money

understood it as a form of control, which was not true." Durmo was frustrated with

"international experts" who told him that the newspapers should finance 50% of the

organization; he agreed this would solve the funding problem but it was impossible to force

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[153] Yasha Lange. USAID. *Self-Financing of the Press Council in Bosnia and Herzegovina* (USAID & Chemonics International, 2005) 5.

[154] Ljiljana Zurovac, interview by author, September 12, 2006.

publishers to cooperate. The donors, he explained, "thought if they helped some media or the Press Council for 2 to 3 years, they could create the conditions for them to continue themselves. It was optimistic, really, they would need at least ten years. And even then they would need to be really organized and have a good strategy of how and who to give support to."[155]

Even after the reorganization, the Council was still considered feeble by media professionals because it had no means of sanctioning breaches of the Code and citizens did not appreciate that it was a mechanism for them to demand accountability from the press. In September 2005, for instance, the Communications Regulatory Agency hosted a seminar, "Promotion of Quality Journalism in Sarajevo" in which it was concluded that self-regulation was too weak and that a form of co-regulation should be considered. Participants voiced a need for professional and advocacy organizations in Bosnia to take more coercive action. BH Novinari was called on to be more proactive regarding breaches of the Press Code, and the Press Council to publicize them. The CRA recommended a similar regulatory model for print journalism as well. Efforts to get media outlets and professional associations to promote and uphold self regulation through codes of ethics had largely failed. The perceived need by those in the sector for overt regulation of the print media opens up a Pandora's Box of concerns over censorship and self censorship.

The Press Council's Strategic Plan 2006-2008 stated, "the number of complaints to the Press Council has decreased over the past years for several reasons. It appears that the public is

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[155] Nermin Durmo, interview by author, February 21, 2006.

somewhat indifferent, that is does not expect a complaint to the Press Council to help much or prefers to go to the court for financial compensation. There is little awareness of the need, functions and effectiveness of the Press Council."[156] In an effort to build its credibility and relevance, a settlement has been made with the courts requiring that all complaints be vetted first by the Council. Only the most severe infractions are then directed to the courtroom. Increased cooperation with BH Novinari, CRA, and the Media Ombudsman has raised awareness of the Council's capacities.

The Council has also engaged in educational outreach, organizing conferences and roundtables and establishing a regular "School of Media Ethics" seminar – this five-day intensive introduces students to a wide range of topics, including the application of ethics in journalism and how to recognize breaches to the Press Code. Most local journalism curricula do not include ethics, so the Council offers a key democratizing component with this seminar series, which has been supported from its inception by the German Embassy.

The 2005 IREX Media Sustainability Index for Bosnia noted that "there are not enough nongovernmental organizations (NGOs) working to actively protect and promote free speech."[157] On the contrary, there were sufficient organizations in the sector, but they were too weak to perform their function. The legal structures that support free speech have been similarly weak and, despite consistently higher MSI ratings for free speech in Bosnia through

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[156] Press Council of Bosnia and Herzegovina, *…Strategic Plan 2006-2008*, 4.
[157]*Media Sustainability Index (MSI) 2005: Development of Sustainable Independent Media in Europe and Eurasia* (Washington, DC: IREX, 2005) 25.

2010 – when the legislative framework was called "more stable as time passes"[158] and much progress was thought to have been made in its implementation – by 2011, Bosnia's free speech rating dropped nearly half a point and legislation was said to "lack strong mechanisms."[159] The media sector still has not professionalized enough to have established a common professional identity and a set of professional norms, and is running to catch up with the realities of new media that have emerged on top of already poorly regulated established outlets. Web-based content, for one, has revealed weaknesses in Bosnia's hate speech laws.[160] Nearly two decades after initial interventions, the elements required to foster professional values and differentiate the profession – adequate training and educational opportunities, contracts and benefits, competitive salaries, advocacy organizations and unions, and an effective legal framework – are out of balance, lacking altogether, or too weak to be effective.

Commercialization and the Media Market

Donor policies in Bosnia were based on the belief that commercialization of the media sector would support a marketplace of ideas. Core strategies included financial and technical assistance to "independent news outlets" as well as the transformation of state broadcasters into a public service broadcaster. Subsidies and capital infusions for equipment purchases, market research, infrastructure improvement, as well as subscriptions for news wire and photo services bolstered business capacities and overall sustainability. Management training and newsroom restructuring to ensure solid separation of the business and editorial side of

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[158] *Media Sustainability Index (MSI) 2010: Development of Sustainable Independent Media in Europe and Eurasia* (Washington, DC: IREX, 2010) 19.

[159] *MSI 2011*, 15.

[160] Ibid., 16.

organizations were expected to create the necessary independence from outside political and economic interests. These approaches were designed to reform various layers of the sector over the short and long term. It was also believed that requisite democratic norms would emerge from the interplay of the development of institutions and the market. While donors identified the core institutions of a democratic media sector as well as the need of the sector to professionalize and commercialize, what they did not understand was that success was predicated on the emergence of a very specific dynamic among them.

Efforts to commercialize the media sector by supporting pluralism and independent news outlets – both from local and international initiatives – were in many ways too successful and resulted in a saturated and fragmented market unable to regulate itself. Despite the success of the CRA, the Bosnian broadcast and print markets continue to be exceptionally overdeveloped; in 2011, there were 143 radio stations, 44 television stations, 86 weekly and monthly publications (a number that has nearly doubled in 3 years), and eleven daily newspapers[161] – for a population of 3 million.[162] Many outlets have small to negligible audiences, too small to be supported by advertising or newsstand sales (subscriptions do not really exist) but they survive in some cases through grants, donations or from proceeds from other business interests of the owners. The assumption that broadcast regulation together with market forces would naturally adjust and consolidate the sector has not proven true.

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[161] Ibid., 14.

[162] While these numbers give an appearance of pluralism, in reality only the larger stations can afford to produce their own content. Many smaller stations are re-broadcasting purchased programs or recycling content.

In Bosnia, protracted legal reform, weak rule of law, and political turmoil have allowed tycoons to amass wealth by buying up assets previously owned by the state, from industries to media. Corruption has flourished and these tycoons have been able to prop up their struggling media holdings with profits from other businesses. In fact, this seemed like a good investment strategy since media were not valued as news sources but as tools to enhance and sell their other businesses and to influence politics. This market distortion has been attributed to the phenomenon of hypercompetition, as many small local stations are artificially supported from local businesses, cantonal (local and municipal) governments, or politicians.[163] This practice further fragments and weakens the market, resulting in an oversaturation that leaves some of the best outlets struggling to survive.

A lack of transparency in media ownership has impeded the privatization process in Bosnia as well as the ability to attract foreign investment. The privatization of cantonal media was slow and opaque. The Bosnian Law on Communications and the Law on Competition prohibit the concentration of ownership of the media, but due to problems of implementation, these laws are still not fully institutionalized. Overall, there has been little international interest in investing in Bosnian media because of the bureaucratic barriers, legal complexities, and crowded yet poor market. Weak institutions and a weaker market have only enabled entrenched political and business interests to keep a veiled hold on the sector.

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[163] For an excellent discussion on hypercompetition, see: Ann C. Hollifield, "News Media Performance in Hypercompetitive Markets: An Extended Model of Effects." *The International Journal of Media Management* 8, no. 2 (2006): 60-69.

The Broadcast Sector

The broadcast sector specifically faces many economic and regulatory challenges. Although advertising revenues increased from approximately 14 million euro in 2000 to approximately 100 million euro in 2005, Bosnia had the smallest advertising market in Europe after Albania at that time.[164] Nearly 50% of all advertising revenues went to Federal TV, the public broadcaster, leaving just pennies for remaining stations – a situation that fueled resentment and controversy. Compounding the problem was unfair competition due to a failure of international cross-border regulation. Cable operators from Croatia and Serbia were broadcasting illegally into the country, crippling the domestic market to an even greater extent. According to Samra Lučkin Director of BORAM, a public relations firm and radio network, market research done by Mareco using "people meters" showed domestic broadcasting in complete collapse and illegal cable appropriating 37% of the market in 2006.[165] That same research also indicated an approximate 66% drop in overall domestic ratings. At the time this research was conducted, Lučkin worried that domestic stations and networks, such as ATV Banja Luka and Mreža Plus, would be the first victims of this breakdown. However, both outlets have managed to survive, even in the face of tough economic times, and Mreža Plus has held on to relatively the same market share for almost a decade.

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[164] *MSI*; Samra Lučkin, interview by author, September 12, 2006.

[165] Samra Lučkin, interview by author, September 12, 2006

Mreža Plus

Mreža Plus was established in 2001 as a network of five former television stations of the Open Broadcast Network (OBN), with international assistance for infrastructure and program purchasing. In 2002, Mreža Plus covered 85% of the country, held a 14% audience share, and approximately 25% of the advertising market.[166] Mreža was seen as an important quality driven commercial enterprise – a way to support an alternative to public broadcasting for national news and domestic programming. It was self-sustaining by 2005, yet by 2006 its hard-won success was already being eroded. But, Mreža has subsisted over the years on "commercial programming – from *Desperate Housewives* to Formula 1 races,"[167] and the company recently positioned itself for growth with the signing of a 5-year contract for satellite distribution with Israeli aerospace company Spacecom.[168]

Public Broadcasters

The establishment of a public broadcasting system formed from the pre-war state broadcasters was a protracted and complex process. Donors envisioned a public broadcaster that would function as a national information source and thereby support the emergence of a Bosnian civic identity. The law establishing the system was forced through Parliament in the form of a Decision from the High Representative after years of political squabbles on the national and international levels. It is comprised of three broadcasters: the Bosnia and Herzegovina Public

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[166] Gwyneth Henderson, et al., *The Media Environment in Bosnia and Herzegovina*, USAID Bosnia-Herzegovina (Sarajevo, 2003) 13.

[167] Karol Jakubowicz, *Finding the Right Place on the Map* (Chicago: UC Press, 2008) 156.

[168] Artur Slesik, "AMOS Adds Mreža Plus to Bosnian Neighborhood," Satellite Press Releases, http://www.satprnews.com/2011/03/24/amos-adds-mreza-plus-to-bosnian-neighborhood/ (accessed January 4, 2012).

Broadcasting Service (BHRT), representing the country; the Public Broadcasting Service of the Federation of BiH (RTFBiH), representing the Federation; and the Public Broadcasting Service of Republika Srpska (RTRS), representing the Republika Srpska. The 2005 law regulated the structure and financing of the state-level public broadcasting service and required that each entity (the Federation and RS) pass their own laws harmonizing their entity-level stations with the national BHRT.

These laws were written to provide maximum editorial independence as well as institutional autonomy. The three stations are funded through the collection of a subscription fee, sponsorship, and limited advertising revenues.[169] However, collection of the monthly subscription fee was only just above 50% in 2007, even after a new system was implemented linking it to fixed-line telephone bills, and the 2011 MSI describes fee collection as still "inadequate." One of the primary reasons for this is that these fees have been used as a political weapon by nationalist groups, which advocate boycotting them to protest editorial decisions. RTFBiH and BHRT have also had serious problems with debt, resulting in millions of Bosnian convertible marks (KM) in unpaid salaries and benefits to employees.[170] To further politicize matters, ethnic Croats in the Parliament blocked implementation of legislation and demanded a separate Croatian-language channel. If their wishes had been granted, the country would have had a public broadcast system totally divided on ethnic lines.

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[169] For instance, broadcasters are not allowed to receive any state subsidies for regular programming, only for transmission network construction, protection of archives, and special programs of national significance.

[170] In 2005, the public broadcasters in the federation owed over 10 million KM worth of salary and benefits to their employees. See: Jusić, 288.

The public broadcasting system in Bosnia has in many ways replicated the institutionalization of ethnic divisions. Economic pressures that are often a façade for political pressures have shaped the structure and content of the stations to reflect their political base. After over a decade of donor assistance and guidance from BBC consultants, the OSCE issued this warning in the Spring of 2008 about the state of the public broadcaster in Bosnia: "public broadcaster *BHT1* was under political and financial attack, the work of the Communications Regulatory Agency was being hindered because the lawfully appointed director had been blocked from taking office, the public broadcasting system law in the Federation had been legally challenged, and there were cases of physical and verbal attacks against journalists."

In such an environment the need for independent commercial media is even more important, yet those commercial media are harmed by some of the public broadcasting practices. In an interview for a report on ground-level perspectives on democracy promotion, Nataša Tešanović, Manager of ATV in Banja Luka, described the repercussions of public broadcasting policies coupled with the financial vacuum left by donors: "We now have a terrible situation. You have a public media, especially in RS, which is supported by the government and very connected to the government, and receiving money, taking your people (journalists), influencing firms not to advertise with you. It's a very difficult situation. Without some kind of return of donors I don't know how we'll do. We'll be forced to decrease operations to a great extent, which will then reflect on the quality of programs, on the quality of the people who are doing investigative research; or [it will] fully change the

mission and become some local entertainment channel, but then what's the point?"[171] This comment reveals another paradox of Bosnian media – some, such as Tešanović, want donors to come back and force solutions when systems fail, yet others explicitly blame this failure on those donors.

The Print Sector

The print sector is not faring much better than the broadcast sector, but its success or failure is harder to quantify since circulation and distribution are non-transparent, and the distribution system is still state run, inefficient, and antiquated. Distributors do not keep track of sales or returns and publishers often provide twice the anticipated number in an attempt to claim full distribution. Circulation rates are still not audited despite years of attempts, and estimates are low. Well-entrenched and vested interests are keeping the system from modernizing. There are two schools of thought on why penetration is so limited; some blame the national level of poverty and believe people have to choose between purchasing a newspaper or eggs, and others argue that in a country with over 1 million cell phones, it may simply be a qualitative choice – the print news may not be worth the price.

Nezavisne Novine

The leading daily from the Republika Srpska, *Nezavisne Novine* is another example of a success story that unraveled amid the fragmentation of the Bosnian media space. In 2002 and 2003, it cooperated with IREX on a major overhaul of the newspaper in an effort to give it a

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[171] Sofia Sebastian, *Assessing Democracy Assistance: Bosnia*, (FRIDE, May 2010) 20. Available at: www.fride.org/download/IP_WMD_Bosnia_ENG_jul10.pdf

national voice as opposed to a *nationalist* one. The outlet is an example of one that maximized donor assistance: they started their own radio station (Radio Nes), purchased a printing press, reorganized the newsroom, and restructured management. By 2003, nearly one third of their sales were in the Federation, and it appeared they were well on their way to achieving what had been unimaginable a few years earlier – a national newspaper based in the Serb-dominated Republika Srpska. Statistics from 2006 indicate, however, that their market share dropped to just 9%.[172] While they have faced stiff competition from the many other papers in Bosnia, as well as from those published in Serbia and Croatia, the editorial line of *Nezavisne Novine* has also shifted politically. Since 2006, it has more overtly supported RS Prime Minister Milorad Dodik, whose politics are increasingly divisive.[173]

According to Rosemary Armao, of The Center for Investigative Reporting (CIN) based in Sarajevo, cooperation between CIN and *Nezavinse Novine* was once critical to achieve cross-entity reporting. Many Muslims were reluctant to report from the RS and RS papers did not want to run stories about the Federation. *Nezavisne* was different, gave them the support they needed, and ran their stories – until 2006. Armao explained, "We were doing a lot of things that did not make the policies and personalities in the RS look golden. Our stories then did not get played. At first we got excuses, ah, they are too long, we already did this, we already covered this, and then it became really clear once they bought the competing newspaper. We had nowhere else to go, so we started using some of the magazines, but they just do not have

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[172] Samra Lučkin, interview by author, September 12, 2006

[173] Nezavisne Novine translates as Independent Newspaper but there is a joke in Sarajevo that it should change its name to Zavisne Novine, or Dependent Newspaper.

the reach of *Nezavisne*. And it's heartbreaking because that is a paper that got a lot of

development money."[174]

Distortions

Policy efforts to create the proper enabling environment for a democratic media sector in

Bosnia were widely disabled or distorted by insufficient economic development. Poverty and

poor labor practices, and a lack of legislative initiative, have prevented journalism from

establishing a professional and democratic mandate. Supporting institutions and laws continue

to lack credibility and leverage. Economic and political instability have slowed reform,

creating an opening for tycoonization and the corruption of market forces. With the majority

of the political and economic power in the hands of a few elites, the media frequently reflect

their competing interests, turning the public from audience to spectator. Following are some

examples of such distortions.

Poor employment conditions for media workers in Bosnia hinder professionalization and are a

symptom of the overall economic environment. Labor rights studies from 2002 and 2007 have

demonstrated that many journalists work without contracts, receive irregular salary payments,

lack social security and health benefits, and often work longer than is legally allowed.[175] Job

insecurity leads not only to low morale but also to self-censorship and censorship. As another

study carried out in 2007 reported, "the more precarious and insecure the position of

journalists as workers, the less chance that they will withstand pressures and defend ethical

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[174] Rosemary Armao, interview by author, December 30, 2010.

[175] A 2002 study by the Media Task Force reported that, of 190 journalists surveyed, 58% worked without contracts. See: *Labor Relations and Media: Analyzing Patterns of Labor Relations in the Media of SEENPM Member Countries,* 33.

codes, freedom of information, the right of the public to be informed and other prerequisites

for the media and journalists to fulfill the role ascribed to them in democratic societies."[176]

According to journalism professor Leija Turčilo, journalists shy away from investigative

reporting because of the high risk and low rewards, both in salary and in public response.[177]

The problem is not insufficient legislation; in fact, the constitution incorporates five

international human rights protocols and the entities each have general labor laws on the

books. The problem is implementation, or rather a lack thereof. Many of the laws are too

broad and open ended, and hence are often ignored. Managers are well aware of the

ineffectiveness of both the labor laws and related institutions, and therefore bend instead to

the budget constraints of publishers and the economic pressures of advertisers and the market.

In general, journalists have a very superficial understanding of their rights and thus are not

always confident to stand up for themselves, especially if they fear for their jobs. If they do

want to take action, their options are limited – the courts are seen as inefficient, costly, and

rarely likely to yield satisfactory rulings, and journalists surveyed for this research voiced

fairly low opinions of the capacity of trade unions and professional associations to advocate

on their behalf.

Poor labor conditions coupled with the relationship media owners and editors have with

political and economic elite means media is not necessarily seen as a profession that has a role

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[176] Ibid., 5.

[177] Lejla Turčilo, "Bosnia's Media Truly Reflects its divided Society," *Balkan Insight*, November 29, 2010, http://www.balkaninsight.com/en/article/bosnia-s-media-truly-reflects-its-divided-society (accessed December 11, 2010).

to play in society but rather as a mechanism for individual power and advancement. Editors

and publishers can benefit personally from advertising monies, or by selling shares in their

organizations; and some receive job offers to become advisors to politicians and, in

extraordinary cases, have been made ambassadors by the politicians they have supported.

In an interview with journalist Lidija Pisker about the role of the media in Bosnia, she said,

"they all try to manipulate rather than inform." She believes the biggest challenge to the

media is:

> …to stay objective. When you read articles you know who he (the journalist) is going to
> vote for, is drinking coffee with everyday, and which team he is rooting for. You can
> divide journalists into categories. No one really cares about the facts. They only care
> about blaming someone they do not like. But this is also because journalists are not paid
> enough in Bosnia. I know many journalists who do not have their salaries on time or at
> all, and they are very low. So you lose motivation and you do not care about checking the
> information you get or about publishing lies. I don't believe anything I read now.[178]

According to Senad Pećanin, former Editor-in-Chief of *Dani*, a leading weekly in the

Federation, the power of the press is not in its ability to inform or even shape public opinion,

but in its relationship with elites. When he started his career in 1987 the economic situation

was good, the youth press was very open, and circulation, in his estimate, ranged from

80,000-100,000 for the leading papers.[179] Before the war, he explained, elites were

untouchable, but after the war, major demographic changes moved Bosnia from a "communal

to a criminal culture." Between 1995 and 2000, pressure on the press was largely political;

now it comes from "tycoons." Pećanin said he faces many moral and professional dilemmas

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[178] Lidija Pisker, interview by author, September 12, 2006. Lidija is a journalist, in her late 20s at the time of this interview, whose work is regularly praised by the editors at CIN. She has a B.A. from the University of Sarajevo in Bosnian Literature and a certificate from Media Plan's High College of Journalism.

[179] The figured quoted by Pećanin could not be verified and seemed rather high.

everyday and must make compromises to survive. He shared that he was once offered a bribe by the Federal and Cantonal Tourism Union not to publish a story *Dani* did on the practice of the Union to employ friends and relatives. He also claims to have been punished by one of the largest advertisers in Bosnia, a tobacco company, for refusing a bribe. *Dani* uncovered that the tobacco company was collaborating with a secret branch of the SDA (Muslim Party of Democratic Action) to bring small weapons into the country, and that they not only paid for the arms but also circumvented import regulations. The company allegedly offered him 300,000KM not to publish.

A Value Added Tax of 17% was implemented in Bosnia in early 2006, and had a considerable impact on the print media and publishing industry. Financial pressure from this tax forced print outlets to tighten their belts and Pećanin had to reduce the page count of *Dani* and lower wages in order to offset the increased expenses. In this kind of climate, only the financially strongest can survive, but unfortunately those with the biggest coffers are not necessarily those with the highest standards of journalism or the most transparent business practices. The result may be the shrinking of a bloated market, but perhaps at the expense of quality outlets.

Investigative journalism programs illustrate some of the difficulties both in unsynchronized reforms and with grafting a model of journalism onto a culture with very different historical experiences. Investigative reporting projects have been funded in an effort to empower journalists in their watchdog capacity. The goals have been many: to promote transparency and good governance, to test the political system and new legislation, and to inform and motivate citizens to demand accountability as well as to clean up the corruption and political

abuses that are holding back development. Magazines such as *Dani* and *Slobodna Bosna* practiced forms of investigative reporting for years and were very popular. Donors such as IREX and USAID were earnest supporters of investigative journalism in Bosnia, believing that additional support could provide local outlets with the time, budgets, and editorial capacities to produce credible, fair, and factual stories up to American or European standards. *Dani* in particular received substantial financial and technical support. Early projects ran into difficulties because they were not synchronized with necessary political and legal reforms. Once the Freedom of Information Act was implemented and libel and slander were decriminalized, donors could back investigative programs knowing that journalists had the necessary resources.

One such project is the Center for Investigative Reporting (*Centar za Istrazivacko Novinarstvo*), or CIN, funded by USAID in 2003 as part of a Civic Society Strengthening initiative.[180] New York University (NYU) and its partner The Journalism Development Group (JDG) designed and implemented the project. At the time, I was a project manager at NYU responsible for administering the grant and overseeing JDG's local implementation. The Center is a local NGO comprised of ten reporters from all over the country who are dedicated to producing investigative stories. As a team, they research and report on topics critical to the health of the country, ranging from corruption to university reform to food contamination. Their stories and documentaries are published or aired respectively through the mainstream Bosnian media, normally reaching an audience of over one million. The long-term objective is

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[180] The project was conceived by veteran American journalists Drew Sullivan and Don Pine of the Journalism Development Group. New York University partnered with JDG and received core funding for three years from USAID. The Center was modeled after other investigative centers worldwide, such as The Center for Investigative Reporting-San Francisco and the Philippine Center for Investigative Journalism-Manila.

not only to produce outstanding investigative reporting but also to train a pool of skilled

reporters and editors as well as establish a credible, sustainable organization that can continue

this kind of work.

CIN seeks to act as a model by upholding standards of professionalism; their mission is "to

educate, inform, empower and enrich the people of Bosnia, regardless of ethnicity and class,

in every district and canton, city and village."[181] They hope to counter a prevailing attitude

among many journalists that they are more commentators and political agents than defenders

of civic interests. Yet, there were many challenges in establishing CIN. From the outset their

mandate was questioned, since the funding was principally from USAID – and is therefore

essentially US money. There was some suspicion that CIN were either CIA spies or

propagandists for US policy. On top of that, reporters would sometimes roll their eyes at all

the discussion of lofty ideals of journalism.

The stories themselves were also a hard sell in the beginning because the format was so

different from what editors and readers in Bosnia were used to. Reporters and editors

complained that the stories were too long and were not chronological, and therefore would not

appeal to the average reader. Some pointed out that investigative journalism is a rarified form

of journalism even in so-called advanced democracies. As Marija Šajkaš commented,

> Although I work for a magazine that promotes in-depth media coverage, I have a hard
> time understanding the international obsession with investigative journalism. For many
> years, both in Bosnia and Serbia, international media development organizations were
> aggressively promoting investigative reporting as the only "right" way to do journalism,
> and the only way that could match Western standards. They were doing so equally hard

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[181] Center for Investigative Reporting, "About," http://www.cin.ba/about/?cid=97,1,1 (accessed January 2,
2012).

in big cities and small towns, often in media whose primary audience was maybe rural, or semi-literate. Of course it didn't work! Even in the US, investigative media is for – elites. For people with a certain level of education and ability, time, and desire to read complex texts. Look at New York City. There is one investigative daily, one weekly, one main-stream and a couple of obscure radio stations and no TV channels that produce investigative pieces on a regular basis; and this is a city of 8 million people that is often considered to be the capital of the world.[182]

Establishing professional norms and standards has taken a lot of effort, but according to CIN editors, it has paid off. The founders of the Center wrote their own code of ethics and have revised it over time. And journalists have taken the rules seriously.[183] However, in practice, getting quality reporting has been a challenge. Rosemary Armao, one of the international editors, explained that in the US the worst thing you can say to a journalist is that their story will not run, but in the early days of the Center, when work came in that was substandard and they threatened not to run the piece, the response they got was indifference. To many Bosnian journalists it did not matter whether they were published; it was the paycheck that mattered. That attitude is more an effect of the economic situation than it is a cultural issue. Armao said it took years before stories began to stand out and get recognition, and that's when the journalists really began to believe in the power of that type of reporting and that their work could have impact.

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[182] Marija Šajkaš, e-mail to author, March 2, 2011. Šajkaš is a journalist who worked in Bosnia from 1999 until 2001, first as a reporter for *Nezavisne Novine*, and then as an editor for SFOR magazine *The Bridges*. She now works as a US foreign correspondent for *Status* magazine.

[183] Part of the success of the code has been that it provides a sense of pride. It has made CIN journalists feel different, that they are being held to a higher standard. Another part of it has been cultural, according to Armao. In Bosnia, she observes, rules and structure are seen as signs of strength and therefore command respect. When international editors at CIN tried to give the journalists flexible schedules contingent just on work getting done, it was at first seen as a weakness and a sign of favoritism. The local editor demanded that work schedules be fixed …except perhaps for cigarette breaks, which no one has ever seemed to be able to regulate.

A number of things had to occur to reach that point. Journalists' reporting had to gain local

acceptance and get broad distribution, citizens had to react to stories, and politicians had to

respond. The feedback loop needed to work, and it was tested often since there is no tradition

of government transparency in Bosnia. Doing investigative reporting challenged the culture,

the new laws, and the political system. For one of their early stories, Armao explained that

CIN

> …wanted to get a list of companies which were not paying into the pension fund, which
> – you know – is required by law. So in other words, companies which were disobeying
> federal law. The result is they are bankrupting pensioners, which is a bad thing; but we
> could not get the names of those companies, of delinquent companies. It took months of
> FOIA-ing and interviewing people and we don't even know now if we got a complete
> record. We got the most complete record that existed at the time. And we wrote a story
> about that, and the inherent question is why would the government not want to reveal the
> names of companies which were not obeying the government?![184]

Politicians have also been notoriously arrogant in the face of criticism or questioning. Armao

gave the example of a party official who was asked why his party was running a man for

office who was under investigation for stealing public funds. His response was that he should

not be bothered with such trifling matters since the amount in question was a mere $500.

Bosnian journalists were not surprised or angered by his response; as Armao pointed out,

investigative journalism works off of a particular type of ire, which has been hard to arouse in

Bosnia. Consequently, politicians have often been antagonistic toward journalists. CIN has

had to work very hard with their journalists on how to interview public officials, and have

helped them understand that even if their role is adversarial, it must be respectful. Politicians

in turn have learned over the years that they do in fact have a responsibility to speak with

journalists and that they are (generally) accountable for their actions.

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[184] Rosemary Armao, interview by author, December 30, 2010.

CIN's first story to rattle the public was one on food safety, titled "Danger on Your Plate." A series of ten articles investigated food importation, inspection, food safety, legislation, and food testing. As part of their research, CIN had food samples from various restaurants and markets in three cities tested. The results showed that more than 50% of the samples harbored dangerous levels of bacteria, including E. coli, staphylococcus, yeast, and mold. The timing could not have been better, as the CIN series coincided with a couple outbreaks of food borne illness. The stories ran in 7 dailies, three web portals, and led to TV interviews and a short documentary. The audience response was enormous and politicians came under attack for faulty food inspection policies. CIN received kudos from the public as well as from their peers.[185]

In 2006, CIN became a full Bosnian NGO with all local management, although international oversight continued on a limited basis. Shortly thereafter, a USAID external assessment deemed the model "unsustainable," despite CIN's attempt to leverage evidence of its impact. This led to USAID ceasing core funding, but thanks to the tireless efforts of local and international editors, CIN has managed to win additional grants to keep the center operating for the near future. Traditional revenue streams such as advertising or sale of stories are too minimal at this point to cover CIN's operating costs, so they remain donor dependent. In addition, most donors really only want to pay program costs and will only fund modest if any

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[185] There have been other significant results: The series, "Health Care on Life Support" directly led to the resignation of Tomo Lučić, the Federal Minister of Health, and also prompted Prime Minister Adnan Terzić to finally meet with the medical care board of the Academy of Arts and Science, which had been researching problems with the national healthcare system. Another article, on the wholesale looting (financial and equipment) of power company Ektrobosna prompted workers to barricade the plant to protect the remaining assets, and charges were brought against the former managers and owners. Rosemary Armao, interview by author, December 30, 2010.

administrative or basic operating costs, which leaves big gaps in the budget. Donor fatigue,
even for corruption-related projects is high, and CIN is striving to devise an alternative
business model and new funding strategies.

In spite of concerns over its sustainability and impact, CIN has won numerous international
awards for its investigative work, including Best Investigative Story Published Online by a
Small News Organization in 2007, from The Online News Association (ONA),[186] for the
series on food safety; as well as the Global Shining Light for a regional project on energy
brokers, presented by the Global Network of Investigative Journalists. After working with
CIN for a number of years, Armao feels it is a successful model worth replicating. Their
editors produce stories that reflect specific standards and their journalists write with ledes,
middles, and kickers. CIN stories run in major dailies in Bosnia and have received praise from
editors at the leading papers *Oslobodjene* and *Večernji List*. CIN has carved a niche for itself
in the Bosnian media sector and in the region, but sadly, its long-term viability is still in
question.

Frustration with the role of the international community has reached a critical level in Bosnia,
especially in the Republika Srpska, which damages the credibility and effectiveness of
international assistance. When discussing the challenges of transitioning international projects
into local institutions, the "international washing machine" is often mentioned. When
investigative journalist Lidija Pisker told people she worked on an international project, they
often derided her by saying, "it is just money laundering. You spend three weeks on one small

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[186] The Online News Association (ONA) is the world's largest online media association and is based at the
Annenberg School of Journalism at the University of Southern California in Los Angeles.

story. You are lazy."[187] There is a perception in Bosnia that many people who work on internationally-sponsored programs are overpaid for doing less work than other Bosnians. While there have been cases of misappropriation of funds, they are the exception rather than the rule.

The more important issue is that donor money and the opportunities it brings have skewed market forces and impacted Bosnian society. Allocation of funding is determined largely by government or NGO policy interests. Organizations try to match their mandates to align with what they perceive as the interests of available funding sources, and still design their programs based on their own assessments of local needs and in consultation with local partners. Out of a need to survive, these local organizations have often ultimately tailored their focus under the influence of donors.

Once local implementers in Bosnia recognized the transient nature of projects funded by the international community, incentives also became skewed, and under certain circumstances some people participated more for the income than for the outcome. A social class has emerged for those who have worked for international organizations and agencies, due to their higher paychecks, advanced language skills, and networking capacity. And, there is a financial resentment toward international workers who receive salaries commensurate with what they would earn in their home countries – significantly more than their Bosnian colleagues. Further complicating matters, the Crisis Group reports that resentment against the international community in the RS is due largely to the view that international actors are pro-

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[187] Lidija Pisker, interview by author, September 12,2006.

Bosniak (and therefore anti-Serb);[188] as domestic political tensions continue to rise and "Serbs and Bosniaks are creating two opposed historical narratives, undermining allegiance to a common state,"[189] the international community works in an ever uncertain climate in Bosnia.

The hypocrisy of donors' use of undemocratic means to reach anticipated democratic ends – despite their attempts to justify them – has frequently called the credibility of political oversight bodies into question. From the OHR's "extraordinary powers," to "experts" who have lacked relevant experience and regional knowledge yet have been sent to train locals, to the oft-cited airs of superiority shown by internationals, all have created resentment within the local community. In the words of veteran journalist Marija Šajkaš:

> In 1999, I came to Bosnia from Serbia, which was at that time still dominated by Milošević's war propaganda. The war in Bosnia was over, the International Community was working very hard on peace-building, and I remember having high hopes of working in an unrestricted media space. I honestly believed that the presence of the international community would guarantee all freedoms including freedom of the press. Soon afterward, however, this idealized picture began to crumble, and we witnessed international organizations interfering in the policies of local media organizations. Foreign experts were preaching about "democratization of local media," and "freedom of speech," sometimes resembling missionaries with the task of bringing the light to local savages – whereas at the same time they were imposing and policing media content, writing media laws, and in some instances even cutting programming.[190]

In preparation for the 1999 Stability Pact Summit in Sarajevo, a billboard was plastered all around the city, showing an adult hand reaching to take a child's hand with the text, "Welcome to BiH!" (see Image 3.1). Since the Stability Pact was meant to be a Marshall Plan-like endeavor in the Balkans, the adult hand ostensibly symbolized the West – the

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[188] International Crisis Group, "Bosnia: What Does Republika Srpska Want?" Europe Report no. 214, October 6, 2011, 11. Available at: http://www.scribd.com/doc/68308683/Bosnia-What-Does-Republika-Srpska-Want

[189] Ibid.

[190] Šajkaš, e-mail.

Europeans and the Americans – and the child's hand represented Bosnia. This was seen as

incredibly condescending by Bosnians and in response, *Dani* satirized the billboard on its

cover, showing an adult hand reaching toward an adult fist that is giving the proverbial

"finger." (see Image 3.2). The impossibly high expectations set at that 1999 summit, coupled

with prevailing attitudes, have resulted in frustration and disillusionment.

Image 3.1

"WELCOME TO BIH!" BILLBOARD

Image 3.2

DANI COVER

Conclusion

The problems of professionalizing and commercializing the Bosnian media sector were

summarized well by Tarik Jusić of the Sarajevo Mediacentar, who said that, "In general the

quality of the journalism in Bosnia cannot said to be at a satisfactory level… The imperative

of commercialization of the media becomes the driving force of the rapid expansion of

sensationalism and tabloid press, to the detriment of serious journalism."[191] And the trouble is

that it is not just the media who are not trusted, but the whole political system, which gets to

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[191] Jusić, 299.

the heart of the challenge of democratization. An astute observation was made by Dan De Luce, formerly of the Office of the High Representative, who described Bosnia as a country without public opinion. Naturally, people do have opinions – and strong ones – but what De Luce was referring to is the lack of a unified public sphere, a place where public opinion is formed and commitment to a common social project forged. Many Bosnians do not believe their opinion is reflected in policy or in social institutions, or that they can affect change, and many have therefore opted out of the conversation. Poor election turnouts in the country are evidence of this social and political apathy. In analyzing media development policies, Monroe Price wrote, "In any specific context, media might be rendered more plural, autonomous, and depoliticized, but still not serve as developer of public opinion or as a critic of government."[192] In the Bosnian environment, disparate publics listen to the media to learn the agendas of those wielding power, but they do not see them as an unbiased source of information or a watchdog of civic interests.

If the media are to play the role of watchdog, in other words to be the heralded Fourth Estate, they must be trusted. Democracy cannot function without trust in the system, toward which media of all kinds play a critical role. Political and economic instability have created openings for corruption and market distortions. In this climate, media outlets have been unable to gain the financial stability they need to insure editorial independence and the freedom to hire full-time journalists, and thus the profession has not differentiated and institutionalized its professional values. The public, in turn, have little faith in the politicized and instrumentalized media and have no expectation that they will act in the public interest. Journalists have

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[192] Monroe E. Price, Beata Rozumilowicz, and Stefaan G. Verhulst, eds., *Media Reform: Democratizing the Media, Democratizing the State* (London: Routledge, 2002) 255.

become reporters-for-hire, with neither a professional nor a civic mandate. Those journalists and associations that do aspire to uphold professional norms usually lack the financing, leverage, and credibility they truly need to challenge political forces and advocate for their rights. Further, journalism as a profession is not holding itself accountable, and citizens are not taking advantage of existing institutions to hold the media accountable as they could. The fact that print media remains self-regulated through the Press Council, which relies on voluntary acceptance by media outlets, was a concern to 2011 MSI panelists, one of whom reported seeing "some of the most monstrous things in print media in Bosnia and Herzegovina since the Dayton Accord was signed" during 2010 election coverage.[193]

The underlying assumption of development strategies in general, and for media assistance specifically, was that institution building and legislative reform would transform the underlying political culture in Bosnia. But the viability of the model espoused hinges on the ability of the economy to support the emergence of necessary professional values and editorial independence. Economic reform policy has helped transition the market, but Bosnia is still near the bottom of the World Bank's *Doing Business* rankings.

After over fifteen years of programmatic strategies that have targeted all aspects of the enabling environment, many institutions are weak, professional values are not institutionalized, and the media are not fulfilling their democratic mandate, much less mobilizing political change or facilitating the emergence of a civic Bosnian identity. Instead

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[193] *MSI 2011*, 19.

the media sector is very much a reflection and manifestation of the enduring divisions and socio-economic challenges facing Bosnian society.

CHAPTER 4

Kosovo: A Clash of Expectations

In June of 1999, at the end of a 78-day NATO intervention to halt Serbian aggression toward the Albanian population, Kosovo became an international protectorate governed by the United Nations Interim Administration in Kosovo (UNMIK) – established under United Nations Security Council Resolution 1244. After the conflict, UNMIK's mandate was to prepare Kosovo for self-government. In practice, the international community[194] and a host of international donors sought to stabilize and democratize the territory in preparation for negotiations on its final status. Diplomats, donors, and aid workers attempted to employ the lessons learned earlier in Bosnia to ensure a smoother transition in Kosovo.

At the time of the Kosovo intervention, practitioners and scholars involved with media development were developing a "tool box" of strategies and advocating a holistic or systemic approach to reform that would target the enabling environment as a key to creating a pluralistic and independent media sector. [195] In the end, donors did establish many new supporting institutions and promulgated laws in accordance with the highest European

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[194] This term refers to the governments and international and intergovernmental organizations – such as the United Nations, OSCE, and NATO – that were involved in the stabilization of Southeastern Europe. While the term is now used derogatorily by some who charge that it is used by the West to justify their coercive policies (i.e. by aligning themselves with an alleged world community and values), it is used here because it was the commonly heard reference for the international entities governing Kosovo and orchestrating the stabilization of the region, and was the term used in most international documents at the time.

[195] A commissioned report written by "experts" with experience in Bosnia recommended that UNMIK "should establish a media affairs department within the OSCE pillar, with 'responsibility, authority, and resources to oversee regulatory matters, laws and standards, media development and media monitoring'." See: Julie Mertus and Mark Thompson, "The Learning Curve: Media Development in Kosovo" in *Forging Peace: Intervention, Human Rights and the Management of Media Space*, eds. Monroe E. Price and Mark Thompson (Bloomington, IN: Indiana University Press, 2002) 261.

standards. However, they did not anticipate the range of challenges, and in some cases

outright distortions, they would face during the implementation of their policies and

programs, resulting in a clash of expectations. As Senior Political Affairs Officer at UNMIK

Jolyon Naegele pointed out, the difference between Kosovo and Bosnia was a lot more than

just 4 years time – Kosovo faces another set of problems altogether.[196]

Donors came with cash, hubris, a moral mandate, and a vast array of international

organizations which were initially met with local energy and enthusiasm. The overly

bureaucratic administration, however, functioned largely over the heads of the local

population, resulting in potential missed opportunities to engage the population in the

reconstruction efforts and to capitalize on local capacities. Economically, Kosovo – the

poorest country in Europe – was in desperate need of economic development, which was

ultimately held back due to its status as a protectorate, leaving it heavily dependent upon

donor financing, remittances, and the informal economy. Both donors as well as the local

citizenry became frustrated with inefficient administration, the glacial pace of reform, and the

inability of policies to meet the immediate needs of the population. These challenges impeded

the goals of donors to professionalize and commercialize the media sector.

Over the last twelve years there have been positive developments as well. Kosovo has made

significant improvements in legal reform and has established regulatory agencies and other

supporting institutions. There is also unrestricted access to a range of media, barriers of entry

to the profession are low, and ownership is relatively transparent. However, as in Bosnia there

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[196] Jolyon Naegele, interview by author, April 3, 2006.

are enduring problems relating to the implementation and enforcement of laws, self-censorship that results from a fear of political backlash or threats, a heavily saturated market in which outlets rely on alternate revenue streams, and continued complaints by observers about heavily politicized reporting. The institutional and legal architecture is good and provides a groundwork, but that is not enough. Greater economic stability and political independence will be necessary to transform the market as well as the attitudes and practices that shape those institutions and the larger society.

This chapter is based on programmatic work and research carried out in-country between 2000 and 2007. In 2006, I conducted a series of 22 interviews and 12 surveys with local media professionals, international consultants, and program managers, as well as with representatives of the donor community. This period coincided with the heaviest level of donor involvement and investment in the media sector, which aimed to create the proper legal and institutional environment for democratic development. This research revealed the attitudes and opinions of stakeholders regarding the expectations, challenges, and effects of policies developed for the local media sector. The foundation laid during this time has set the stage for the future evolution of the media market. Where relevant, developments from 2010 and 2011 are included to illustrate the long-term impact of these policies. For instance, despite 2010-2011 IREX MSI rankings showing significant overall improvements in the sector and placing it now in the "Near Sustainability" category, The South East Europe Media Organization (SEEMO) issued a press release in July of 2011 appealing to Kosovar

authorities to support an environment in which media can operate freely.[197] This discrepancy is similar to problems of measurement seen in the other countries in this study.

Background of the Intervention

Until the 1999 NATO intervention, Kosovo was a province of the Republic of Serbia[198] – what was left of Yugoslavia after the wars in Bosnia and Croatia. It was and still is the poorest and most underdeveloped area of the former Yugoslavia. The territory of Kosovo is slightly larger than Delaware with an estimated population of 1.7 million, 88% of whom are ethnic Albanians, 7% who are ethnic Serbs, and 5% who are another ethnicity (Bosniak, Gorani, Roma, Ashkali, Egyptian, Turk).[199] Kosovo holds particular historical and religious significance for Serbs, resulting in political and ethnic strife for decades between the Serbian dominated state and the Albanian majority.

The Serb offensive that instigated NATO intervention was the culmination of the demise of Tito's communist Yugoslavia and the rise of nationalism under the Milošević regime in

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[197] SEEMO/IPI Press Release, South East Europe Media Organization email listerv, "SEEMO Calls on Kosovo Authorities to Create Environment in which Media Can Operate Freely," July 26, 2011, SEEMO General Email, http://www.seemo.org/.

[198] At the time, Serbia was known as the Federal Republic of Yugoslavia (FRY), the successor state to the dissolved Socialist Federal Republic of Yugoslavia (SFRY). The FRY was composed then of the republics of Serbia and Montenegro and the two provinces of Kosovo and Vojvodina. In 2003, the loose federation became known as Serbia and Montenegro (SaM). In June of 2006, Montenegro declared independence and Serbia declared itself the true successor state, becoming simply the Republic of Serbia. For the sake of simplicity and clarity, Serbia is referred to here, in all of its various incarnations, by its current internationally-recognized name.

[199] US Department of State, "Background Note: Kosovo," http://www.state.gov/r/pa/ei/bgn/100931.htm (accessed February 23, 2012). Population numbers are based on April 2011 census data.

Serbia.[200] Civil unrest began in the province in 1981-82 when protests at the University

erupted over poor living conditions and escalated to demands for greater freedom of

expression, release of political prisoners, and republic status for Kosovo within Yugoslavia.[201]

By some accounts, a number of the dissidents who fled during this time emigrated to Western

Europe and eventually formed a resistance network that would become the Kosovo Liberation

Army (KLA).[202] A major turning point came on April 24, 1987 when Milošević gave an

historic speech in Kosovo Polje (Field of Black Birds) to a crowd of Kosovar Serbs who were

protesting alleged abuses by Albanians. By rallying to their cause, Milošević found his

political platform and used it to consolidate his political power. Over the next few years

Serbian state television waged a propaganda campaign accusing the Kosovar Albanians of

violence against Serbs and secessionist aspirations. This justified an escalation of repressive

policies leading to the dismissal by Milošević of Kosovo Party leadership. In protest, miners

staged a strike; Milošević retaliated by instating martial law and revoking Kosovo's

autonomous status. Once fully under Serbian rule, Kosovo became a police state. Police

violence, arbitrary detention, and torture became regular means for suppressing alleged

"secessionists." Albanians were widely removed from employment in state-sponsored

institutions, including schools and universities. In order to survive, Albanians established

parallel institutions of government and political parties, staged elections, and opened schools

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[200] After Tito's death in 1980, the Yugoslav economy went into a free fall due to mounting debt and poor investment policies that resulted in a widening income gap, a drop in living standards of nearly 40%, and inflation rising to more than 2000% by 1989. See: Christopher Bennett, *Yugoslavia's Bloody Collapse* (London: C. Hurst and Co. 1995) 69.

[201] Yugoslavia was made up of six constituent republics (Croatia, Slovenia, Serbia, Bosnia, Macedonia, Montenegro) and two autonomous provinces (Kosovo and Vojvodina both contiguous to Serbia). Kosovo wanted greater autonomy and voting power in the National Assembly.

[202] Human Rights Watch, *Under Orders: War Crimes in Kosovo* (New York, 2001) 21.

in private homes. In 1992, Ibrahim Rugova, the leader of the LDK party (*Lidhja Demokratike e Kosovës* [Democratic League of Kosovo]) was elected President of this shadow state. Despite severe repression, he advocated peaceful resistance, which gave him great symbolic power but no real political leverage.

Most media in Albanian were banned or repressed during the years Slobodan Milošević was in power in Serbia, from 1989 to 1999. Radio and TV broadcasts on Radio-Television Pristina (RTP) in Albanian were brought to a stop and the only daily newspaper in Albanian, *Rilindja,*[203] was closed down in 1990. At the same time, Milošević effectively cut all broadcasting capacities for the territory, with the exception of one half-hour news program from Belgrade delivered in Albanian, which had little local credibility. Radio-Television Pristina (RTP), managed by Ibrahim Rugova's LDK party, was established in exile in Albania and broadcast into Kosovo via satellite. Satellite dishes linked people to news sources outside of Yugoslavia and they were able to watch not only RTP but also the BBC, CNN, as well as MTV and other international broadcasts. Aferdita Kelmendi, who later founded TV 21, received a range of small grants from international aid organizations during this period to train women journalists, start a women's magazine, produce a series of short documentaries, and broadcast radio over the internet. Although national papers printed in Serbian were circulated, they did not address the local population. The only Albanian newspaper tolerated by Milošević was an agricultural paper called *Bujku* (Farmer) – essentially *Rilindja* reinvented – which took on political issues surreptitiously, hiding such articles among those on top soil and tractors. The weekly *Koha Ditore*, which was started in 1993 by Veton Surroi as an

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[203] Translations for this vary from Revival to Awakening to Renaissance.

Albanian *Time* Magazine evolved into an independent daily by 1997. It was frequently under attack by Serbia and was condemned by US diplomats for its support of the KLA, but it was relied on by the local population and its circulation reached more than 50,000 by 1999.[204] During the NATO intervention, *Koha Ditore* moved operations to Tetovo, Macedonia and the paper became a symbol of the identity and aspirations of Kosovar Albanians. Ardian Arifaj, the Managing Editor of *Koha*, explained that publishing from Macedonia was not about politics but "the survival of Kosovo's Albanians as a people with their own identity."[205]

Throughout the 1990s, the international community, preoccupied by the breakup of Yugoslavia, the wars in Bosnia, and fears of greater regional instability, did little to aid Kosovo's Albanians. As frustrations in the region grew, so did the presence of the Kosovo Liberation Army (KLA), an armed group committed to protecting ethnic Albanians and gaining Kosovo's independence. The US condemned the "terrorist actions" of the KLA; some analysts believe Milošević may have read that as a signal that he could further crack down on the province.[206] Between February 28th and March 1st of 1998, Serbian forces attacked villages suspected to be KLA strongholds. These attacks, known as the Drenica Massacres, forced the international community to react. They formed the Contact Group to negotiate a resolution between the Kosovar Albanians and Serbs, and Milošević. After a year of dead-end negotiations and the failure of the peace accords on March 24, 1999 in Rambouillet, NATO began air strikes before receiving authorization from the UN Security Council. The strikes had the tragic effect of escalating Milošević's campaign of violence, which included arson,

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[204] Elizabeth Rubin, "Balkan Journal: Editor in Exile," The New Yorker, May 17, 1999. 49.

[205] Ibid, 53.

[206] Under Orders: War Crimes in Kosovo" Human Rights Watch, 37-38.

looting, rapes and executions, ultimately driving 1.3 million ethnic Albanians from their homes and creating a refugee crisis in neighboring Macedonia.[207]

Establishing the Protectorate

Following the intervention, as outlined in Security Council Resolution 1244, Kosovo was to be temporarily governed by UNMIK, an international civil administration, and KFOR (Kosovo Force), an international security force. Unlike Bosnia, Kosovo was a true protectorate – it remained a legal part of Serbia yet was under international control. The Special Representative of the Secretary General (SRSG), the head of UNMIK, was the highest civilian officer and was responsible for overseeing the transitional administration of Kosovo until its future, as either an independent state or a territory of Serbia, could be negotiated. The UN mandate in Kosovo was comprised of four pillars,[208] of humanitarian assistance, civil administration, democratization and institution building, and reconstruction and economic development. As with the Dayton Peace Accords before it, freedom of speech was only nominally mentioned in the UNMIK Charter; but media development would ultimately become a major, as well as a controversial, part of democratization and institution building.

Kosovo posed a unique and complex set of challenges which defied a "tool box" approach. First, the legality of the US-led NATO intervention and subsequent UN occupation was actively contested by Serbia as well as by many Serbian citizens of Kosovo. This created

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[207] Samantha Power, A Problem from Hell: America and the Age of Genocide,(New York: Basic Books, 2002) 450.

[208] Pillar I, humanitarian assistance, was led by the Office of the High Commissioner for Refugees (UNHCR); Pillar II addressed civil administration under the UN; Pillar III, democratization and institution building, was to be led by the Organization for Security and Co-operation in Europe (OSCE); and Pillar IV covered reconstruction and economic development, managed by the European Union (EU).

legitimacy issues on a number of levels, but more significantly it created tough legal obstacles

on the international and national levels when it came to administering the reconstruction.

Furthermore, the international community was concerned about the prospect that

independence for Kosovo – in other words the redrawing of more borders in Europe – could

establish dangerous precedents for other secessionist groups such as the Basques in Spain or

even the Serbians living in the Republika Srpska in Bosnia.

When UNMIK, the Organization for Security and Cooperation in Europe (OSCE), and other

international organizations arrived in Kosovo, their primary focus was to secure the territory

and establish a transitional administration until Kosovo's future was determined. UNMIK's

mandate was temporary; it was an interim administration meant to operate only until

Kosovo's status was resolved and its policies were built on short-term strategies that

constrained development, even when status negotiations dragged on for years. While the

international community officially recognized the need for proactive and long-term

development strategies as outlined in the Stability Pact for South Eastern Europe,[209] this

mandate was not fully extended to Kosovo due to limitations of trusteeship. This put Kosovo

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[209] The international community was at this time heavily involved in regional conflicts and in the process of establishing the Stability Pact for South Eastern Europe. The goal was to "replace the previous, reactive crisis intervention policy in South Eastern Europe with a comprehensive, long-term conflict prevention strategy." A broad range of Stability Pact partners sought to create a secure environment through the promotion of sustainable democratic systems and economic and social well being, with the potential goal of integrating those countries into the European Community. Stability Pact Partners included 1)The countries of the region: Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Moldova, Montenegro, Romania, Serbia, and The Former Yugoslav Republic of Macedonia; 2) European Union Member States and the European Commission; 3) Other countries: Canada, Japan, Norway, Russia, Switzerland, Turkey, and the US; 4) International organizations: UN, OSCE, Council of Europe, UNHCR, NATO, and OECD; 5) International financial institutions: World Bank, International Monetary Fund (IMF), European Bank for Reconstruction and Development (EBRD), European Investment Bank (EIB), Council of Europe Development Bank (CEB); 6) Regional initiatives: Black Sea Economic Co-operation (BSEC), Central European Initiative (CEI), South East European Co-operative Initiative (SECI), and South East Europe Co-operation Process (SEECP).

in a type of political and economic limbo for years, when what it desperately needed was a focus on state building. Decades of ethnic conflict with the Serbian government had eroded state structures in Kosovo, and then its limited communications infrastructure was heavily damaged during the conflict, rendering it a veritable failed state within a failed state.[210] On the one hand, to the international administration and donors, the territory was a seemingly blank slate without a functioning government or legal system,[211] but in fact there were strong social and economic networks and political legacies shaping the environment.

On the ground, Kosovo did present political, cultural, and historical similarities to Bosnia and Macedonia, but there were also significant differences that needed to be taken into account. Kosovo, along with other parts of the former Yugoslavia, was a post-conflict and post-communist society, suffering from a weak economy, high unemployment, organized crime, corruption, and a lack of respect for rule of law; and similar to Bosnia it had an ethnically divided population that was demanding justice for having suffered egregious human rights abuses and which had developed contested narratives of the conflict. These factors contributed to the volatility of the post-conflict environment, which manifested in the media as vitriolic reporting and instances of hate-speech from both the Albanian and Serbian sides. As Regan McCarthy, Senior Advisor to the Head of the OSCE Mission in Bosnia noted, due to the role the media played in fueling the hostilities during the wars in Bosnia and in Kosovo,

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[210] The Socialist Republic of Yugoslavia was a failed state, and the rump state of Serbia was at best a failing if not a failed state, and then the government structures of Kosovo had been completely dismantled leaving the shadow state as the only functioning government which in and of itself was also divided between those advocating the peaceful resistance of Rugova and those supporting the armed resistance of the KLA.

[211] Mark Thompson, *Slovenia, Croatia, Bosnia and Herzegovina, Macedonia (FYROM) and Kosovo: International Assistance to Media* (Vienna: OSCE, 2000) 62. Available online at: http://www.osce.org/fom/25448

media reform was not initially part of democratization efforts.[212] Instead, media was seen as a part of peacemaking, a perspective which offers a very different motivation for reform. Peacemaking puts security above all other goals and thus justifies extraordinary powers to ensure that security. Under certain circumstances, those extraordinary powers – as was seen in Bosnia and, eventually, in Kosovo – can undermine democratization.

The economic situation in Kosovo continues to pose one of the greatest threats to transition as well as to hopes for a professionalized media sector that is relatively independent from political and business alliances. Kosovo's population is heavily dependent on diaspora remittances and its economy is afloat on the back of international aid.[213] Because Kosovo lacked an official political status for so many years it was ineligible for assistance from the International Monetary Fund, the World Bank, and many other international financial institutions that could have provided much needed investment in the economy.[214] An insufficient and unreliable energy supply also held development back. Unemployment in 2009 was an alarming 45.4% (55% for Women and 39% for Men) with youth unemployment at 72%, five times higher than the European average.[215] Tellingly, data for 2010 are not available because the Labor Force Survey was cancelled due to financial constraints.[216] But,

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[212] Regan McCarthy, interview with author, June 28, 2007.

[213] Average annual per capita income is $2,800 as of 2010.

[214] Index Kosova, 12-26.

[215] United Nations Development Program Kosovo, "Economic Development," http://www.ks.undp.org/?cid=2,91 (accessed February 20, 2012).

[216] European Commission, *Commission Staff Working Paper: Kosovo 2011 Progress Report*, SEC (2011) 1207 final (Brussels, 2011), 26. Available online at: http://ec.europa.eu/enlargement/pdf/key_documents/ 2011/package/ks_rapport_2011_en.pdf

the European Commission's 2011 progress report for Kosovo concluded that the country's

economic growth is weak and fragile and that, "Overall, the determination to pursue market

oriented economic policies has been maintained, but measures were adopted that introduced

severe distortions in the economy. Designing and implementing a coherent and credible

economic strategy, linking policy priorities, structural reforms and public expenditure, remain

a major challenge."[217] Polling by UNDP revealed that 72.4% of people living in Kosovo are

willing to protest over economic grievances, which "indicates the dire need for fast and

sustainable economic progress in order to promote and maintain social peace."[218] In this

climate, it is to be expected that organizations surveyed for this study ranked economic

problems, by far, as their greatest concern. While financial issues were clearly the most

significant obstacle organizations felt they faced individually, within the media sector itself, a

lack of professionalization ranked as the biggest challenge. One OSCE representative

commented at the time that the Kosovo media sector needed to be sustainable, and yet the

country as a whole was not.[219]

Media Development Goals and Strategies

Under UNMIK, the mandate for democracy and institution building went to the OSCE, and it

was therefore the primary authority in charge of developing Kosovo's media sector. The

SRSG was responsible for policy formation and the OSCE for implementation. While

freedom of expression was identified as a core component of the reconstruction, the stated

goals were broad and the mechanics of media assistance specifically were not laid out in

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[217] Ibid.

[218] United Nations Development Program Kosovo, "Economic Development."

[219] Zenet Mujić, interview by author, April 4, 2006.

either the OSCE mandate or in any primary documents. Keen to avoid many of the policy

foibles and implementation flaws seen in Bosnia, such as duplication of efforts and lack of

coordination, the OSCE commissioned international experts with experience in Bosnia to

provide guidelines based on lessons learned there. Efforts in Bosnia had brought forth an

awareness of the need to take a systemic approach to media development, and therefore these

experts recommended that the overall mandate in Kosovo should be to support the emergence

of the "necessary conditions" for a democratic media to evolve. To that end, a media affairs

department was established to oversee the writing of new media laws and regulations and to

implement standards, and to provide training and technical and financial support to

independent print and broadcast media. Developing the media market included privatizing

previously state-owned media holdings and technical equipment, transforming the state

broadcaster into a public service broadcaster, and supporting commercial media. In addition,

the SRSG would appoint all advisory bodies, including a Media Monitoring Division and a

media regulatory commission modeled after the IMC in Bosnia, "to manage the frequency

spectrum, establish broadcast codes of practice, issue licenses and monitor compliance."[220] A

Media Policy Board comprised of six Albanians and one Serb would act as advisors on media

policy.

A broad array of donors comprising NGOs and representatives of concerned states provided

substantial aid. George Soros's Open Society Institute (OSI), USAID (through its Office of

Transition Initiatives), IREX, and the Japanese Government, in cooperation with numerous

European donors and agencies, were heavily involved in media assistance in Kosovo. The

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[220] Eberhard Laue, OSCE Mission in Kosovo, *Local Electronic Media in Kosovo* (Pristina, Kosovo: OSCE, 2005) 17.

total estimated donor assistance for the Kosovar media sector from 1998 to 2004 was 36

million euro.[221] While that amount may not sound like very much, the territory was small and

the mandate was huge in relative terms. Key communications structures and institutions had

to be created to meet basic information needs, as well as to prepare the populace for

reconstruction efforts and eventual elections. After the establishment of infrastructure, the

next goal was to professionalize the media sector and then create a pluralistic market balanced

with public and private commercial outlets. Donors set about establishing these institutions

and processes in an atmosphere of legal, political, and economic ferment.

For example, the United States, with substantial investment from the Japanese government,

invested over $20 million to establish the public broadcaster, Radio Television Kosova

(RTK). The EU was also a key investor in and advisor on RTK, since it was to be modeled

after the BBC. The OSCE, with its broad mandate, directly sponsored an array of programs

including journalism training, interethnic or multiethnic programming, legal reform, and the

establishment of the RTK, the Press Council, and the Kosovo Media Institute. They also

supported the first journalists association, meant to represent the interests of the profession

once media regulations were developed; functionally, however, it was more of a board

composed of media owners and managers, which was most active when called upon by

donors. In an effort to institutionalize professional standards and self-regulation, the Swedish

Helsinki Committee joined the OSCE in funding the Press Council in 2005. Support to

minority media was another core concern for which Norwegian People's Aid and The

Swedish Helsinki Committee took the lead. And, one of the largest investments in education

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[221] Ibid,29.

was from The Royal Norwegian Ministry of Foreign Affairs (RNMFA), which funded the establishment of the Kosovo Institute of Journalism and Communication (KIJAC), a two year MA program.

The US directed a large portion of their investment toward creation of a commercially-oriented media sector. To that end, US-based donors realized they would need to support the institutions, outlets, and legal framework which were necessary to underpin market development. In contrast to Bosnia, the US chose not to establish new media outlets but instead to strengthen existing, nascent news organizations run by respected local media professionals. USAID sponsored two competing commercial networks, TV 21 and KTV. The primary US media development organization in Kosovo, IREX, implemented a series of media assistance programs including: ProMedia II (in Serbia and Kosovo), from September 1999-June 2000; Kosovo Independent Media Program (KIMP), from July 2001-2004; and Kosovo Media Assistance Program (KMAP), a three year follow-on program launched in 2005.

The goal of KIMP was "to provide citizens across the province with the objective news and information necessary to participate in democratic and free market institutions."[222] Programmatic activities included training for journalists, the strengthening of professional organizations and institutions, establishment of legal and regulatory frameworks for an independent media, and assistance to develop business, management, and marketing strategies

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[222] IREX in Kosovo, "Kosovo Independent Media Program," IREX, http://www.irex-kosovo.org/independent.htm (accessed March 15, 2006).

appropriate for the challenging Kosovar economic environment. KMAP, in the final phase, targeted legal reform (specifically, the Law on Defamation, FOIA, IMC, and the RTK broadcasting law), business development, professional associations, and management training to selected local media by business advisors.

Policy Consequences and Distortions

Although a number of individual actors tried to avoid the mistakes made in Bosnia, many were nonetheless replicated, producing policy distortions and unintended consequences. Donors in many instances took on similar spheres of influence in Kosovo as they had in Bosnia, as many of the same people and organizations simply moved southward. Regan McCarthy explained that, "organizations such as the UN or the OSCE do not have institutional memory, and so even though the same folks go from site to site, the same decision makers do not, and their relationships shift. So in essence, there is a tabula rasa when these organizations go into media reform."[223]

Ultimately, donor policies converged with a range of economic, political and social factors that skewed expected outcomes. Frequently, reforms were not properly synchronized because of the legal constraints inherent in Kosovo's undefined status, leaving institutions without the much touted enabling environment. Within the development community, there was also concern that UNMIK was using "extraordinary powers" – such as those of the High Representative in Bosnia – which led to the paradox of employing undemocratic or "imperial" policies to promote democratic processes. One consequence of this was that the local

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[223] Regan McCarthy, interview with author, June 28, 2007.

population was often more a spectator than a participant in the rebuilding of their own country, resulting in high levels of frustration and disillusionment with reforms, leaving many feeling that the international community lost important opportunities to engage local stakeholders, networks, and capacities. Donors also found that their best intentions sometimes clashed with local culture or the culture of international organizations. As in Bosnia and later Macedonia, the deluge of aid started up the international "washing machine," alternately referred to by some in Kosovo as a "cargo cult mentality," where large amounts of money were allegedly mishandled or misappropriated, or at least created dependent rather than independent organizations. Programmatic coordination was also an obstacle due to conflicting mandates or, in some cases, the sheer proliferation of aid and agencies. For instance, the OSCE's mandate to promote democratization was often at odds with the UN's mandate to enforce security, which in some cases produced policy paralysis and in others simply left them undermining each others' efforts.

The Temporary Media Commissioner (TMC), Vigilante Journalism, Mixed Mandates

Policy implementers recognized these problems along the way and made repeated attempts to be proactive, coordinated, and efficient, yet policy formation remained largely reactive and prone to inertia. As Bob Gillette observed, political change often required a crisis.[224] According to Gillette, one of the first formative crises, in a series of crises, was related to the establishment of a regulatory body for broadcasting as well as print, an authority unheard of in the West. The story of the Temporary Media Commissioner (TMC) in Kosovo illustrates

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[224] Robert Gillette, "Media Matters: Professionalizing and Regulating Media in Post-Conflict Bosnia and Kosovo," (presented at the East European Studies Noon Discussion, Woodrow Wilson Center for Scholars, Washington, DC, June 14, 2006).

many of the paradoxes and complexities of media development in post-conflict societies. The

TMC was given the responsibility to regulate print media due to the volatility of the

environment and concerns that hate speech could lead to further violence. Just after the

conflict in 2000, there were high levels of vitriolic reporting, professional standards were

generally low, and democratic norms and the rule of law were weak. Jack Snyder and Karen

Ballentine, as mentioned in Chapter Two, argue within the context of nationalism that:

> …promoting unconditional freedom of public debate in newly democratizing societies is, in many circumstances, likely to make the problem worse… Many newly democratizing states lack institutions to break up governmental and non-governmental information monopolies, to professionalize journalism, and to create common public forums where diverse ideas engage each other under conditions in which erroneous arguments will be challenged. In the absence of these institutions, an increase in the freedom of speech can create an opening for nationalist mythmakers to hijack public discourse.[225]

As the following examples demonstrate, the same dynamic is at play in post-conflict

environments. This study seeks to argue that not only are functioning institutions and

professionalized journalism necessary but that they cannot be effective without the underlying

attitudes and behaviors that enable the system to work. In the case of Kosovo and the TMC,

freedom of speech and the balancing constraints of professional ethics, respect for privacy,

and due process were not clearly understood or institutionalized within the local community,

nor were they well presented by the international community. As a result, the politicization of

the media had inflammatory consequences in a post-conflict society with still unresolved

political issues, and journalism became a mechanism for vigilante justice in certain contexts,

or a way to fight the war by other means.

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[225] Jack Snyder and Karen Ballentine, "Nationalism and the Marketplace of Ideas," *International Security* 21, no. 2, (Fall 1996): 5-40.

The New York Times and Critiques of Kosovo Media Policy

Nearly two months after the intervention in Kosovo, the *New York Times* ran a story entitled

"NATO Peacekeepers Plan a System of Controls for the News Media in Kosovo."[226] The basis

for the story was a leaked version of the report that had been commissioned from media

development consultants in Bosnia, under negotiation between UNMIK-UN and the OSCE,[227]

outlining the structure and mandate of the TMC, which would regulate print as well as

broadcast media. In the article, Steven Erlanger reported that the United States and its allies

were "establishing a system to control news media in the province that would write a code of

conduct for journalists, monitor their compliance with it and establish enforcement

mechanisms to punish those who violate its rules."[228] From the perspective of a Western

educated and trained professional journalist, such regulations are antithetical to freedom of

speech precepts as they are known in the West.

Erlanger quotes Marilyn Greene, the executive director of the World Press Freedom

Commission as saying, "The infringement of press freedom is obvious. Unfortunately, the

lessons of Bosnia – how not to operate a reconstruction program – were apparently not

learned." However, in this instance, donors were actually attempting to adapt the best of

programmatic strategies proposed by those with experience in Bosnia. As discussed in the

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[226] Steven Erlanger, "NATO Peacekeepers Plan a System of Controls for the News Media in Kosovo," *The New York Times*, August 16, 1999.

[227] This controversial report was co-authored by Mark Thompson and Regan McCarthy. In an interview with McCarthy, she referred to it as a classified document that was leaked by someone at the UN to Steven Erlanger. McCarthy claims they never got a call from anyone at the *Times* to discuss their report, to ask them why they proposed what they proposed, to check their interpretation of the plan, to get a comment on their analysis, or even to verify if they (the *Times)* had in fact received the correct report. McCarthy believes these articles offered the UN a political moment, to walk in and eclipse the OSCE, which had the media mandate. It is her opinion that this killed media development in Kosovo and effectively handed over too much control of the sector to the KLA.

[228] Erlanger.

Bosnia case study, the IMC was one of the most successful of media reforms in Bosnia, but in Kosovo problems came when regulation of the press to prevent incitement was included in the mandate. The rationale for criticism was that, if we (the West) are to be effective in our interventions, we must practice what we preach. That rationale, however, was based upon the assumption that there existed a media system in Kosovo that adhered to Western professional norms; yet in Kosovo there were few self-regulatory mechanisms – there were few professionally trained journalists and the concept of codes of ethics, if understood at all, was not internalized by most journalists in the form of professional standards, nor was it institutionalized within the emerging sector. Additionally, due to the legacies of the socialist system and Milošević's dismantling of the state, there were no democratic legal mechanisms in place in Kosovo nor an understanding of or respect for Western concepts of rule of law and due process. Officials representing the Kosovo regulatory plan defended it, explaining that it was not meant to censor but to create and uphold standards intended to prevent potential incitements to violence. The potential for freedom of speech to be destabilizing seemed ironic, and the solution of censoring or censuring the press for unprofessional or irresponsible reporting seemed hypocritical. The security needs were once again at odds with democratic processes.

Erlanger also quoted Ronald Kovan, the World Press Freedom Committee's European Representative, who cited a study of media management in Bosnia by Monroe Price, "'The time to intervene or control propaganda is when brutality is imminent,' not to protect the political environment afterward." Kovan was also of the opinion that before the war there had been a professional and "perfectly adequate Albanian-language press." However, post-

conflict transitions, as this study demonstrates, are so tenuous that they can descend into brutality quickly. Furthermore, in a 2002 book, Monroe Price not only recognized this problem but also presented a potential policy to remedy it. Following on his theories about the legal enabling environment, he prescribed a temporary media law system or "module" that could be implemented in post-conflict zones where there is a legal void and few if any functioning institutions or processes of government.[229] This module would include an independent regulator, similar to the IMC (broadcast regulation only, not print), with oversight bodies responsible for establishing codes of conduct as a normative base in line with international legal instruments and the standards of most democratic legal systems. It would then monitor content and conduct, investigate complaints, and act as formal prosecutor during the transitional period. Price acknowledges that such institutional mechanisms can lead to imperial forms of governance and therefore must be especially cognizant of fairness and objectivity when exercising their authority.

A follow-up editorial published two weeks later in the *Times*, on August 30th, acknowledged the need for broadcast regulation but called the bureaucratic layers in Kosovo "overkill."[230] The editorial expressed many valid concerns, such as the apparent use of undemocratic policies to encourage democracy, the need for pluralism, and the fear that monitoring and regulations would become a form of censorship reminiscent of the previous system. The author wrote that respected Albanian-language newspapers and radio stations had survived in Kosovo despite Milošević's crackdown and, while additional training and financial support to

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[229] Krug and Price, 148-65.

[230] Opinion, "Kosovo's Incipient Media Ministry," *The New York Times*, August 30, 1999.

local news outlets could be useful, they do not need outsiders telling them what they can and cannot say. Inherent in these criticisms is an assumption that democratically inspired institutions and processes function similarly in all contexts, and that enforcing professional codes of ethics could become a form of censorship. Yet, as was illustrated in the Bosnia chapter, substantial training, financial support, and institutional and legal reform did not readily establish a highly professionalized and self-regulating independent media sector. And as the 2011 Bosnia MSI reported, during the 2010 election period they saw "some of the most monstrous things in print media" since the signing of Dayton.[231]

The debate that began with those August *New York Times* articles left media reform in Kosovo stagnant for nearly a year. Policy analysts, pundits, donors, and implementers were at an impasse on how to prevent incitement without institutionalized self-regulation or overt regulation, or whether it was even a problem. While the future and structure of the regulatory body known as the Temporary Media Commission were under scrutiny, and while UNMIK and OSCE-MIK were embroiled in programmatic disputes, enthusiasm by the local community to start broadcasting after a nine year ban converged with generous donor budgets, a legal void, and many eager journalists and managers, untrained in Western reporting practices, to create a chaotic environment of quantity over quality. By the fall of 1999, an estimated seven daily newspapers, several magazines, 10 registered television stations, and 72 registered radio stations were up and running, with more waiting in the wings

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[231]*Media Sustainability Index (MSI) 2011: Development of Sustainable Independent Media in Europe and Eurasia* (Washington, DC: IREX, 2011) 19.

once funding and licenses were in place.[232] Provisional broadcasting licenses were granted

during this time by a range of bodies including UNMIK's Press and Public Information

Department, KFOR, and the provisional government headed by a political party aligned with

the Kosovo Liberation Army (KLA). Eberhard Laue, former Temporary Media

Commissioner,[233] referred to it as a "cargo-cult" mentality, wherein media outlets had a sense

of entitlement to donor funds without a sense of responsibility to adopt or uphold standards.

The result was an ethnically divided and frequently inflammatory media landscape on both

the Albanian and Serbian sides, with vitriol directed both at the international community and

among and between the Serbian and Albanian communities. Regan McCarthy observed,

> In Kosovo you had the international diplomatic bodies – the UN, OSCE, NATO, as well
> as an enormous wealth of internationally-funded NGOs – going in on their own, doing
> their own initiatives, not in cooperation with the diplomatic bodies. So that caused a
> phenomenal mess of too much money too early, competing internally for how to allocate
> that money, and undermining the heavy lifting that the international community was
> going to have to do to get control over the spectrum, to do the opposite of what had to be
> done in Bosnia which was in some instances to keep the Serbs off the airwaves because
> they were so fascistic and inciting. In Kosovo you had to keep the Albanians from doing
> that.[234]

The situation led to a prolonged dispute between the UN, advocating regulation of the print

media, and the OSCE, rejecting the UN proposition in favor of a journalists association to

promote self-regulation through a code of conduct. These two perspectives were based on

different and occasionally conflicting objectives – the primary responsibility of UNMIK was

to maintain security and stability while the OSCE was tasked with democratization and

institution building.

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[232] Anna Di Lellio, "Empire Lite as a Swamp," *Transitions* XLV, no. 1 (2005): 64.

[233] Laue was a temporary Temporary Media Commission from March 16, 2006 through December 28, 2006. He stepped in after Rob Gillette left and before someone local could be appointed.

[234] McCarthy, interview.

The Dita Affair

A turning point came in April of 2000 when the newspaper *Dita* published a story and

corresponding photo, including personal details, about a Serbian employee of UNMIK, Petar

Topoljski, who the article alleged had committed crimes against Albanians during the NATO

campaign. Topoljski's workplace and home address were printed and he was found dead two

weeks later. Local journalists, driven by frustration with a lack of political will and the limited

capacity of the international administration, embraced their new democratic freedoms (or their

own interpretations of them) and stepped into the institutional and legal void to investigate

and try alleged war criminals in the court of public opinion. This style of reporting became

known as "vigilante journalism." UNMIK viewed the *Dita* story as a clear example of

incitement by a newspaper and Special Representative of the Secretary-General (SRSG)

Bernard Kouchner responded by shutting the paper down for a week and promulgating two

resolutions that broadened the authority of the TMC and established Codes of Conduct for the

print and broadcast media:

> UNMIK Regulation No 2000/36 on the Licensing and Regulation of the Broadcast Media
> in Kosovo, and UNMIK Regulation No 2000/37 on the conduct of the Print Media in
> Kosovo, both described as temporary. The first provides the basis for the authority and
> the responsibility of the TMC, and establishes a media Appeals Board. The second gives
> the TMC the power to impose sanctions on media operating in violation of the applicable
> law and codes of conduct. It also establishes the right to appeal. Finally, it includes
> special provisions to protect life or maintain civil law and order, by prohibiting the media
> to publicize personal details on an individual if that would pose a serious threat to that
> person's life and safety. Two Codes of Conduct were also promulgated.[235]

Despite these new regulations, in July of 2000 *Dita* again published an article about three

alleged war criminals – two of whom were Serbian Orthodox Priests – providing their names,

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[235] Di Lellio, "Empire...," 65.

photos, and personal details. Two days later, two other priests were shot in a sort of generalized retaliation. The TMC issued a warning to *Dita* and levied a fine, which *Dita* appealed before publishing the photos and personal details of 15 more Serbs whom they alleged had committed crimes against Albanians. UNMIK and the OSCE came under fire again for "imperial" policies from international media organizations such as Article 19 and the International Federation of Journalists, as well as from the local Albanian media community who believed their right to freedom of speech had been violated. UNMIK argued that journalists "have a responsibility, where a democratic state is not functioning and where violence is a regular means by which differences are resolved, not to infringe the physical rights of individuals or to increase social tension; where those duties are violated, the authority has the right to discipline."[236]

The case instigated an international debate on due process, journalistic ethics, and freedom of speech. On the surface, the debate was about democratization and whether it stemmed from legal reform, institution building, or political reform, and whether it could be imposed from above or must be cultivated from the grassroots, or could be achieved by some alchemic mix of various strategies. The crux of the issue was norm creation in different contexts, but this became lost in discussions about governing architecture. Scholars such as Mark Thompson and Julie Mertus, both with experience in Bosnia, defended the new regulations and the Codes of Conduct as being fully supported by international law, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the European

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[236] Peter Krug and Monroe E. Price, "A Module for Media Intervention: Content Regulation in Post-Conflict Zones," in *Forging Peace: Intervention, Human Rights and the Management of Media Space,* eds. Monroe E. Price and Mark Thompson (Bloomington, IN: Indiana University Press, 2002) 155.

Convention on Human Rights.[237] They believe that such measures are necessary in post-conflict environments to safeguard public order, participation, and the rights of all members of the society.

On the positive side, in the aftermath of hearings regarding "vigilante journalism," the TMC was given much needed independence from the OSCE and supporting institutions were created to provide a more transparent and democratic system based on due process. For instance, the newly established Media Appeals Board acted as an autonomous check on the TMC and ultimately overruled the TMC's decision to fine and suspend *Dita*, which paved the way for a public Media Hearings Board (MHB) to evaluate complaints going forward.[238] These institutions created a system of checks and balances within the regulatory arena and were designed in consultation with British legal experts and judges and written in accordance with the European Convention of Human Rights. [239] From this point on, the TMC has been a complaint driven office with all complaints heard and reviewed by the independent panel of the MHB before a sanctioning decision is made.[240] Those subject to sanction have the right to appeal to the Media Appeals Board. These changes contributed to a relatively smooth election period in October of 2000.

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[237] Julie Mertus and Mark Thompson, "The Learning Curve: Media Development in Kosovo," in *Forging Peace,* 281.

[238] The Media Hearing Board (MHB) is comprised of one international and two local members. The Media Appeals Board (MAB) is comprised of two international and one local member. Complaints are heard first by the TMC and if the issue is not resolved it is reviewed by the MHB. If the decision of the MHB is appealed, the complaint goes before the MAB for a final ruling.

[239] For further discussion of the establishment of the Media Appeals and Media Hearing Boards, as well as the codes of conduct, see: Anna Di Lellio, *The Kosovo Temporary Media Commissioner Annual Report 2002* (Pristina, 2002) 8-9.

[240] Anna Di Lellio, *The Kosovo Temporary Media Commissioner Annual Report 2002* (Pristina, 2002) 10.

Anna Di Lellio, Temporary Media Commissioner from 2001 to 2003, frequently came under

pressure to wield her authority, not only to uphold codes of conduct but also to sanction

newspapers which virulently criticized international figures, or even to act as judge and jury

in settling local rivalries. Regarding the *Dita* affair, she observed that sanctions applied by the

SRSG had the opposite effect than intended – the move unified local media against the

international bodies rather than garnering support for implementation of the codes of conduct.

In thinking about why all the media trainings and discussions on media law and privacy rights

had such little impact, she concluded:

> The public, whose complaints landed on the desk of the TMC, was not the anonymous
> media audience looking for protection and rights, but individuals already engaged in
> violent fighting during the war and determined to continue fighting after the conflict had
> ended. The TMC's idea of opening an arena of debate for the public and the media
> followed theories and practices of democratic governance. It took the public as civil
> society, so often interpreted as the ideal, modeled after the Anglo-American experience.
> The Kosovar public is very far from mirroring this model.[241]

On March 16, 2004, another media crisis arose. In the ethnically divided and highly volatile

town of Mitrovica, three Albanian boys drowned after jumping into a river to escape a

runaway dog that had frightened them. The dog belonged to two Serbs who were walking

down the road at the time; it was not clear if they had released the dog, were trying to catch

the dog, or even if the dog was in fact dangerous. The only account of the tragedy was from

the surviving child who believed that the Serbs had intentionally targeted the children. RTK

interviewed the father of one of the deceased boys and he blamed the tragedy on "Serb

chetnik hordes." RTK ran the interview with the surviving child which ignited two days of

rioting. NATO troops were on the ground but unprepared and unable to contain the violence.

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[241] Di Lellio, "Empire…," 71.

Nearly 4,000 people – mainly minority Serbs – were displaced, and hundreds of homes and several Orthodox churches were destroyed.

Once again, there was an international outcry over standards and security and much finger pointing among the governing institutions and the media. It came as a shock to most observers that the public broadcaster, which had been the recipient of a lion's share of international investment and technical assistance, could violate the codes of conduct to such a degree. RTK was ultimately blamed for irresponsible reporting that had instigated the riots and was sanctioned. Over the next year, the OSCE reinstalled advisors at RTK and the broadcaster pledged 100,000 euro toward in-house journalism training. The UN/PRSG finally saw to it that a law on public broadcasting was written and promulgated.

This crisis forced the UN and OSCE to once again confront the policy paralysis surrounding legal, institutional, and educational reform needed in the media sector. The Council of Europe and the European Commission were given the green light to spearhead legal reform; they helped guide a civil libel law decriminalizing defamation, and a copyright law, through Parliament. The law for a permanent regulator, the Independent Media Commission, was finally passed to replace the TMC. That law enabled the formation of a Press Council in support of self-regulation, thus relieving the IMC of any regulatory responsibilities over the press – then a pre-condition of the UN for status talks toward independence. Editors, eager to see the end of TMC oversight and their heavy fines, had an incentive to comply and participate with the Press Council. Over the next two years, the first university-level

journalism program was launched and the Kosovo Media Institute, a center for mid-career training and advocacy, was founded.

International Accountability: Translators and Missed Opportunities

Between 2000 and 2007 there was rising discontent in Kosovo regarding the role of international organizations in governing the province.[242] In the early phases of transition they were welcomed, the expectation being that they would bring stability, security, development, and hopefully independence. But by 2004, Kosovars were growing weary of international oversight and stagnant political and economic development. An Index Kosova poll demonstrated a significant decline in both approval ratings of political figures and trust in institutions,[243] and voter turnout had fallen from a high of 90% in 2000 to less than 50% over a four year period.[244] There was much voter frustration due to the government's inability to

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[242] Economic pessimism has remained nearly constant in Kosovo from 2006 to2011, with 76% and 75% of people reporting dissatisfaction in those years respectively, and with the 49% reporting political dissatisfaction in 2006 increasing to 59% in 2011. There has been a shift, however, in whom citizens hold responsible for problems. While UNMIK's approval rating dropped from 64% in 2002 to 28% in 2007, in December of 2011, nearly four years after independence, 75% of respondents held the government responsible for the economic woes and only 5% blamed UNMIK and the other remaining international organizations. For more, see: Yll, Hyseni, Iris Duri, and Mytaher Haskuka, *Early Warning Report Kosovo: Report #15* (Pristina: UNDP Kosovo, October-December 2006) 13. Available at: http://www.kosovo.undp.org/repository/docs/EWR15FinalENG.pdf. Also see: "Public Pulse Poll: Fast Facts III" (UNDP: December 2011) http://www.kosovo.undp.org/repository/docs/Fast-Facts-3.pdf.

[243] Index Kosova, "Main Problems in Kosova, Most Urgent Issues for the Government of Kosova, Approval of Leaders," December 2004, Index Kosova/BBSS Gallup International, http://www.indexkosova.com/Publications/PDF/Pub12.04b.pdf (accessed October 19, 2006; link no longer active).

[244] Genc Krasniqi, Kosovar Institute for Policy Research and Development, *Security and Democracy in South Eastern Europe: National Assessment for Kosovo* (Pristina: KIPRED, 2006), http://www.balkanmosaic.org/downloads/doc/Kosovo.doc (accessed November 24, 2006).

address a low standard of living, and prolonged uncertainty as to the final status of the

territory.[245]

There has been a clear disconnect between local expectations and capacities and international

implementing bodies. Organizations entered Kosovo under the auspices of a short-term

intervention and failed to anticipate the longer-term state building that they would eventually

have to support once the status issue was resolved. Lack of a clear development or state-

building approach, cumbersome bureaucratic structures and procedures, and often

undemocratic practices, have all contributed to disillusionment with the development project.

Further distancing the local community from foreigners were the high rate of turnover within

international leadership, frequent or abrupt policy changes, and ineffective communication

from the governing administration. In addition, the high-handed and patronizing international

administration of Kosovo often left locals on the sidelines of the reform process. The resulting

frustration came out in many discussions with local journalists and stakeholders and speaks to

the issue of accountability between the international and local communities. Furthermore,

these factors have undermined professional morale. Many of the journalists, editors, and

media NGO representatives interviewed for this study expressed a strong sense of

professional mission and a commitment to independence, but felt they had limited ability to

impact standards in the profession and that they had little to no influence over national or

international policies in their own country.

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[245] Index Kosova.

Representative of the international community swept into Kosovo with great power and very little knowledge of local stakeholders and their social networks. Whom to trust, whom to empower, and how to integrate reform are just some of the complexities that must be negotiated when coordinating peacekeeping and democratization strategies; in the case of Kosovo, international administrators were very concerned about inadvertently collaborating with Serbian nationalists potentially aligned with Belgrade, and about strengthening the KLA. They needed to walk a careful line to ensure that their initiatives were not co-opted by political factions, so that they were viewed as neutral by the local community. Many Albanian interviewees for this study questioned the decision making of the international community when it came to local leadership. As one editor explained, "they really tried with training and support. But people who come from outside cannot understand the hierarchy and who is who in a society. Too often they are influenced by the people they meet in their limited circles and trust too quickly in those personal contacts."[246] They are "victims of the interpreters in society," he said, meaning that those "interpreters" translate not only the language but also its context, giving foreigners a biased view of the players and their roles in a society. According to this editor, "the interpreters are now more or less the government."[247] A colleague added cynically that these people are indeed "senior political advisors." To a large extent, international implementers will always be influenced by those they choose as their interpreters – the key is to have as large a network as possible from which to get balanced opinions and maintain consistent policies.

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[246] Migjen Kelmendi, interview by author, November 10, 2006.

[247] Ibid.

Anna Di Lellio took an attentive and nuanced approach to exercising her authority as TMC. She saw not only the legal and political complexities but also the paradoxes, and defined the problem as that of a "swamp," in which the situation is so murky it defies "technical analysis and solutions." She warned that "tool kits," such as those advocated by Price and others, should be used as little as possible and instead promoted a context-specific approach that takes into consideration the subtleties of local ecology and culture. During her tenure she struggled to overcome the hypocrisy of institutions and practices that were created over the heads of the local population and which were staffed by people who were deemed to be objective only because they had little to no knowledge of the local culture, language, or history. Locals were routinely hired only for non-professional positions, such as drivers or translators, leaving Di Lellio to seek out Albanian colleagues that could help her interpret the political developments and impact of the TMC; she recognized that it was impossible to build effective institutions and processes without the involvement and commitment of the local citizenry at the ground level.

The patronizing attitude of the international administration and the blank slate interpretation of Kosovo's political and institutional environment led to some possible missed opportunities to capitalize on extant networks, attitudes, and values that should have been mobilized for the transition. According to historian Isa Blumi, while Kosovar society has lacked classic democratic institutions, it has nonetheless been highly developed and organized according to communal laws with a specific logic.[248] Blumi argues that international policies in effect

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[248] Di Lellio observed that international policies and expectations often flew in the face of the local culture, yet there were opportunities for those who were sensitive to the context and open to pragmatic solutions. Di Lellio, for instance, turned the TMC into a complaint-driven office and utilized mediation because it allowed for face-

deconstructed that existing social order, which the West had in fact praised before the intervention for having kept the society functioning. That local social order, according to Blumi, maintained community structures through civic qualities usually associated with nascent democracies, such as trust, a sense of collective responsibility, and mutual dependency.[249] He believes that these indigenous institutions should have been bolstered and mobilized rather than distrusted and disregarded as primitive – that donors in effect may have gotten better results by employing a more contextual approach in which they supported existing social structures rather than imposing their own. Instead, he writes, UNMIK's centralized and divided bureaucracy, reminiscent of the previous system, coupled with coverage by the international media, perpetuated self-fulfilling prophesies of intractable ethnic divisions and subversive local networks.

Ecology of the Media Sector

Following is a review of the primary institutions of the emerging "tool box" and the evolution of the enabling environment in Kosovo seven years after the intervention. As illustrated above, programs evolved slowly as the bureaucratic and legal climate made reform a protracted and at times painful process. Driven by differing philosophical approaches, interests, and capacities, donors backed projects to professionalize the sector through training, education, and institution building, or to commercialize the sector through market development.

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to-face debate and negotiated settlements, in some instances providing a sense of recourse and fairness, if not justice.

[249] Isa Blumi "One Year of Failure in Kosova: Chances Missed and the Unknown Future," *Southeast European Politics* 1, no. 1 (October 2000): 15-24.

Training and Education

Seven years after international intervention, the tiny country of Kosovo had five journalism education institutions. The University of Pristina established a Faculty of Journalism in 2005 and had just fewer than 100 students majoring in journalism by 2006. A private university, AAB, established in 2001 by a local business family, offers both BA and MA degrees and had approximately 300 students during the period of this research, in 2006. By that time, AAB had raised its standards to such a point that it was awarded an important contract to enroll selected RTK staff in their programs. Another locally run but smaller private journalism school, Faik Konica, was run by the Kelmendi family but established in 1999 with donor support from the EU, the National Endowment for Democracy, and People in Need. Faik Konica had evolved by the time of this study into a for-profit, self-sustaining institution. Overall, it is well respected in journalism circles but has often been criticized for not having high technical or training capacity. Donors, however, focused their investment in two other organizations: the Kosovo Institute of Journalism and Communication (KIJAC), which offers an MA program, and The Kosovo Media Institute (KMI), to provide mid-career training.

Since opportunities for a degree in journalism are now plentiful in Kosovo, schools are producing many more young journalists than the market can absorb. Also, the quality of education varies significantly, depending largely upon the strength of financial backing and available resources.

Kosovo Institute of Journalism and Communication (KIJAC)

In 2005, KIJAC, a graduate school of journalism and communications, was established with generous funding from the Norwegian Ministry of Foreign Affairs. They committed to providing seven to ten years of funding in order to carefully plan for the sustainability and integration of the program into the emerging institutional environment in Kosovo. The project was spearheaded by Willem Houwen, who had worked as a Media Advisor for the OSCE, and his team designed the project with a long-term development approach. Norway's Gimlekollen School of Journalism and Communication was the lead implementer, but they quickly set up international partnerships to draw from a large talent pool as well as to offer the students a broad range of opportunities. Gimlekollen sent many journalists with backgrounds in major news outlets, such as the BBC, *Time*, and the Norwegian Broadcasting Corporation, to teach hands-on and practical courses. Cardiff University School of Journalism and Media Studies in the UK took charge of teaching communications theory and research methods. The College of Journalism and Mass Communication at the University of Nebraska-Lincoln taught web journalism and set up the KIJAC News Net website, modeled after NewsNet Nebraska.[250] In 2006, at the time primary research for this study was conducted, KIJAC was in their second year of operation and was going strong; the institute's goal was to "guide the students in their quest for an understanding of the role of the media and journalists in a functioning democracy."

KIJAC provides an interesting model; it is an educational organization designed to bridge the chasm between public and private institutions, and it was created to meet immediate needs for

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[250] Kaare Melhus, "Kosovo's Fresh Start," *Global Journalist,* March 31, 2009, http://www.globaljournalist.org/stories/2009/03/31/kosovos-fresh-start/ (accessed May 10, 2011).

which a private framework offered necessary flexibility in the short-term, but to merge over time with the evolving public education system. Originally, founders had hoped to establish the program as part of the University of Pristina, but they knew that bureaucratic hurdles, slow Bologna reforms, and ideological residue pigeonholing journalism as a political tool would have crippled their efforts. The decision was made to focus all energies into an MA program that would provide cutting edge technical training as well as an intellectually rigorous journalistic education, with teachers drawn from leading international institutions and news organizations. The approach was also "supra-ethnic" – with students and faculty representing both the Albanian and Serbian communities.

Because the market is simply too small to absorb hundreds of undergraduate journalism students, it was considered a better investment to direct resources toward a smaller and more select group of professionals. Donors covered most of the associated costs, estimated at 35,000 euro per student for two years, but students also had to contribute 1000 euro per year toward their tuition. The Institute's directors appreciated the need to develop human capital, and provided one scholarship each year for an outstanding student to earn a PhD at a European University. The objective was to train the next generation of journalism professors and communications scholars that would lead KIJAC.

Unfortunately, a recent check back on how KIJAC is doing was disappointing. Their website was still operational but clearly had not been updated in some time, and the same applied to KIJAC NewsNet. More research revealed a *Balkan Press Agency* article from March 2011 entitled "Students cheated by KIJAC University" with the opening lede, "Nothing has

remained out of the millions of Euros invested for the Kosovo Institute of Journalism and Communication (KIJAC)."[251] The article goes on to declare the project a failure that has left 130 students trying to finish their degree at the American University in Kosovo, which adopted KIJAC's students and equipment. The 30 that did graduate apparently have degrees that are not recognized, since KIJAC was never accredited in Kosovo. At the center of the scandal is Willem Houwen, the former head of the school as well as the Chairman of the Press Council in Kosovo, who reportedly falsified his CV – claiming to be a PhD when in fact he never earned that degree.

According to journalist and former KIJAC student Agon Fehmiu,[252] Houwen avoided submitting the application for KIJAC's accreditation because it would have exposed his deception. He claimed KIJAC did not need accreditation in Kosovo since its diplomas were internationally recognized due to their affiliation with and sponsorship by the three university partners, Gimnekollen, Cardiff, and Nebraska-Lincoln. It was only after numerous former students complained to the primary donor, the Royal Norwegian Ministry of Foreign Affairs (RNMFA) that their diplomas were not recognized that an investigation was launched into the problem. Houwen, who was earning 120,000 euro per year, tax free, was eventually forced to admit to a web of lies. He was fired, and Cardiff University and the University of Nebraska severed their relationships with KIJAC. As of January 2012, the KIJAC Board of Trustees and the RNMFA are working with the Kosovo Accreditation Agency to ensure diplomas from the program are validated and recognized.

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[251] "Students Cheated by KIJAC University," *Balkan Press Agency*, March 15, 2011, http://www.balkanpressagency.com/cms/index.php?option=com_content&view=article&id=212:students-cheated-by-kijac-university&catid=124:news (accessed May 12, 2011).

[252] Agon Fehmiu, e-mail to author, January 12, 2012.

This is a tragic end to a very real effort to create a sustainable education model. Asked to tell

me, in his opinion, what the legacy of KIJAC would be, Fehmiu responded this way:

> KIJAC will be remembered as an excellent MA program for Journalism and
> Communication that went wrong because of corruption and terrible mismanagement…
> Knowledge gained at KIJAC helped the students to be more courageous, professional and
> thorough during their reporting; therefore, the impact of KIJAC on Kosovan journalism
> was more than positive. If we carefully analyze the Kosovan media, both print and
> broadcast, we can notice that journalists who were KIJAC students have applied the
> knowledge they gained there and contributed in meeting the Western standards of
> accuracy, objectivity and responsible reporting… Kosovan media in general, have failed
> to provide professional and qualitative reporting, in order to inform citizens Kosovo-
> wide; but, with the help of KIJAC students, this defect is vanishing rapidly.[253]

The Kosovo Media Institute (KMI)

The Kosovo Media Institute was originally conceived by the OSCE as a training center to be

managed by local media professionals that could take over mid-career development once the

OSCE phased out their programs. The idea was first explored back in 1999 but took over six

years to come to fruition. The delay seems to have been caused by struggles between

international donors and the local journalism community as to the ultimate mission and

organization of such a center. Agron Bajrami, Editor-in-Chief of *Koha Ditore* explained, "it

has taken several years for them [Kosovar stakeholders] to come to an understanding with the

international presence that there needs to be a different sort of approach to do these things and

not just to copy and paste from things that have been done in the region and elsewhere."[254]

Although the OSCE has supported the organization along with other donors, KMI was

organized by the industry itself. It is member-based and its founders include the two largest

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[253] Ibid.

[254] Agron Bajrami, interview by author, November 8, 2006.

newspapers, *Zeri* and *Koha Ditore*, as well as RTK, AMPEK, three local radio stations, and a few minority media outlets. It was important to the Institute's founders that some smaller, local outlets be included since they are in great need of assistance but are often left out of Pristina-based initiatives. Though KMI has international advisors, it is up to industry members to assess their own needs and design appropriate trainings, as opposed to taking external directives. Member outlets have priority, but individuals and non-members can also participate in activities for a fee. Courses are aimed mostly at training younger staff and are scheduled to meet the needs of working journalists.

Funding from the European Agency for Reconstruction (EAR) allowed the KMI to fully launch in January of 2007. Additional donor funds were secured from the European Commission Liaison Office and the Open Society Institute. A consortium of international organizations is in charge of oversight and implementation, including IREX Europe, ECJ, and TIMUR and Partners. By 2011, the Center was offering diploma courses, training in political and economic reporting, and had launched a network of 26 radio stations across Kosovo to broadcast a weekly Radio Program called "Europe Now in Kosovo." Although the Institute will be donor dependent for a few more years, it is the hope of its founders that, as the market begins to regulate itself and grow, the industry can cover a larger portion of operating costs. This will be an interesting organization to follow as it has strong local leadership and, at least at this point, a locally inspired mission.

Professional Organizations and Advocacy

Neither of the two professional associations in Kosovo, The Association of Independent

Broadcast Media in Kosovo (AMPEK) nor The Association of Professional Journalists of

Kosovo (APJK), are yet self-sustaining; but both are necessary for further development of the

sector and for the protection of journalists. Consequently, turnover in the industry is high,

some journalists are forced to work multiple jobs, and many of the smaller media take on

young, inexperienced journalists because they will work for less. Financial pressure from both

owners and the oversaturated market leads journalists to practice self-censorship, locally

referred to as "keeping quiet to keep alive" or "protocol journalism" – a perfunctory covering

of press conferences and other official events with little to no analysis, investigation, or

follow-up. This impacts the credibility of the media, the capacity of news outlets to function,

and the effectiveness of donor media development strategies. Several journalists commented

in interviews for this research that they need to regain the sense of professional pride they had

in 1999, now transformed into humiliation due to dependence on the international presence

and poor employment conditions.

The Association of Independent Broadcast Media in Kosovo (AMPEK)

AMPEK was started in August 2001 with core support from IREX. There were 19 founding

members who finally named an operations officer in November of 2002. By 2006, there were

35 members out of a total potential of 170 broadcast media. Their director, Ardita Zejnullahu,

described the Association at the time as a quality-driven organization that only solicits

membership to media who can contribute to their mission.[255] AMPEK was actively involved

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[255] Ardita Zejnullahu, interview by author, April 8, 2006.

in the passage, and subsequent lengthy revision process, of the copyright law, and in the drafting process of the law establishing the IMC. In 2004 they received a citation from the South East European Network of Associations of Private Broadcasters (SEENAPB) for their contribution to the regional network, but Zejnullahu was determined to find even more opportunities for regional cooperation and resource sharing.

The Association's success is most often attributed to the dynamism of Zejnullahu, who is young and energetic. And, while she may not have had as much experience as some would have preferred out of the gate, she has proven herself a very capable fundraiser who knows how to lobby on behalf of the organization. AMPEK is struggling to achieve its objectives in a hyper-politicized environment and is deeply concerned about finding a sustainability strategy. So far, donors have continued to fund training, efforts to create a legal framework, and legal assistance for members. As the organization's credibility is further bolstered, Zejnullahu hopes that someday membership dues will fund AMPEK; in the meantime, donors such as the National Endowment for Democracy seem content to maintain their support. The NED has specifically highlighted AMPEK as a success story, calling the decision by all of Kosovo's Serbian-language television stations to join the organization "an unprecedented display of trust and confidence."[256]

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[256] National Endowment for Democracy, "Central and Eastern Europe Program Highlights 2010," Where We Work: Central and Eastern Europe, http://www.ned.org/where-we-work/central-and-eastern-europe/central-and-eastern-europe-program-highlights (accessed December 12, 2011).

The Association of Professional Journalists of Kosovo (APJK)

The APJK is the third attempt by IREX, since 2000, to create a viable journalists association

in Kosovo. The first incarnation, the Association of Kosovar Journalists, was desperately

needed at the time because journalists were often under threat, but its structure was fatally

flawed. The board was comprised of editors and owners, creating clear conflicts of interest.

The OSCE stepped in and attempted to establish a code of ethics, but it was rejected by

journalists who felt it was being imposed upon them. Another effort to start an association by

the Committee to Protect Journalists also fell prey to the local environment, as journalists

were afraid to speak up for fear of losing their jobs. Finally, in 2002, the Association of

Professional Journalists of Kosovo was registered as an NGO with UNMIK. The

Association's first director was a well known but rather controversial figure, installed by

IREX, and was referred to by local media professionals as a "general without an army."[257]

Membership lagged under his leadership and several sources claimed he used the organization

to further his own interests. The result was a collapse of credibility and a reorganization of the

association. Agron Bajrami, Editor-in-Chief of *Koha Ditore,* described the problems that

surrounded the establishment of these associations this way:

> Up until now, the associations were always an idea coming from outside and saying, "okay you need an association" to do this and this and this. And then IREX comes and says, "we have the donation and we can set it up for you." And then they set it up and it does not function. And then they try to set up another one. And then someone gets elected who is totally out of line. And then you want to set up a third one. So it is a messy game because it looks like you are trying to do something that no one wants. And at the end of the day you will have to live with the fact that unless there is a grassroots need, no association will be functional.[258]

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[257] Evliana Berani, interview by author, April 3, 2006. Evliana Berani at the time of this interview was the Vice Rector, Faculty of Mass Communication and Journalism, University AAB. She was also a journalist and taught journalism at AAB.

[258] Agron Bajrami, interview by author, November 8, 2006.

Bajrami brings up two common complaints by local stakeholders. First, that too many initiatives are imposed on locals based on outside assessments of their needs; and second, that the wrong local leadership for these initiatives has been chosen. There is sufficient evidence for these criticisms, but others in the media and NGO sectors say the key issue is accountability. Regarding APJK's former director, for instance, it was the goal of IREX to give the Association a strong local leader whose management would allow IREX to remain relatively uninvolved. Unfortunately, because he was not held to account, the organization became captive to his personal and professional interests.

A new board elected in December of 2006 was comprised of five reporters and two editors. Although there is no policy regarding board composition, journalists are usually preferred over editors. However, since all the positions except that of the Executive Director – an administrative position with no decision making powers – are pro bono, the most important factor in deciding who is elected is a demonstrated commitment to protecting journalists' rights.

IREX's funding ceased in June 2006, but APJK continued to offer basic consulting until a new business plan secured additional support from the Balkan Trust Fund. By 2007, the Association had 400 registered members, but none were paying dues and rejected the idea when it was proposed in the summer of 2006. So, with donor money still flowing in, and considering the economic situation for journalists, the board felt it was not the time to solicit dues, especially since the Association did not yet have the credibility to demand them.

While IREX stands behind the Association and is optimistic that it will succeed, there is cause for concern. One member of the board remarked that the organization cannot even begin to implement programs because the staff is all-volunteer and most of their energy goes toward fundraising. IFJ has provided press cards and limited legal assistance, but that is not enough to build confidence or membership. Furthermore, the board has also apparently felt that it is not yet equipped to lobby for better employment conditions for journalists because the organization is not strong enough to confront editors. Under present conditions it is hard to see how the Association can possibly fulfill its mission – to advocate on behalf of journalists and promote a code of conduct. Several journalists commented during research for this study that the continued presence of neutral international advisors would be necessary to pressure local media into compliance. Despite the need for local leadership, international oversight that can rein in certain local interests who have the capacity to co-opt institutions and policies is a controversial issue; gauging the required levels and tactics of that oversight continues to be an experiment in alchemy. By 2010, the APJK was still extant but was criticized in the MSI for being mostly reactive rather than proactive. Unless APJK begins to show more commitment to its mission, it will crumble from a crisis of legitimacy.

News Media

Paradoxically, by 2006-2007 Kosovo had the highest concentration of media outlets relative to its population in all the former Yugoslav territories,[259] with 115 licensed broadcasters (93 radio and 22 television stations), 10 daily newspapers, 5 weekly papers, and numerous other

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[259] Tijana Arsić and Tanja Matić, "Belgrade Media Keep Kosovo Serbs in the Dark" *B92 Insight* (September 28, 2006), Radio B92, http://www.b92.net/eng/insight/opinions.php?yyyy=2006&mm=09&nav_id=37019 (accessed October 12, 2006).

smaller publications.[260] This 2007 reality was far worse than it had been in 2000 when donors

first became concerned about the proliferation of media and sought to regulate the market

through the TMC/IMC. A major OSCE assessment of local broadcasters in Kosovo from

2005 concluded that, "the initial licensing policy which could be summarized 'the more

media, the more democracy and human rights' has collapsed like a hot air balloon at high

altitude leaving nothing behind but shattered broadcasters on life support from the donor

community and KFOR."[261] The market, like those of so many other countries in the region,

was oversaturated and ethnically segregated.

The market has been difficult to regulate for several reasons: First, there are significant non-

transparent (and some allegedly illegal) forms of income artificially supporting outlets.

Second, advertising time purchased by KFOR, the international community, and the

government has skewed the market. Third, because of delays in establishing the IMC, it was a

long while before regular licensing fees were paid or quality standards for acquiring or

maintaining a license were imposed, and by the end of 2007, legal financial reporting

requirements were still not in effect. Theoretically, new licensing requirements and legislation

should also help regulate the market somewhat. Implementation of the copyright law, in force

since 2006 but not yet practically applied, also ought to contribute to a more sustainable

environment.

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[260] IREX, *Media Sustainability Index 2006/7: Development of Sustainable Independent Media in Europe and Eurasia* (Washington, DC: IREX, 2006/2007), http://www.irex.org/system/files/MSIE06_ko.pdf (accessed November 24, 2008).

[261] Laue, 14.

Agon Fehmiu summarized the situation:

> Economic pressure is another important factor which unfortunately determines newsworthiness in Kosovan media. Kosovo's market is weak… One can say that this [is the] case everywhere in the world, and I do not deny that; however, there are certain rules and basics skills that are lacking in Kosovan media that lead to unprofessional journalism. If we carefully analyze the Kosovan media, printed or broadcasted, we can see that only a few of them tend to partially meet the Western standards of accuracy, while most of the others are political party envoys…

Fehmiu added that, while the effort to report "relevant, useful and interesting news" that adheres to Western standards is not, in his words, a "Mission Impossible," it is nevertheless sure to be a long and hard fought challenge to reach that benchmark in Kosovo in light of the economic, political, and social realities there.[262]

Pluralism has certainly been achieved in Kosovo, but sustainability and independence are still pressing concerns. By 2010 little had changed in the market, numerous outlets were in financial trouble, and the current expectation is that bankruptcies and an inability to pay broadcasting fees to the IMC could potentially weed out weaker outlets. The market in Kosovo must begin to be actively regulated with other standard mechanisms, such as market research that includes distribution figures for print, advertising revenues, and independent auditing. Although IREX has been supporting a Joint Industry Committee since 2002, better industry and market data is needed in the print sector – accurate distribution and advertising numbers are unavailable. Greater transparency of financing is also necessary to ensure that taxes are being paid, accounting regulations are respected, and outlets are not being used as fronts for money laundering, a suspicion voiced by nearly all journalists interviewed for this research.

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[262] Fehmiu, e-mail to author, January 12, 2012.

Donor strategies in this sector in Kosovo have been, in many ways, the result of earlier donor battles in Bosnia. The US has taken the lead in supporting private, commercial outlets, while European donors have focused their efforts on building the public broadcaster, RTK, along the lines of the BBC. Still, locals have felt that policy disagreements between US and European donors were fought over their heads and without their input, and in such a small community this has often turned personal. Specifically, the issues of if and how much advertising would be allowed on RTK, and the Convention on Trans-border TV, caused major friction in the donor community. The debate pitted KohaVision and TV 21, backed by the commercially-oriented US/USAID and Soros's OSI, against RTK, backed by the public service-oriented European Union and OSCE. The effect was a delay in the passage and implementation of necessary legislation.

KohaVision (KTV)

IREX has invested heavily in Kosovo's two national private broadcasters, KohaVision (KTV) and TV 21. They are stations with very different philosophies and market approaches, which is perhaps why they have been as successful as they are. By 2006 KohaVision (KTV) reportedly covered all of its own costs and had increased revenues three times, although they still received consulting and training services from IREX. They have the very broad mission "to foster democracy in Kosovo through broadcasting high quality programming that consists of information, educational programs and entertainment," but this is coupled with a firm determination "not to compromise!" according to their director.[263] Their audience is targeted

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[263] Leke Zherka, interview by author, April 7, 2006.

to those who are young, urban, and between the ages of 10 and 45. In 2006, they had 112 full-time employees and 8 freelancers, but turnover was higher than it should be because the station had become a transitory training ground for future RTK employees – their best journalists were lured away by bigger salaries and benefits. KTV has struggled to standardize their marketing, to truly get what they are worth, an issue IREX has worked on steadily with them despite the outlet's rejection of some of the advice it's been offered. Because KTV had an aggressive marketing manager, their revenues remained high in 2010 even though their audience ratings in 2010 were still the lowest of the three national broadcasters.

TV 21

TV 21 has been the biggest financial success of IREX's investments in Kosovo. The mission of the station is "to create social change in Kosova using 21st Century information resources and technology." The founders of the station are strong female political activists and their station was created with a solid public service mandate. One of the founders, Aferdita Kelmendi, received the 1999 Courage in Journalism award from the International Women's Media Foundation for her work before the intervention. Back in November of 1995 she received a grant to start an NGO to train female journalists in radio, TV, print and conflict management. They trained up to 200 young women over the years on an ad hoc basis. In 1997, they started a monthly magazine and published eleven issues that covered culture and politics through women's viewpoints. With technical and financial assistance from Internews, they produced 15 short documentaries, 2.5 to 3.5 minutes each, called "Kosovo: A view from the inside," which were broadcast by EBU, ANEM, and CNN world report. Also in 1997, they received a small grant from Star Network to broadcast radio over the internet. By

January 1999 they were broadcasting twice a day, but then their office was destroyed during the NATO bombing. They fled to Macedonia, where they teamed up with donors to establish their radio station in exile. In July of that year, they were able to move back to Kosovo under the protection of KFOR. Once back up and running in Pristina, KFOR needed their assistance; they began broadcasting 24 hours a day with news at 12 noon, 6 pm, and 9 pm. In 2000, with funding from USAID and OSI, TV 21 was established, and by August of 2001 they were broadcasting 24 hours a day, 73% of which was in-house production.

Since 2005, though, the station has taken a more commercial path by significantly increasing its entertainment programming, most notoriously with tele-novellas. Much to the consternation of the owners, these shows have proven to be far more popular and profitable than programming produced by the station; yet, these shows have afforded them large advertising revenues. In 2006 the station still provided its flagship "flash news" every hour and maintained public affairs programming, and 50% of the programs it aired were locally produced. Marketing lessons well-learned, the founders used the increased revenue stream to expand into satellite markets in the US and Europe, and to invest in additional space for studios and events. Several journalists and advisors commented that this expansion came at the expense of the outlet's staff. Allegedly, salaries were being paid up to six months late. Three disgruntled, former employees left to establish Radio Dukagjini, which in 2006 was among the most popular stations.

Radio-Television Kosovo (RTK)

Public Broadcaster RTK, modeled after the BBC, broadcasts in five languages. It houses a television station and two radios stations, which operate with a third of the budget of Montenegro's public broadcaster and half of the budget of TV Albania.[264] It is the poorest public broadcaster in Europe and is in need of additional revenue streams to enlarge its footprint and allow for capital investments. In 2005, revenues were predominantly from fees, with a limited amount from advertising. According to estimates for that year, 73% of the budget came from fees, 12% from advertising, and 2% from donations. But by the time the 2010 MSI was published, RTK was said to be receiving "considerable revenue from commercials," at a rate comparable to private stations.[265]

Since being implicated in inciting the 2004 riots, RTK has adhered to a strict code of ethics. Those high standards coupled with their role as a public broadcaster in an ethnically divided country means they have a professional commitment to representing the interests and views of the whole society. Therefore, its program goals for 2006 were to produce more dialogue-oriented shows discussing interethnic issues. News in Serbian is broadcast at 7pm each night and 15% of RTK's prime-time lineup is targeted to minority audiences. When covering human rights and minority concerns in their informational programming, they try to incorporate conflict resolution approaches. Advertising during these shows has proven a costly problem, though. Unfortunately, ethnic divisions affect advertising choices – few Albanians will advertise during the Serbian broadcast and even fewer Serbs will advertise on

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[264] Dr. Vjosa Dobruna, interview by author, April 3, 2006.
[265] IREX, *Media Sustainability Index 2010: Development of Sustainable Independent Media in Europe and Eurasia* (Washington, DC: IREX, 2010) 58.

the station as a whole. While RTK firmly states that they more than meet minority programming requirements in the broadcast law, a minority media fund was established to support small, local, minority productions. This was done in part to alleviate the overall need for advertising revenues, which is a point of contention in the industry. Although serious efforts are taken to produce quality programming, a 2006 OSCE survey showed that RTK's minority programming was not well regarded by the Serb population. Despite years of international funding and guidance, by 2010 the station still did not have a viable system in place to collect broadcasting fees, leaving it reliant on government subsidies and hence open to political influence. Further, the level of editorial independence of RTK is hotly debated. While the station has received praise for its educational and entertainment programming as well as increasing its minority language shows, detractors continue to fault it for a political bias and for not fulfilling its mandate as a public service broadcaster.

The condition of local and multiethnic media is much more problematic than that of the national media. A 2005 OSCE analysis of local electronic media described their status as "devastating" economically, as well as in terms of management, professional standards, and employment conditions. Despite all efforts to create interethnic programming and networks, Kosovar Serbs are still getting most of their information from Serbia- or Belgrade-based outlets, which reinforce nationalist viewpoints.[266] A report from the Youth Initiative for Human Rights in 2006 claimed that reporting from Serbia was providing a false and negative view of the political situation in Kosovo.[267] Unfortunately, efforts to provide quality local

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[266] Arsić and Matić.

[267] Ibid.

Serbian language programming have been received with mixed reviews. Several

representatives from both the international community and the local journalism community

commented during this research that much interethnic programming is considered artificial,

and that it has little impact.

Regulation

Regulation of the media sector in Kosovo is tasked to three organizations: The Independent

Media Commission, for broadcast regulation; The Press Council, for self-regulation of print

outlets; and the Kosovo Terrestrial Telecommunications Network, for regulation of the

telecommunications infrastructure.

The Independent Media Commission (IMC)

The Temporary Media Commission (TMC), since 2006 the IMC, was based on a model

successfully implemented in Bosnia for the broadcast media, but in Kosovo it took on added

regulatory capacities for print media; this violated its original concept and seriously

undermined the organization. It took over six years, far longer than anyone had anticipated,

for the Temporary Media Commissioner to become an independent regulatory institution,

delaying urgently needed reforms in the sector. From 2000 to 2005, the TMC heard all print

complaints and required that the temporary Code of Conduct be renewed every 90 days by the

Special Representative of the UN Secretary-General, until the Press Council was in place to

assume those responsibilities.

In 2003, with a new Commissioner in place, focus turned to broadcast licensing. The TMC's mandate was to maintain fairness and competition, monitor broadcast media, contribute to the drafting of legislation, and evaluate compliance. Since it lacked the authority to issue rules and regulations, a limited tender was conducted and many vital aspects of the broadcast sector were put on hold until the Independent Media Commission could be established with new frequency allocation policies. Although the IMC came into force in September of 2005, it took until November of 2006 to implement it due to various bureaucratic and institutional hurdles.

Once the IMC was in place, new licenses could finally be issued, fees could be collected, an advertising law could be written, and the new board of RTK could be elected. Despite its independence, the IMC was once again burdened with controversial and extraordinary powers – it was given the responsibility to determine the percentage of advertising that RTK can sell each year. This placed the IMC in between the needs of the commercial broadcasters and the public service broadcaster, paving the way for potential corruption. Further complicating matters, the state's contribution to the IMC budget was not fixed but had to be negotiated each year, exposing the organization to political pressures.

The Press Council of Kosovo

Kosovo's Press Council, comprised of 15 affiliated newspapers, was registered as an NGO on September 21, 2005 – to promote and enforce the Press Code of Conduct, hear complaints about and make decisions on breaches of the Code, and to publish adjudications of the

Code.[268] This was a major institutional accomplishment and relieved the TMC of a burden that weighed heavily on its capacity and its legitimacy. The Code of Conduct was finalized in March of 2004 after numerous drafts were reviewed by the OSCE and local editors. Its Statute was written in cooperation with affiliated newspapers to ensure a sense of local ownership, and the board is made up of editors-in-chief of those papers along with three independent local or international members who are nominated by a simple majority. Heeding a lesson learned in Bosnia, the Council was designed to exclude publishers or members of civil society from the board, preventing conflicts of interest and political interference. The Council has the authority to levy fines and to require members to print adjudications. Financially, the Press Council relied for its first few years on donors, though each affiliate does pay a membership fee based on how often they publish. As an incentive to pay the fee and to participate, honoraria are paid for attending meetings. There is strong fiscal oversight and concerted efforts to keep the operating budget low, as these issues have crippled other councils in the region.

By late 2006, the Council had been active for over a year and had heard about 2-4 complaints each month, mostly from citizens. None of these complaints were terribly serious and they were fairly easy to adjudicate. Levels of cooperation were also quite high, unlike in Bosnia. One early success was a proposition to lower the VAT, but Agron Bajrami feels that the issue was not much of a test since there was already a high level of consensus for what was proposed. He thinks the real test for the Council remains in the future because, "not everyone

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[268] *Press Council Statute*, available from the Press Council of Kosovo.

is in this business because of this business. And that will make a difference once we start

dealing with the core of the problems."[269]

As is the standard European practice, but was not applied in Bosnia, The Press Council is

referenced in the Law on Defamation as the first line of defense for complaints. The

defamation law in Kosovo is one of the most progressive in Europe. It protects freedom of

speech, recognizes the essential role media plays as a watchdog in democracy, provides

effective compensation for people who have been harmed, and prevents unreasonable

restriction on public discussion of public interest matters. For instance, Article 1 states, "The

objective of this law is to regulate civil liability for defamation and insult while

ensuring:…(d) the essential role of media in the democratic process as public watchdogs and

transmitters of information to the public."[270]

 One of the more modern aspects of the law is the obligation to mitigate harm, which, in

practice, means that all parties involved in a complaint have a responsibility to utilize all

institutional and official channels to resolve the issue before going to court. While a plaintiff

can disregard the view of the Council or refuse to address the offending party with their issue

before going to court, the court, in making its decision, will consider this a failure on the part

of the plaintiff to mitigate harm.[271] Article 12, Obligation to Mitigate Harm, under the Civil

Law Against Defamation and Insult states:

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[269] Agron Bajrami, interview by author, November 8, 2006.
[270] *Civil Law against Defamation and Insult*, Law No. 02/L-65, Assembly of Kosovo, June 15, 2006,.
http://www.assembly-kosova.org/common/docs/ligjet/2006_02-L65_en.pdf (accessed January 25, 2012).

[271] Dr. Charles. E. Ehrlich (lecture, University AAB, Pristina, Kosovo, November 10, 2006).

> Prior to filing a complaint under this law, an allegedly injured person shall undertake all reasonable measures to mitigate any harm caused by the expression. In particular the complainant shall request a correction of that expression from the person who allegedly caused the harm. Such actions may include seeking a remedy from the publisher of an allegedly defamatory or insulting expression and filing a claim with any appropriate regulatory body (The Independent Media Commission) or self-regulatory body (Press Council).[272]

The Council has been approached by journalists seeking assistance in protecting their rights. Such assistance is outside the mandate of the Council, but the fact that it is sought clearly demonstrates the need for a strong and credible journalism association. In Bosnia, the Press Council was established in cooperation with the journalists association, leading to conflicts of interest, so in Kosovo the organizations are being steadfastly kept separate. In order to familiarize the public with their activities and role, the Press Council aired a series of debates on RTK, conducted outreach campaigns, and cooperate regionally with other press councils.

The Kosovo Terrestrial Telecommunications Network (KTTN)

KTTN was established in June 2000 to rebuild destroyed portions of the terrestrial broadcast network, in preparation for the October 2000 elections. The project was lead by IREX after previous attempts by other international organizations failed. However, it was impossible to complete in time for the elections, so satellite broadcasting was utilized instead, and at a steep cost. The system was finally in place by December 2000, though, and provided coverage to 80% of the territory. In July 2001, KTTN was registered as a domestic non-governmental, not-for-profit organization by local stakeholders RTK, RTV-21, KohaVision, and Radio

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[272] *Civil Law against Defamation and Insult*. Article 14.1, Compensation for Defamation, states: "…In making a determination of compensation, the court is obliged to have regard for all of the circumstances of the case, particularly any measures undertaken by the persons referred to in Article 5.2 of this Law to mitigate the harm." and 14.5 states further that "…compliance with remedial orders or instructions by a Press Council or relevant regulatory body shall be considered as a mitigating circumstance in determining any non-material compensation."

Dukagjini, under the supervision of IREX. Although it was an NGO, it was run like a for-profit business, selling advertising space on its sites as a means of generating income to cover maintenance and operations.[273]

While NGO status allowed the organization to continue to receive donor funds as well as commercial revenue, it disallowed eligibility for investment funds from banks. This prompted a two year deliberation on how best to restructure. The Network received 95% of funding from USAID until January 2004, when it started collecting fees. It was eventually turned into a private shareholder company, owned and operated by its users. This creates a conflict of interest – the owners are their own clients and have political and business interests that may influence the decisions they make regarding the financing of operations. However, it was a compromise that IREX had to make in order to fulfill their primary goals of making KTTN independent from the state and sustainable as quickly as possible. Also, because the system is built on analog not digital technology, they see the organization as having a limited life span. Once an upgrade occurs, the business will need to be completely reorganized.

Conclusion

On February 17, 2008, Kosovo declared independence, but it was not universally recognized by UN member states. Due to the tenuousness of Kosovo's political and economic situation, UNMIK will continue its oversight role for the foreseeable future. Large donors, however, have significantly reduced their roles or are wrapping up their programs, and most smaller donors have exited. After seven years of media assistance, the international donor community

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[273] IREX, *Keeping Kosovo's Broadcast Transmission System Independent and Sustainable* (Pristina: KIMP/USAID, CA No. 167-A-00-01-00107-00).

has codified a democratic legal framework, established primary professional and regulatory institutions, and developed a pluralistic media market with a public broadcaster and independent commercial media. University-level journalism education is also offered by a number of schools and mid-career training is available at the Kosovo Media Institute. For the most part, all the structures for a democratic media sector have been established, but the durability of the system has yet to be tested since it is still heavily financially subsidized by remittances, foreign aid, and non-transparent business interests. Recent Media Sustainability Indexes show significant progress in establishing freedom of speech and a pluralistic market, but the issues of professionalization, self-regulation, independence, business management, and supporting institutions make reaching adequate levels of sustainability a continued struggle.

The reform of transitional societies takes time, but the reconstruction process in Kosovo was nonetheless much more protracted than it needed to be, and it revealed chronic policy shortcomings in media development. An enormous amount of aid and technical assistance relative to the size of the territory was invested over a short period and proved difficult to manage and coordinate. The result was similar to the "washing machine" syndrome in Bosnia where too much aid came too quickly, enabling donor-driven and donor-dependent programs that were often unsynchronized with reforms in other sectors and fell sway to the "interpreters" chosen by implementers. Donors and international administrative bodies frequently cooperated poorly due to a lack of trust, territorial disputes, and a lack of institutional memory or learning.

Practitioners with experience in other post-conflict situations tried to put their knowledge

from those environments to work in Kosovo, but found their efforts frustrated by the culture

of the international governing bureaucracy. The UN and OSCE, for instance, both had short-

term mandates and often worked at cross purposes, i.e. UNMIK – an interim governing body

– has sought to maintain peace and security even at the cost of undermining the

democratization and institution building efforts of the OSCE. Practitioners such as Price and

Gillette believed reform had to start in the legal environment, to codify and enforce standards;

if necessary, with a temporary legal "module" until long-term reform could be implemented.

Blumi and Di Lellio, while advocating legal reform, were skeptical of "tool boxes" and

argued that there were social structures, values, and processes extant in the society that should

have been empowered and shaped through the process of institution building rather than

ignored or deconstructed. The Kosovar public in general and the media sector in particular

have had to navigate donor politics that have dominated and often immobilized the very

reconstruction they have sought to enable.

On the ground, out of exuberance to exercise newfound freedoms (or perhaps, as the more

cynical have commented, in anticipation of donor funds), media outlets sprang up all over the

territory. Despite significant investment in training and media monitoring, the outbreak of

ethnically-charged violence from "vigilante journalism" revealed enduring weaknesses in

self-regulation and professionalism. The other side of the coin – the caustic and highly

politicized media from Belgrade that broadcast the views of Serbian nationalists into Kosovar

Serb communities – only added fuel to the fire. This challenged the international

administration to negotiate a way to protect freedom of speech as recognized under

international standards, yet maintain stability while addressing the problem of hate speech and incitement. In this instance, the application of international laws and national legal reform were important to set and enforce standards, but when democratic freedoms were applied they became distorted because the standards and practices that make systems work were missing in Kosovo.

The overall media development strategy to create necessary conditions for a democratic sector to emerge was positive and was informed by previous interventions. However, a primary focus on the architecture of institutions, the legal environment, and the market was based on an assumption that democratic norms and professional values would evolve out of those structures. Ultimately, professional standards proved hard to institutionalize, new laws took time to gain traction, professional organizations were superficial and generally unstable, and many programs were donor driven and/or donor dependent. The media market was also skewed as the result of oversaturation and a weak advertising market dependent on government and international agency advertising revenues.

At this point in time, it is hard to assess what role greater economic development will eventually play in the professionalization and commercialization processes of the Kosovar media sector, since, as an OSCE official observed, the whole of Kosovo is not currently sustainable. On the local level, Kosovar society has demonstrated a strong, independent, and self-governing spirit that has allowed it to endure numerous foreign regimes. That spirit will hopefully help keep the country on a path toward state building and democratization. However, democratic practices and professional ethics will most likely emerge once

economic development allows for greater independence from coercive political and business interests, and when the engagement of the local community in political processes gives citizens and the media a sense of agency.

CHAPTER FIVE

When Power Meets the Press:
How Tycoonization has Left Macedonian Media Choosing between Ethics and Elites

Risto Popovski of Makfax news agency explained to me the core problem and paradox of the media situation in Macedonia: "You cannot live from the news, you must have a business."[274] After a decade of media assistance and democratic reforms in preparation for the EU accession process, the media in Macedonia appear on the surface to be profitable businesses poised to play the role of watchdog in this emerging democracy. However, in practice they are frequently used as instruments of the political and corporate actors who subsidize them. Donors did invest in the enabling environment of the media in order to support the commercialization and professionalization of the sector. They funded programs to create the necessary legal frameworks for rule of law, regulatory organizations to structure the market, as well as educational and professional organizations to establish standards. Signs of progress and a cautious optimism heralded donors' eventual departure. But any momentum was soon undermined by the weak economy, incomplete legal reform, and strong political parties. The success of donor policies to establish the institutions and practices of a democratic media sphere was dependent upon a market and a political dynamic which never emerged.

The research for this chapter is drawn from my professional experiences implementing media development programs in Macedonia from 2000 to 2006. Through New York University, with a generous grant from the State Department Bureau of Educational and Cultural Affairs, we funded a range of programs meant to improve reporting on diversity issues and bridge ethnic

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[274] Risto Popovski, interview by author, March 30, 2006.

divides. In November of 2006, as part of a broader study on organizational sustainability, I

conducted interviews with 27 media professionals and carried out a short survey with 8 media

organizations representing the dominant professional associations, regulatory and advocacy

organizations, journalism education institutions, and news outlets (print and broadcast). The

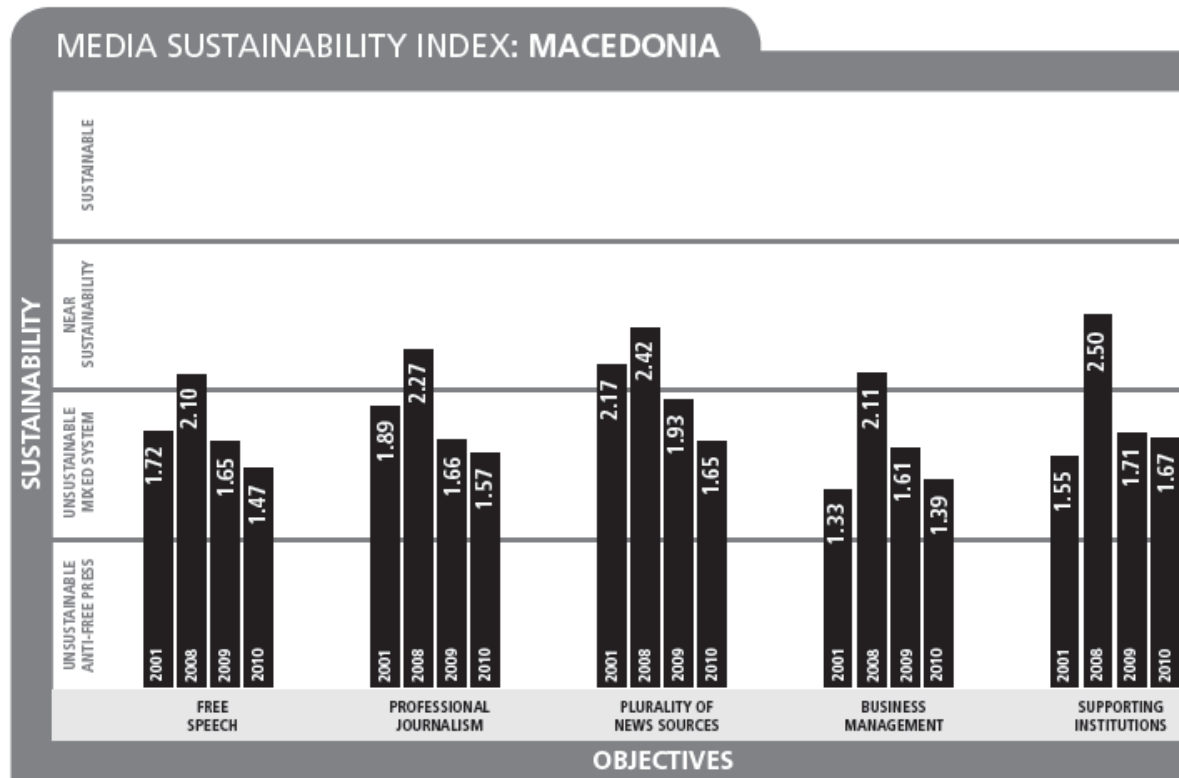perspectives and concerns of those media professionals informed this research.

It was during that period of 2000-2006, when donors were most active, that the IREX Media

Sustainability Index rated the Macedonian media sector as having improved from a low

ranking in 2001 of 1.73 (an "Unsustainable Mixed System"), to a high of 2.58 in 2005 (just

more than the median "Near Sustainability" ranking).[275] According to the Stability Pact for

Southeastern Europe, approximately 23.8 million euro were spent on media development in

Macedonia from 1996-2006. As noted earlier, comprehensive data on total investment in

media development is not available, but this number reflects levels of support and strategic

approaches. The bulk of that support went to the Media Environment (11.2 million), funding

associations, legal reform, and regulatory bodies, as well as media monitoring and research.

Another 9.2 million was spent on "Direct Support" for media, which included funding for

everything from salaries, to rent, to technical equipment. Training received a mere 3.4 million

euro. By comparison, total expenditures in Kosovo were 58.6 million and in Bosnia 87.1

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[275] Five "objectives" for a "successful" media system are assessed and rated 0-4, from Unsustainable/Anti-Free Press to Sustainable. The five objectives are: Free Speech, Professional Journalism, Plurality, Business Management, and Supporting Institutions. Macedonia has scored between "Unsustainable Mixed System" (1-2) and "Near Sustainability" (2-3). See the bar graph below (Figure 5.1) for definitions. This scoring is derived from questionnaires and a panel review among media professionals. It is designed to be as objective as possible, however, how well indicators such as specific laws and institutions function, and their impact on professionalization, are more subjective matters. For more on the MSI methodology, see: http://www.irex.org/resource/media-sustainability-index-msi-methodology

million euro. As in Kosovo and Bosnia, a primary objective in Macedonia was to support the peace agreement, in this case the Ohrid Agreement signed after the 2001 insurgency, by bolstering independent, ethnically balanced, non-nationalistic reporting. As in those other countries, donors sought to professionalize and commercialize the sector to Western models and standards.

In 2006, as media appeared to be seeing an upward trend of professionalization and sustainability, donors began winding down their programs, much to the concern of local media professionals. In a few short years, by 2010, the MSI slid precipitously to 1.55 – below 2001 levels. Similarly, Freedom House's Freedom of the Press Index ranked Macedonia as Partly Free with a total score of 46 in 2002, rising to 51 in 2005, and dropping back to 46 in 2010. This chapter explores the policies and developments that contributed to the strengthening of the sector as well as the circumstances which led to its unraveling. As an epilogue I will detail a series of media-related scandals which broke over 2010 and 2011 as I was finalizing this chapter, the result of which has been a veritable government-led coup over opposition media and a rollback of much of the progress achieved until 2006.

Figure 5.1

IREX MEDIA SUSTAINABILITY INDEX: MACEDONIA, 2001-2010[276]

MEDIA SUSTAINABILITY INDEX: **MACEDONIA**

Annual scores for 2002 through 2006/2007 are available online at http://www.irex.org/programs/MSI_EUR/archive.asp

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

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[276] *Media Sustainability Index 2010: The Development of Sustainable Media in Europe and Eurasia* (Washington, DC: IREX, 2010) 68. The section on Macedonia can be found online at: http://www.irex.org/system/files/EE_MSI_2010_Macedonia.pdf

Chronology of Media Assistance in Macedonia

In 1991, the Republic of Macedonia declared independence peacefully during the breakup of the former Yugoslavia. While it managed to avoid being drawn into the wars of succession that plagued its neighbors, it did suffer economically from the breakup and those regional conflicts. Macedonia is a mountainous, landlocked country of just over 2 million people in a territory slightly larger than the state of Vermont. It is a diverse nation and, according to the most recent census from 2002, 64.2% are ethnically Macedonian, 25.2% are ethnically Albanian, and the remainder of the population is a mix of Turkish, Serb, Roma, and others. As the least developed of the former Yugoslav republics, Macedonia was in a difficult position at independence. It no longer received transfer payments from the Yugoslav federal budget and it had little modern infrastructure and industry on which to build a new market economy. To make matters worse, its trade options were limited due to the war in Bosnia, international sanctions on Serbia, and a trade embargo by Greece over a dispute related to its name. The war in Kosovo in 1999 followed by a local ethnic Albanian insurgency in 2001 further depressed the economic sector and polarized the society. Ethnic divisions coupled with the struggling economy contributed to a protracted and, at times, volatile transition.

Media development in Macedonia began in 1992 as part of a democracy assistance program sponsored by the Soros Open Society Fund Macedonia, later renamed the Foundation Open Society Institute Macedonia (FOSM). The foundation's long-term goals were to assist the country in establishing its new independence, and to promote social stability and economic development as part of a broader program of regional development and cooperation with Europe. In the short term, the objective was to prevent Macedonia from descending into

ethnic and political conflicts similar to those which were destroying the other ex-Yugoslav

Republics. In that first year, FOSM alone spent over $300,000 on a range of programs

addressing humanitarian assistance, education reform, and health care, as well as media.

The media component focused on developing a commercial market through capacity-building

initiatives for small, private media meant to provide a balance to state-run media. At

independence, the media sector was dominated by the state broadcaster Makedonska Radio

Televizija and the state-run newspaper publishing company Nova Makedonija. In an absence

of regulatory legislation or bodies, new radio and television stations proliferated. FOSM

provided funding for equipment and technical assistance for 6 television and 10 radio stations

and bought paper for newspapers strapped for foreign currency. In 1994, in preparation for the

second parliamentary and first presidential elections, the FOSM program expanded to include

training for election reporting, media monitoring, multi-lingual programming, a news

exchange, and a printing plant. Ironically, the next year, the Foundation and its benefactor

George Soros came under attack from Macedonian President Kiro Gligorov and state media

for allegedly attempting to foment discord through spurious support for legalization of the

Albanian University in Tetovo as well as Greek claims to the name Macedonia. Counter

intuitively, the Foundation scaled back support to the media in 1995, shifting their priorities to

educational programs.

It was not until 1999 that media development would again become a priority for international

donors, not as part of a calculated aid strategy or even as a planned intervention but as the

spontaneous response to a refugee crisis. USAID had been working in Macedonia since 1997,

predominantly in the legal and economic sectors. Due to a need for public outreach they hired

two journalists and developed a small office for press conferences. Roberto Belicanec and

Zaneta Trajkoska, who had been organizing those press conferences, saw an opening for an

organization that would assist journalists. With support from USAID, the US Embassy, and a

small startup grant from ABA-CEELI (American Bar Association - The Europe and Eurasia

Program) they launched their own local NGO, the Press Center. Shortly after its

establishment, refugees fleeing the bombing in Kosovo began flowing over the border. As the

only functioning journalistic organization on the ground, the Press Center became a hub for

covering the crisis and managing logistics for many foreign journalists. They also assisted the

UN in establishing a radio program for the refugees. Once the crisis abated, international

donors began approaching them to partner on a range of programs to develop the struggling

sector.

Although it had been nearly a decade since Macedonia declared independence, the media

sector, like the political and economic sectors, was still in transition. There was a mixed legal

system, with new democratic laws passed since 1991 alongside many that remained from the

socialist system. Freedom of speech was guaranteed under the constitution but there was no

freedom of information law and state institutions were notoriously inaccessible. Libel and

defamation were criminal offenses but the courts were so inefficient that few were ever

prosecuted. The state broadcaster and all licensing were still fully under the control of the

government through the Broadcasting Council and hence there was no independent regulatory

body. Printing, distribution, and kiosks were also all state run. At the time, the media market

was underdeveloped yet the sector was oversaturated and thought to be heavily subsidized by

government and corporate elites. For a population of 2 million, there were approximately 30

public and 111 private broadcasters, 11 daily newspapers, 21 weekly publications, and 20

monthly and periodical publications.[277] This situation was due in large part to the Law on

Broadcasting passed in 1997, which handed licenses to all operating broadcasters expecting

the market to regulate itself. However, the weak economic situation, small and fragmented

advertising market and absence of reliable market research, made it difficult for outlets to

define their audiences and develop as viable independent businesses.

One of the most troubling phenomena in Macedonia which has seriously undermined the

evolution of an independent media sector is "Tycoonization," described earlier in chapter two

(66-69). The various linkages between the powerful business and political elites and the

ownership structures of leading media, is so complex, pervasive, and pernicious that it reads

like a Russian novel. In Macedonia, as in Bosnia, the power of the tycoons is due to a range

of factors related to the legacy of these previous systems and spaces opened by the transition

process. For instance, political turrnoil, lagging economic reform, frailty of the formal

economy, robustness of the underground economy, poverty, and weak rule of law, along with

faulty privatization and highly developed social and informal networks, have created

circumstances ripe for corruption and unregulated business opportunism. In addition, the

cultural legacies of political control over media and collusion between industry and

government further contribute to the problem. This dynamic is one that donor programs have

not been able to alter.

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[277] *Media Sustainability Index 2001*, 9.

In such an environment, professionalizing the media posed significant challenges. When donors entered Macedonia there were few opportunities for journalism education and training. A journalism program existed at the University in Skopje, but the school had just started Bologna reforms. While mid-career training was occasionally available, it was largely ad hoc and dependent on donor-sponsored programs. Consequently, reporting was often commentary-based with little fact checking, and self-censorship was common due to political and business influences. Specialized reporting, such as niche and investigative reporting, were rare. A frequent criticism of unprofessional reporting at the time was the use of anonymous sources. Journalists defended the practice, citing limited access to public officials and public information, lack of transparency of ownership, and a fear of being targeted. There were also few functioning professional organizations or media-related NGOs, which journalists interviewed for this research attributed to a lack of professional awareness and organizational capacity. The one operational association, The Association of Journalists of Macedonia (AJM), a relic from the previous system, made attempts to restructure but had little credibility.

Working conditions for journalists in Macedonia were similar to those in Bosnia and Kosovo. Many worked without contracts, leaving them without health insurance or social security payments. Those that did have contracts claimed they did not feel protected from unwarranted dismissal or undue influences over their reporting. Also, salaries were often paid late and journalists frequently had to take second jobs to make ends meet. It is difficult to maintain a sense of professional mandate and ethics under such precarious working conditions; and not surprisingly, overall professional standards under these conditions were poor.

February of 2001 brought another crisis, this time in Macedonia. The Albanian National

Liberation Army (NLA; or ONA in Macedonian and UCK in Albanian), an insurgency from

within the Macedonian-Albanian community fighting for greater civil rights, seized territory

and battled government forces throughout western and northern Macedonia. In the early phase

of the conflict, the media maintained a relatively balanced and professional stance. However,

as the conflict wore on the media became more polarized, politicized, and inflammatory.

Journalists became publicly involved in political action, raising alarm bells for international

observers. On August 13, 2001 the Ohrid Framework Agreement was signed, formally ending

hostilities. The Framework required that the governing coalition include major opposition

parties and it laid out constitutional and legislative changes to improve the civil rights of

minority groups.

In support of the Framework, a true media intervention was launched in August of 2001 by

USAID's Office of Transition Initiatives (OTI) in partnership with the International

Organization of Migration (IOM). The program was named Confidence Building Initiative

(CBI)[278] and its core objective was to increase citizen access to balanced information and

diverse points of view. OTI programs are designed to be short-term, high-intensity

interventions with expectations of rapid yet sustainable impact. According to Sally

Broughton-Micova, head of IOM's Media Department at the time, the CBI had $1 million to

burn as quickly as possible. They cooperated with NGOs and media outlets to help bridge the

linguistic and cultural divide that characterized the media. To that end they produced positive

messages, such as in PSAs, as well as balanced and independent bilingual reporting, to offer

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[278] The program was formerly known as Conflict Mitigation Initiative.

information alternatives in the volatile environment. Over a period of 18 months they completed over 95 projects; this is an impressive figure, but Broughton-Micova noted that many of the projects fell apart once donor funding ended.[279]

New donors entered Macedonia and those already on the ground stepped up their programs to address the changing needs of the media sector. The focus was primarily on strengthening minority media, transitioning the state broadcaster into a public broadcaster, and implementing legal reform. The OSCE, for example, began working with private and public media with a focus on minority media and representation of minorities. FOSM continued to support the development of media pluralism and monitoring, and legal reform – most specifically of the National Strategy for Broadcast Development. They also become a leader in coordinating donor initiatives through the Independent Media Fund (IMF), an informal donor network providing small grants to private media in support of community and minority media. Assistance was better coordinated and targeted in Macedonia than in other countries and there were some successes.

In 2001, The Danish School of Journalism (DSJ) proposed the establishment of a journalism training center that would start with three years of funding and potentially have additional donors. Trajkoska and Belicanec decided to dissolve the Press Center so that Trajkoska could form the Macedonian Institute for Media (MIM), sponsored by the DSJ. Belicanec opted to focus on media legislation and founded the Media Development Center (MDC) with backing from IREX. While he recognized the importance of training, he felt that donors favored

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[279] Keith Brown, ed., *Transacting Transition: The Micropolitics of Democracy Assistance in the Former Yugoslavia* (Bloomfield CT: Kumarian Press, 2006) 129.

training projects since they are easy to organize and provide quantifiable results or impressive "body counts." More importantly, he felt, legal reform would get to the heart of the problems of the media sector in Macedonia by addressing the collusion between political and business interests and the media, or "tycoonization." In his words, "you cannot destroy with training the acts of power that subsidize you;" for instance, "at A1 Television, you do not have an editorial process…the editor just recites what the owner wants." One of the first campaigns MDC took on was the government proposed Law on Public Information, which would have required all journalists to be licensed from the state. The MDC, with guidance from IREX, was instrumental in opposing the law and along with pressure from other donors the initiative was shelved.

IREX began working in Macedonia in early 2001 with a small office of just several people tasked predominantly with work in the NGO sector. Gazmen Ajdini likened the media situation at the time to a game without any rules and, in his opinion, donors entered the fray 10 years too late, after all the businesses and power players had already staked out their territory and had vested interests and networks of operation. IREX, according to Ajdini, believed the best way to balance those established interests and inspire a more democratic and professionalized sector was to focus on NGOs and associations, hence 95% of their activities were in that sector. IREX programs roughly broke down into four areas reflecting the evolving enabling environment approach. They supported: (1) training and education of journalists through funding of the Macedonia Institute for Media, (2) advocacy and professionalization through the Association of Journalists of Macedonia, (3) legislative reform through the Media Development Center, and (4) business development through the

Association of Print Media (APM) and the Association of Private Electronic Media in

Macedonia (APEMM).

One of the most important organizations that IREX targeted for reform was The Association

of Journalists of Macedonia (AJM). In 2000 it was nearly defunct, with over 2,000 non-active

"members." It had been established over 50 years earlier under Tito's rule and had crumbled

after the transition. In an effort to reinvent a local organization rather than create a new,

Western-inspired one from scratch, they sponsored a new General Assembly and coordinated

new leadership to recruit younger members. With a focus on institution and capacity building,

they managed to register 700 members.

To broaden its outreach, AJM opened six regional centers in Tetovo, Bitola, Ohrid,

Kumanovo, Strumica, and Štip. Each established a press center for local journalists and

registered 60-70 members. Skopje was the hub and hosted a range of debates and roundtables

on issues such as election coverage, legal reform, and professional practices. These

roundtables often went on the road to the regional centers. English classes were also added to

the road show. The main office in Skopje had a press club on the premises which had been

given to them by the state 40 years previously. After the success of the Media Center in

Bosnia, donors were supportive of that model as a means of generating revenue while creating

a professional meeting point. Hence, new funding and partnerships were sought with

MobiMak, the mobile telephone company, and with Skopsko Brewery.[280]

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[280] Before this could be done, AJM had to see through to the end a two-year court battle with a restaurant that had operated on the premises but had failed to pay its bills.

In an effort to increase awareness of professional values and standards, AJM wrote a new

code of ethics in cooperation with the International Federation of Journalists (IFJ), which was

rolled out in November of 2001. Journalist and media analyst German Filkov likened this

period to a Journalism Spring. "It was kind of a journalism reunion and, at that time we felt

once again the power of journalists being united around one single thing in which we

believed…It was an interesting and positive atmosphere. We all signed. But now, it is hung so

high no one can see it. The idea of a code of ethics is a problem in Macedonia. Not only in the

journalistic profession." [281] When asked what had happened, Filkov explained that throughout

2002 there was a lot of activism on behalf of journalists' rights but that after the election,

when the political party VRMO lost to the Social Democratic Union of Macedonia (SDSM),

everything fell apart; a condition some attributed to a political alliance between the

Association and the new government.[282]

A major change in the media landscape and in establishing industry standards occurred in

2003. It came not from donors but from a development in the market place. The German

conglomerate West Deutsche Allgemeine Zeitung Media Group (WAZ) bought the three top

Macedonian dailies, *Utrinski Vesnik*, *Dnevnik*, and *Vest* in order to dominate the print market.

Reactions to the acquisitions were mixed. On the one hand there was concern over WAZ

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[281] German Filkov, e-mail to author, November 23, 2006.

[282] This is how Filkrov explained it: "Some six months later, in May of 2002, the then Minister of Internal Affairs Mr. Ljube Boškovski (now in the Hague Tribunal) wounded a journalist during a police training while he was practicing shooting. This, along with political pressure on journalists from the government, prompted journalists to unite again and protest in Skopje. Some months later in August, a journalist was attacked in a café and again journalists staged a massive protest. Everything fell apart after the 2002 election when the VRMO party lost and SDSM took power. That is why some people have been accusing the leaders of the Association of Journalists of being close to SDSM." Ibid.

having a monopoly in the print market, since the three papers together gave the company control over some 90% of the market. At the time, there were no anti-trust laws preventing such a large market share. Smaller papers complained that, even worse than the ownership monopoly, would be the resulting advertising monopoly.

On the other hand, WAZ represented much needed foreign investment and the introduction of Western management practices. Working conditions did improve for journalists at those papers. Labor regulations were respected, and journalists received employment contracts, regular salaries, health benefits, and contributions into the state pension plan. One of the most important changes WAZ made was to separate the editorial from the business sides of their papers. They established Media Print Macedonia to handle all the printing, marketing, and distribution for the three dailies. WAZ also invested heavily in updating the papers with new layouts, improved technology, internet access, and a strategy to differentiate them in the market – each with a distinct audience and editorial line.[283] All of these developments helped to strengthen professional practices throughout the sector.

By 2004 things were improving politically, economically, and in the media sector in Macedonia. The tragic death of President Boris Trajkovski in a helicopter accident in Bosnia-Herzegovina that February shocked the public but did not derail the country. Implementation of the Ohrid Framework Agreement was moving along and had established relative stability.

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[283] According to German Filkov in 2006, the three papers differentiated themselves in the market by aligning with different political parties. *Dnevnik*, previously considered the most independent daily, shifted to a more conservative stance closer to VRMO. That shift, coupled with quality improvements, eventually earned it the highest distribution of the three. *Vest* at that time represented viewpoints more associated with the SDS and VRMO, and *Utrinksi Vesnik* had a more liberal stance in line with the socialists.

The country continued to enact the legal reforms required under the Framework along with harmonizing with the EU in preparation for the membership process. In the media sector, donors continued to sponsor legal reform, ad hoc training, restructuring of Macedonia Radio Television (MRT), and capacity building for associations. On the education front, MIM launched its year-long journalism Diploma program in cooperation with DSJ and IREX.

Pluralism in the media sector continued to increase, which many saw as a mixed blessing. Despite the dominance of WAZ, two new Macedonian dailies (*Vreme* and *Večer*) and three Albanian dailies (*Koha Ditore, Flaka,* and *Bota Sot*)[284] began publishing. The new dailies seemed to prove that WAZ did not have total hold of the print sector. Three new private national television stations also entered the market (TV Telma, Kanal 5, and an Albanian-language satellite channel called TV Alsat-M) along with 21 local broadcasters. Some MSI panelists felt this "pluralism" was out of control and that new licenses should not have been issued until the law on broadcasting under negotiation at the time had been implemented. Furthermore, they feared additional broadcasters could lead to more corruption since all three had ties to business tycoons or politicians, or both. Others countered that market forces and full implementation of the Broadcast Law would eventually regulate the sector. It was expected that the new law would help reverse this trend by requiring yearly disclosure of income, reduction in the number of licenses, and strict programming standards and requirements.

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[284] Only *Koha* would survive.

The goal of a pluralistic sector is to achieve a marketplace of ideas, where different groups in

a society are represented and the sector is commercialized with a mix of public and private

media. Although more media were entering the market in Macedonia, they not only

represented narrow interest groups but they were dependent upon them. Any regulations

limiting media monopolies were routinely ignored. For instance, the Broadcast Law

prohibited cross ownership among broadcast and print but that was creatively circumvented

by Velija Ramkovski, the owner of A1 TV, who declared publicly that he had fired the editor-

in-chief of the newspaper *Špic* – a newspaper he supposedly did not own but apparently had

the power to manage.[285] In another example, The Law on Broadcasting included articles

requiring balanced and truthful reporting that does not serve any particular group or political

party, yet media monitoring during elections and related reports concluded that the

"broadcast media were primarily used as a means for achieving political goals and for the

articulation of political, economic and other interests."[286]

About collusion between big business, politicians, and the media, Roberto Belicanec had this

to say:

> It is interesting if you make an analysis, that none of the TV stations in the country were
> created by someone who is a journalist. But most of the newspapers in this country were
> created by people who were journalists. So they do not need the TV stations for
> journalism, they need them for something else, they need them for the influence, they
> need them for a bargaining coin. We have a person who is sitting in the current coalition
> whose company owns Sitel television. So we joke now that the government is a coalition
> of VRMO-DPMNE and Sitel television. His party is nothing without the television
> station…You have to face reality. You cannot say what the media should or should not
> be. That liberal story of the watchdog in democracy is not functioning. Why? It is very

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[285] *Media Sustainability Index 2009*, 6.

[286] Snežana Trpevska, "Macedonia," in *Media Ownership and Its Impact on Media Independence and Pluralism*, ed. Brankica Petković (Ljubljana, Slovenia: SEENPM, 2006) 313.

simple; because criminals and companies have more money than civil society will ever have. That is the end of the story. Media go where the power is.[287]

By 2007 there were four national broadcasters (A1 TV, TV Sitel, TV Telma, and Kanal 5), all with political and business ties. Corporate ownership of major media may be the norm internationally, but in this situation the owners did not necessarily respect editorial or journalistic independence and the stations were frequently used to further their interests. A1 TV-Vreme group *was* the most powerful, with a national terrestrial TV station, a national satellite TV station (A2), 3 national newspapers (*Špic, Vreme, Kohe e Re*), 1 weekly (1E) and a distribution network.[288] It was owned by the very visible Velija Ramkovski, who is now the subject of a contentious investigation by Macedonian authorities, who have revoked the station's license. TV Telma is owned by MakPetrol, a leading importer of oil and petrol products. TV Sitel is part of the Večer-Sitel-Cetis group which includes the national newspaper *Večer* and a printing plant.[289] The group is owned by RIK Sileks, a Macedonian mining and trading consortium. Ljubisav Ivanov Dzingo, leader of the Socialist Party, just happens to own RIK Sileks – along with access to TV Sitel and *Večer*.[290] Kanal 5 is jointly owned by Pecatnica BS, a printing company, and the corporation Metal Sivas. Pecatnica BS

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[287] Roberto Belicanec, interview by author, November 16, 2006.

[288] In 2003, *Vreme* regularly printed synopses of the leading soaps and shows airing on A1 TV, while A1 advertised the daily headlines of *Vreme* – though there was no formal recognition of their connection, which was in violation of the Broadcast Law.

[289] Viktor Grozdanov, Executive Manager of the Association of Private Electronic Media (APEMM), noted that Sitel had lost significant market share, dropping from 32% to 8%, which he attributed to the fact that their news was dominated by coverage of the ruling party. Interview by author, November 15, 2006.

[290] *MSI 2009*, 6.

was founded by Emil Stojmenov, the son of Boris Stojmenov, leader of the political party

VMRO. Not coincidently, Kanal 5 runs large volumes of advertising for VMRO.[291]

In the case of smaller local broadcasters, the situation is only marginally better. During the

transition of MRT from a state broadcaster to a public broadcaster, local stations were either

privatized or remained state sponsored until privatization could be finalized. In the cases

where privatization was successful, many were bought by local stakeholders under less than

fair circumstances, resulting in few independent stations functioning according to Western

norms.

MRT has never fully transitioned from a state broadcaster to a public broadcaster due to

political obstructionism, poor management, and perpetual financial crises. In a highly

controversial move in 2004, MRT management eliminated their marketing department and

distributed a memo indicating that all employees, including editors and journalists, were

allowed to sell advertising. The rationale was the need to cut the budget and seek additional

revenue to fill a funding gap until the new fee system was functioning. Another example of

questionable management decisions involved the introduction of a channel devoted to the

Parliament. MRT has three stations – one in Macedonian, one in Albanian, and a third that

was designated as something akin to C-SPAN, for broadcasting parliamentary sessions. Media

analyst Snežana Trpevska estimated at its introduction that only about 5% of the public would

actually watch such a channel. She believed this third channel should be used for educational

and cultural programming if the station were to fulfill its legal obligation under the new

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[291] Boris Stojmenov is also the former Minister of Finance under VMRO-DPMNE.

law.[292] Eventually, MRT management came to the same conclusion that the spectrum could be better used; but instead of diversifying its programming it used the channel to re-broadcast sports events.

As noted earlier, the Macedonian print market is dominated by the German conglomerate WAZ. By 2006, the company owned a controlling interest in the three largest daily newspapers, one weekly newspaper, a distribution network, and a printing plant. The head of WAZ in Macedonia, Srdjan Kerim, was a Minister of Foreign Affairs under the VRMO-DPMNE and Liberal Party coalition in 1999 and in 2007 became Speaker of the General Assembly of the United Nations. As an ethnic Albanian, he is a leading figure in that community with considerable political influence.[293] To further complicate the ownership structure, the Macedonian company GOFI DOOEL owns minority shares in WAZ's *Utrinski Vesnik* and *Vest* newspapers as well as the printing house Grafički Centar where *Utrinki Vesnik* is printed. Owner of GOFI DOOEL businessman Trifun Kostovski, landed a seat in Parliament as an independent, running with SDSM in 2002.[294] In 2003, the government coalition of which Kosotovski was part, granted subsidies to all three newspapers under acquisition by WAZ. When the government was asked why subsidies were given to papers

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[292] Snežana Trpevska, interview by author, March 29, 2006.

[293] In 2008, Kerim would be a leading Albanian candidate for the Presidency.

[294] GOFI DOOEL also owns a 24.33% stake in Most publishing company from Skopje, which publishes *Utrinski Vesnik.* This means that politician and businessman Trifun Kostovsi, through his company GOFI DOOEL, has a financial hand in WAZ, the printing house Grafički Centar, and the publisher Most – which together are behind the three leading newspapers in the country.

purchased by a wealthy foreign company, the government responded that they had not been informed of the merger.[295]

The rest of the country's print sector was not faring much better in 2006 and, according to media analyst Snežana Trpevska, illegal media concentration was the cause of a general plummeting of ethical standards. A price war among ten daily newspapers (not including the WAZ papers) resulted in many being sold below cost, leaving publishers unable to pay salaries to their journalists. When asked if owners were concerned at all about a 2005 UNPD opinion poll that revealed 70% of people do not trust the media, and which asked whether people might buy more papers if they trusted media more, Secretary General of the Association of Print Media (APM) Martin Trajkovski said that owners do not care what people think, they just want to sell papers. He elaborated: "It is a strange situation. People are desperate here, so they do not know what is true and what is not true… If they get a newspaper, it is to see what is going on, but they are not buying [what they read]…they know that maybe some political organization is behind it…like everywhere in the world you can pay a journalist and they will write whatever you need."[296] He laughed at the comment, and meant it as a joke, but it is not a far cry from the daily reality and his cynicism was genuine.

The country's small advertising market has also meant that advertisers have had significant influence. Robert Popovski explained, "If you have a year-long contract with a company you need to be careful what you write. If you choose to present negative information about the

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[295] Trpevska, "Macedonia," in *Media Ownership*, 309.
[296] Martin Trajkovski, interview by author, November 17, 2006. Notably, Trajkovski never worked as a journalist, or even in media. He came to APM from the NGO sector.

company, you risk losing a contract that pays 15 salaries."[297] The problems of a small market

are compounded by the fragmentation of outlets in Macedonia. Because of the language

divide between the Macedonian and Albanian communities, which live in parallel public

spheres, the media and advertising markets are split as well.

Throughout 2005 and into early 2006, progress across the sectors was incremental but

positive. Macedonia completed the questionnaire for EU accession and waves of legal reforms

got underway, including a few in the media sector, such as the law on Electronic

Communications and a draft Law on the Performance of Broadcasting Activity. While many

Macedonian laws pertaining to the media followed EU standards, implementation was a

constant struggle. But, nationalist rhetoric was on the wane as were attacks on journalists;

distribution channels, printing houses, and transmissions services were all private and the

government had stopped subsidies to print outlets; and there was also a strengthening overall

in the NGO sector. AJM had restructured again and reinvigorated the Council of Honor to

promote self-regulation through the Code of Ethics. The Association of Print Media (APM)

and the Association of Private Electronic Media in Macedonia (APEMM) were also active

and at work on legal and advocacy issues. Important improvements took place in the

regulatory environment. The new Broadcast Law was nearing implementation, which would

provide the legal basis for a range of reforms. The Broadcast Council, for instance, would be

reorganized to give it more political independence through a new nomination procedure, and

fiscal independence through a new system of collecting broadcasting fees. The Council would

also take over responsibility from Parliament for issuing new licenses according to new

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[297] Robert Popovski, interview by author, November 17, 2006 .

standards. Also, according to the new law, the MRT Board would no longer be decided by

Parliament but by civil society.[298] Still, it took nearly three years to adopt the law, even with

MDC leading a two-year lobbying campaign in cooperation with an army of donors that

included the OSCE, IREX, the Council of Europe, Article 19, The US Embassy, and

Transparency International.

Various structural changes resulted from these legal reforms, from functioning professional

associations and greater availability of professional training to improved professional attitudes

and standards. This progress and ensuing optimism was reflected in an increase in IREX's

MSI ranking for Macedonia to 2.58, well into the "nearing sustainability" category. MSI

Panelists, however, pointed to enduring weaknesses in the sector, such as the lack of a

Freedom of Information Act, the fact that defamation and libel remained criminal offenses,

and lagging implementation of the vital new Broadcast Law. The market also remained

oversaturated, a condition exacerbated by unlicensed media broadcasting on the spectrum and

the reliance of many stations on pirated programming.

Once Macedonia achieved EU candidacy, and with over a decade of assistance and

documented successes behind them there, many donors decided it was time to plan their exit

strategies. This policy change was in part a response to the anticipation of EU IPA funding for

civil society development, which would become available during the pre-accession process.

But, organizations surveyed as part of this study were openly concerned about this, expressing

that, in general, the EU has shown more interest in supporting state institutions and has

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[298] Gazmend Ajdini, interview by author, March 30, 2006.

donated less to civil society organizations, leaving a funding vacuum for that area. Ajdini of IREX, as well as Violeta Gligorovska, Program Coordinator for Media and Publishing at FOSIM, felt that donors were leaving the job unfinished, and that many fragile initiatives would be lost in the chasm between donors' exits and Macedonia's receipt of EU IPA funds. [299] Gligorovska added that many donor strategies were short-term and project-based, and lacked a development approach, thus impacting the sustainability of many programs. She saw the NGO sector as too weak, the media market as too unregulated, and the economy as too poor to support these organizations without external reinforcement.[300]

Press Now was one of the first major donors to leave Macedonia, ending its cooperation with the Journalism Department at the Faculty of Law at Ss. Cyril and Methodius University in Skopje in 2005 before full reform was achieved, though it did continue to support a few smaller local media initiatives. In 2005, both IREX and Norwegian People's Aid closed their media development programs, and IFA (Institute for Auslandsbeziehungen) from Germany followed suit in 2007. The OSCE largely supported the reform of Macedonian Radio-Television and implementation of the new Broadcast Law, but even it phased out all media programs between 2006 and 2008. While the Swedish Helsinki Committee worked on rule of law and institutional capacity building, and specifically supported projects with a number of organizations included in this study – the Macedonian Institute for Media, The Broadcasting Council, and the Media Development Center – they too brought an end to their programs by 2008. Only FOSM and the DSJ remained, but on a much more targeted and reduced level.

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[299] Ibid.

[300] Violeta Gligorovska, interview by author, March 27, 2006.

A major political shift took place in 2006 with parliamentary elections that had unforeseen consequences. In March 2006, shortly before the election, the daily newspaper *Vreme* "reported that several journalists from various media houses were working for the PR firm Fabrika without the consent of their newsrooms. According to the paper, the undercover spin doctors prepared public speeches for ruling Social Democrat ministers, as well as questions and answers for press conferences."[301] Interestingly, most other media ignored this scandal even though it was the talk of the town and a preoccupation among most journalists. The Journalists Association (AJM) condemned the actions of the journalists in question, but had no means of sanctioning them other than through shame – a penalty that has little punitive effect in a country where such behavior is often excused because most journalists are so poorly paid. To put this in context, it is worth reiterating that *Vreme* was owned, albeit not transparently, by Ramkovski (the owner of A1 TV), and the journalists in question were working on behalf of the Social Democrats – a rival party to Ramkovski's newly formed Party For Economic Recovery.

Going into the 2006 election, the Party for Economic Recovery, ostensibly representing the interests of farmers, was heavily critical of the Social Democrat-led government. Ramkovski claimed at the time that the government was attempting to intimidate him in retaliation for his party's platform when auditors were sent to investigate his company finances. In the election,

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[301] Zhidas Daskalovski, "Macedonia," in *Nations in Transit 2007* (Freedom House, 2007) 461. Available online at: http://www.unhcr.org/refworld/pdfid/4756ad591f.pdf

the governing coalition led by the Social Democrats (SDSM-DUI-LDP)[302] lost to a coalition led by VMRO-DPMNE,[303] a right-wing democratic party that later proved to be obstructionist and hostile to the opposition. Ramkosvki's party ultimately failed to win any seats in Parliament, but he allegedly cut a deal with the new Prime Minister Gruevski whereby he would disband his party and get behind VMRO-DPMNE in exchange for bigger subsidies for agriculture. Changes at A1 TV followed, and when regular news anchors were swiftly replaced with "presenters" the move was widely believed to have been Ramkovski's way of punishing the anchors for his party's loss and installing staff more receptive to his influence.[304]

The new government immediately began to exert its influence over the media sector, exploiting its legal and organizational weaknesses. One of the first targets was MRT. Legally, the government was obliged to pay the operating expenses for both MRT and the Broadcasting Council until the new fee collection system was in place. However, the government refused to pay during this transitional period, leaving both organizations paralyzed and nearly bankrupt. With insufficient operating funds, MRT staff went unpaid for months, leading to a five-month long strike and the broadcaster's effective collapse by the end

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[302] The Social Democratic Union of Macedonia (SDSM) was in a coalition with the ethnic Albanian Democratic Union for Integration (DUI) and the Liberal-Democratic Party, along with a number of smaller ethnic parties.

[303] The Parliamentary Elections of 2006 resulted in a government led by the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity (VRMO-DPMNE) under Prime Minister Nikola Gruevski, in coalition with the ethnic Albanian Democratic Party of Albanians (DPA), the NSDP, and several smaller parties.

[304] German Filkov, interview by author, November 18, 2006. Elena Simonoska, interview by author, November 14th, 2006.

of 2006.[305] All of the problems at MRT led to a drop in the quality of programming, an exodus of journalistic talent, plummeting ratings, and a public so dissatisfied that some simply refused to pay broadcast fees.

Next, the government sponsored a social marketing campaign that infused the ailing market with much needed funds but created a competition for and dependency on this veritable government subsidy, opening the door yet again to political influence. The government also became the biggest advertiser in the country, doling out advertising fees predominantly to pro-government media. In violation of the new Broadcast Law, it also continued the practice of subsidizing public interest programming from the meager broadcast taxes. This practice was supposed to cease precisely because it was often abused for political patronage. At the same time, media professionals and organizations found they had fewer and fewer mechanisms to confront coercive political powers. Professional organizations were losing steam after donor withdrawal and a subsequent drop in financial and institutional support. A lack of financing and political will to implement the new Broadcast Law left the Broadcast Council without the capacity to overhaul licensing procedures or uphold new standards. Continued unfair competition, coupled with the limited advertising market, left the media sector buckling under its own weight. On the legal front, libel was still a criminal offense but finally punishable by fines rather than a jail sentence. Economically, salaries were not keeping pace with the cost of living, leading to increased corruption. The debilitating forces of

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[305] According to German Filkov, the funds for MRT were held captive during the transition period due to an internal dispute within the SDSM government. The total amount of their debt was 20 million euro, which had been accumulating for years.

poverty, corruption, and political coercion threatened to unravel much of the progress that had been made over the previous years.

Ecology of the Media Sector

Training and Education

A key factor in supporting professionalization is the quality and quantity of educational opportunities, which not only elevate basic standards but promote journalism as a valid profession organized around particular principles and values. In 2000, there were no University-level journalism programs on a par with Western standards, but by 2007 there were five. The Ss. Cyril and Methodius University in Skopje has completed the Bologna reforms and offers a three-year BA, a two-year MA, and a PhD in journalism. The Macedonian Institute for Media, in cooperation with DSJ, has elevated from a certificate program to a BA program and the organization is a leader in advocacy and research. BA programs are also offered by three private Universities: FON University, South East European University (SEEU), and the New York University in Skopje (NYUS). While these programs still face bureaucratic and financial obstacles, there has been significant progress in this area.

The Macedonian Institute for Media (MIM)

After the 2001 conflict, MIM undertook a number of "media intervention" programs, to improve coverage of the crisis and bridge the divide between the ethnic Albanian and Macedonian communities. It was clear there was need for a longer-term journalism education option that balanced theory and practice and filled the gap until the University completed the Bologna reforms. In cooperation with DSJ, MIM created a one-year journalism school and the

Progamme for Education of Roma Journalists. MIM believed they had a long-term mandate

for training even if they lacked a long-term funding strategy. IREX supported MIM, but had

only a short-term strategy. They sent international trainers largely to facilitate a "training the

trainers" program, which IREX believed would carry on the professionalization mission once

donors had closed their coffers. The downside of this arrangement was that the costs of

establishing and administering the organization, along with running the programs, were so

high that MIM became entirely donor dependent.[306] Despite their success and well-

established, good reputation, MIM struggled for years to find alternate revenue streams,

through services or other commercial projects, in order to continue their core educational

programs.

Luckily, DSJ proved to be a faithful partner and provided stable funding, professional

exchanges, and guidance for over a decade. In 2008, based on the success of its one-year

journalism program, MIM partnered with the DSJ and the Windensheim University in

Holland to found the School for Journalism and Public Relations. The program is accredited

by the Macedonian Ministry of Education and Science and offers a bachelor's degree in

journalism or public relations. The program not only requires internships, it offers

international exchanges with partner Universities. Organizationally, MIM is extremely well

connected within the media community and cooperates with media organizations worldwide.

Above and beyond their educational programs, they conduct research, publish books and

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[306] Its initial overhead was high due in part to capital investments in the premises and facility. With a limited budget, they could only take 24 journalists a year at an estimated cost of 9,000 euro per head, which far surpassed the average cost of a university education of 1,500 euro and is well beyond the financial capacity of most interested students.

reports on media-related issues, and advocate for initiatives such as the Journalists Code of Ethics and against violations of journalists' rights.

Department of Journalism, Ss. Cyril and Methodius University

The country's leading Department of Journalism is at the Faculty of Law at Ss. Cyril and Methodius University in Skopje. In 2007 they began the multi-year undertaking of adopting the Bologna process to bring their curriculum in line with European standards. The department struggled to find the resources it needed to both further develop the journalism program and increase its independence from the faculty of Law and Political Science. There were many challenges; sufficient funds were not allocated for the purchase of necessary course materials, or for their translation into Macedonian, and professors had to be trained to teach new curricula. Professor Zoran Kostov and Program Coordinator Biljana Griovska from the Department of Journalism expressed significant frustration with negotiating reform amid the University bureaucracy and with subsequent challenges to meeting donor expectations. For instance, Press Now and OSCE donated funding to provide four years of summer school for journalism students at the University, but Press Now ultimately pulled its support, claiming the University was not making progress fast enough and demanding they hire additional staff – a bureaucratic hurdle because, as a state institution, hiring entails the long process of authorization from the Ministry of Education. The journalism faculty felt these demands were unreasonable and that they were doing the best they could within the system they inhabit.

By 2008, the University offered a BA, an MA, and a PhD in Journalism. While the Bologna reforms were officially completed, challenges to proper implementation remained. The journalism program was not well organized, there were too many students, and many specialized journalism and communications courses were still taught by professors from different disciplines, such as those pulled from the faculty of Political Science and Law.[307]

Professional Organizations and Advocacy

Professional and advocacy organizations form another pillar of the professionalization process. Despite substantial investment in these associations in Macedonia, they remain weak. The result has been pervasive self-censorship rather than self-regulation. In 2006 there was only one trade union in Macedonia – The Union of the Graphical, Information, Film and Publishing Industries and the Production of Paper. The Union did have journalists as members, but it was not exclusively meant for journalists and had only one full-time staff member. Reliable membership data does not really exist but it is estimated that there were 300-500 workers from the media sector in the union. Ironically, in order to join, a worker must have had a valid contract with an employer; this disqualifies most journalists since non-contractual work is one of the biggest issues they face and is in fact one of the primary reasons they need to join a union!

This study included a total of eight media-related professional and advocacy organizations, which constituted all of those in Macedonia at the time that had any recognition. The five strongest are discussed in more detail below. The other three were smaller and less visible,

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[307] Dona Kolar-Panov and Jana Ivanovska, "The F.Y.R.O. Macedonia Journalism Education Landscape," in *European Journalism Education*, ed. Georgios Terzis (Chicago: Intellect & UC Press, 2009) 414.

and were only as active as project funding or personal motivation allowed. Overall, these organizations were unsustainable without continued donor assistance. Those that were surviving with limited to no donor funds, and were fee-based, were finding that their mandate was succumbing to either political or personal interests. Those that were still programmatically active, and subsisting with minimal donor support, were designing new business models.

The Association of Printed Media in Macedonia (APM)

APM was established in 2000 as the Association of Printed Media and News Agencies of Macedonia. The news agencies soon split off to create their own organization, while APM was organized by publishing house representatives and media owners to advocate on issues of common interest, and to improve freedom of speech and general economic conditions within the media sector. In 2002, APM was reorganized with support from Norwegian People's Aid and later IREX. Norwegian People's Aid supported the regulation of the newspaper industry through market research and a bureau of circulation. The Broadcast Council similarly tried to form a Joint Industry Committee with APM and APEMM, the broadcast association, to support market research and self-regulation. Both these initiatives failed, though, due to a lack of consensus. When asked why cooperation was so difficult, the Secretary General of APM responded that "everybody wants something different and it was difficult to cooperate on that level… Maybe everybody wants their share and there are some secrets about their personal information and their income. You know, people are not that open."[308]

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[308] Trajkovski, interview by author, November 17, 2006.

In 2007, the Association had eighteen members, but only seven were active and they met only about every three months. They operated without a business or strategic plan, or a code of ethics. It was a very practical organization driven by profit motives. For instance, they cooperated on three economic issues: state subsidies, newspaper pricing, and advertising revenues. They successfully lobbied to end state subsidies, which they felt were unfairly being granted to state-sponsored publishing houses, and pushed to jointly raise the cost of their papers, which generally operated below cost. The result was a drastic drop in distribution, forcing them to revert back to the policy of each setting their own price. The one "agreement" holding the organization together for a time was geared toward the collection of advertising revenues from delinquent agencies. If an agency remitted late, then all members would pull advertising from that agency until payment was made. APM courted APEMM to join the agreement, but there was no interest. By 2009 the organization had collapsed.

The Association of Private Electronic Media in Macedonia (APEMM)

APEMM was first established in 1994 as the Association of Commercial Broadcasting Companies, and it was the most independent of four electronic media associations despite being largely dominated by one industry owner. In 2002, with support from IREX, it reorganized and registered itself as the Association of Private Electronic Media in Macedonia, uniting key stakeholders in the industry to promote self-regulation, advocacy for competition within the media market, and lobbying of authorities. Its primary projects have been the implementation of the Broadcasting Law, regulation of intellectual property rights, and adoption of a national broadcasting strategy. They received core support from IREX until

2005, when it left Macedonia and took its operating funds with it. The Association then

depended on membership fees, but not all of its 110 members could pay the dues.

In December of 2006, the APEMM Board of Directors met to discuss plans to reorganize yet

again. The larger broadcasters complained that smaller local broadcasters were using too

many resources and bringing too little to the table. The Association's new incarnation would

only have about 60 members and would exclude those who were not paying dues or were not

seen as quality news organizations. Three media professionals interviewed for this study at

that time commented individually that the APEMM appeared to be losing independence and

had begun succumbing to political affiliations since donor funds had dried up. By 2009, the

organization had collapsed due to an inability to reconcile the competing interests of its

members.

The Association of Journalists of Macedonia (AJM)

The Association of Journalists of Macedonia has reinvented itself numerous times since 2000.

In December 2006, a meeting of the general assembly was held in order to elect a new board,

general secretary, and president. Robert Popovski, the Executive Director, said he hoped the

Association would continue operating but that "without foreign support we cannot exist. We

do not want to be helped by the government in any way. We do not want to be helped by our

local business firms, because they have their particular interests. The only way to deal with

the problems is to have international support, or from the NGO community, but not from our government because they would put their hands on us."[309]

With donor funds drying up and the income from membership fees insufficient to cover operating costs, the organization was staffed by all volunteers, who had limited time and resources to devote to the association. Popovski, for instance, was also the executive director of Kanal 5, where he hosted a talk show. This arrangement seriously constrained the capacity of Association administrators to do advocacy work, since they often feared for their paying jobs when that advocacy work created a conflict of interest with their news organizations. Despite these limitations, they assisted some 50-60 journalists a year with legal or employment issues, organized protests, and regularly heard complaints relating to violations of the Code of Ethics via their Council of Honor.

In 2009, the Association established a steering committee to restructure the organization yet again, in order to strengthen its capacity. During an interview with IREX for the Media Sustainability Index 2009, Robert Popovski, then-president of AJM, rated his organization at 1 on a scale of 1-4 (1 being the worst and 4 being the best) due to its inability to galvanize support for the profession and to protect journalists. Despite greater efforts to respond to ethics violations, he lamented the Association's overall lack of effectiveness.

The Media Development Center (MDC)

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[309] Robert Popovski, interview.

The MDC has been one of Macedonia's most active advocacy organizations, focusing primarily on battling political influence over the media sector. They led the National Strategy for Broadcast Development and assisted in drafting the new Broadcast Law. Executive Director Roberto Belicanec explained: "The previous (1997) Broadcasting Law allowed for excessive political influence in the media – especially in terms of licensing procedure – allowed for non-market mechanisms of income generation, impeded fair competition and merging processes, and rendered media vulnerable to political control. MDC drafted one version of the Law, lobbied for the draft to enter procedure for government review, and monitored future drafting activities."[310] It was also heavily involved in the conversion of MRT from a state-owned to public broadcaster, and assisted the new management in the establishment of procedures and the creation of a Plan of Transformation. This was another effort to weaken any bonds of political control remaining from the state-owned structures and networks. Although the passing of the Freedom of Information Law was repeatedly postponed, the MDC advocated heavily for its implementation. In 2006, the MDC was 100% donor supported but was looking into ways to diversify their funding sources. To that end, they commissioned a series of studies on the program needs of the national audience, and an analysis of the economic issues and technological needs in the media sector. However, like so many others, the MDC remained unsure as to how they would continue to do this important work under current conditions.

The NGO Infocenter

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[310] Belicanec, interview by author, November 16, 2006.

The Infocenter began as a project of the Media Development Center; but in 2004, with the support of FOSM and the Swiss Development Agency, it formalized its programs and registered as a local NGO. Originally, the mission of the NGO Information Center was to facilitate civil movement by engaging the media and the public to hold the government accountable. In an effort to establish communications and information sharing between the media, NGOs, and government bodies they organized over 300 press conferences in 2006 alone, with just a minimal staff of five. These press conferences, they believed, were particularly successful at opening up the channels of communication between the media and NGOs, resulting in NGO participation on news shows and increased press coverage of their activities. The Infocenter also worked with local governments on public information campaigns, and had a media monitoring project called Media Mirror that analyzed how the media reported on various issues – specifically, political biases. They felt this monitoring had an impact on self-regulation. Even if most in the media would not admit to it, they read the reports to see how their coverage was assessed, and would complain if they did not like how their reporting was portrayed.

From an institutional standpoint, this work was much harder than expected. First, the media were hard to cooperate with since most editors aligned themselves with the interests of the owners and were either not interested or too skeptical about the need for collaboration with NGOs. Then further, it was hard to mobilize the public; they had a negative view of NGOs and saw their work and the civic movement as a form of money laundering. As the Infocenter faced the specter of sustainability, it considered offering public relations services to the 40,000-strong Macedonian small business market, but they did not want to lose their civic

mandate. In particular, they were hoping to find a means of continuing their Media Mirror monitoring project. By 2011, the Infocenter had become a full-fledged public relations agency; although, they did manage to continue media monitoring in cooperation with MIM, with funding from FOSM.

Regulation

The Broadcasting Council is the only regulatory body in Macedonia, but it has struggled for years for both its financial survival and its legitimacy. There is no press council in Macedonia, and despite donor interest in 2006 in supporting one, local opinions on establishing one were mixed. Snežana Trpevska believed such an organization was long overdue, but that it could only function with international leadership because existing associations did not have the strength from within to do the job.[311] In the absence of a press council, the AJM's Council of Honor performed some of the same functions. It acted as a complaint commission, attempting to enforce the Code of Ethics through promotion of self-regulation and the public announcement of its decisions. The Council of Honor, though a body within a journalists' organization, was made up of both journalists and editors, and sometimes faced conflicts of interest when the editors felt pressure to represent owner interests. The media sector will not be able to properly commercialize and professionalize until these issues are resolved.

The Broadcasting Council

The Broadcasting Council was established in 1997 as the primary regulatory body in Macedonia. It did not have, at that time, the authority or independence necessary to be

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[311] Trpevska, interview by author, March 29, 2006.

effective. Not only were the members all elected by Parliament, but the government, not the Council, made all final decisions regarding the issuance of licenses. The Council was reduced to simply offering opinions to the government, on these issuances and on penalties for breaches to the Code. About this dynamic, Belicanec quipped during his interview that "of the nine people on the Broadcasting Council, seven of them were qualified since they knew what a TV set is."

In 2005, a new Broadcasting Law was passed and it included provisions for the election of a new Council, to be chosen through authorized nominators from The Academy of Sciences, The Association of Journalists, the University of Skopje, and the Parliamentary Committee on Elections. In theory, this new Council would have greater political independence from the government due to revised nominations procedures, and greater financial independence as a result of funding received from new broadcasting fees. In practice, however, the government was able to circumvent those revised procedures and influence the nominating process. And ironically, the Council was still left without mechanisms to enforce the new law or sanction breaches, and reported during preparations for the 2006 election that their recommendations were not taken into consideration by the government while negotiating the Election Code.[312] Furthermore, in 2006, the Council faced the same financial crisis as Macedonian Radio-Television. The government, which was required by law to allocate six months worth of funding until the new fee collection system could be implemented, had failed to do so. The

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[312] OSCE Office for Democratic Institutions and Human Rights, *Former Yugoslav Republic of Macedonia Parliamentary Elections 5 July 2006: OSCE/ODIHR Needs Assessment Mission Report 8-11 May 2006* (Warsaw: OSCE/ODIHR, 2006).

Council only received 27.2% of the funding they expected.[313] The Council alerted the entire donor community to this problem, specifically appealing to the OSCE and various Embassies for assistance. Donors who were already supporting the Council watched their efforts being undermined by political and financial crises.

Commercialization, Professionalization, and Economic Development

Although Macedonia was struggling economically, donors did acknowledge the significance of economic development from the outset and it was an area of substantial interest and investment. USAID began working in Macedonia in 1993 with the goal to assist in job creation and encourage foreign and domestic investors by improving the overall business environment and investment policy. The government took economic reform seriously and lowered its overall debt, adhered to a fixed exchange rate, and passed important laws for private ownership, trade liberalization, and financial sector reform. Growth averaged around 4% from 2000 to 2006. Yet, in 2006, GDP per capita was just $7,800, unemployment was at 37.3% (actual employment is estimated to be around 25% if the gray economy is factored in), and 29.6% live below the poverty line.[314] While progress was made, it was insufficient to support the emergence of an independent, commercialized, and professionalized media sector, or the institutional enabling environment which donor programs had hoped to shape.

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[313] According to Snežana Trpevska of the Broadcasting Council in November of 2006: "The collection was drastically reduced in the first quarter: 0.1% were collected in June, 13.32% in July, 7.13% in August, and in September 6.42%. With the current rate of collection not even elementary conditions can be provided for the functioning of the three entities, i.e. the ability to fulfill the legal responsibilities has been at stake. All started and planned activities of the Broadcasting Council, which are tasked with implementation of the Law, will not be realized unless urgent measures are applied for increasing the fee collection. So, for the time being we are spending some reserves and we have reduced the activities to a minimum." E-mail message to author, November 27, 2006.

[314] CIA World Factbook, "Macedonia," US Central Intelligence Agency, https://www.cia.gov/cia/publications/factbook/geos/mk.html#Govt (accessed November 21, 2006).

On the surface, the media market in Macedonia appeared open, competitive, pluralistic, and seemingly commercialized. There were no barriers to entry and there was an abundance of accessible news sources. Outlets may have looked stable and profitable but in practice there was little transparency of ownership or financing. And as discussed above, the sector was encumbered by oversaturation, and was suffering from hyper-competition and was hence dependent upon subsidies and beholden to business and political interests. The market was fractured and advertising revenues were so limited that the sector could support the profusion of outlets. Additionally, the absence of reliable audience data and rating information prevented companies from defining their audience and cultivating market logic, and the business model exported by donors failed to take hold. Without a viable advertising market, outlets could not become financially independent enough to afford the necessary structural changes that must take place in the newsroom to guarantee editorial independence or to provide the security and status for journalists to adequately professionalize.

Despite efforts to consolidate the sector, journalism as a profession has not been able to differentiate and assume a social mandate. Revisiting Alexander's three benchmarks for differentiation (Chapter 2, page 13) – universalism in national civil cultures, demands for universalistic information, and the growth of professional norms and self-regulation – Macedonia is lacking in all three. For instance, the society is divided ethnically and linguistically between the Macedonian and Albanian communities, which speak different languages and watch news sources that reflect different realities. Additionally, the society is politically divided, with two dominant parties largely representing the Macedonian

community, and two smaller Albanian parties. The media sector reflects and perpetuates these conflicting identities and interests.

Local and international efforts to promote self-regulation and professional standards have been undermined by political influence and weak economic forces. AJM has repeatedly reorganized to strengthen its advocacy capacities, its Council of Honor, and the Code of Ethics, but it has been an uphill battle. In 2006, donors expressed interest in funding a press council, but the idea had no traction. Belicanec felt Macedonia was not ready for self-regulation. In his opinion, journalists are not yet strong enough as a profession to self-organize effectively, face industry issues, and confront strong political and business influences.

Poor labor practices and economic instability have impeded the emergence of a professional identity and the values required for self-regulation. According to Zana Trajkoska of MIM, journalists were apathetic, and were tired of working without protections and of the endless transitioning – feeling their work has little impact and received no positive feedback. This attitude was reflected in the survey results for this study. Overall, respondents were only moderately confident in their social and professional accomplishments. Only 37.5% rated themselves successful in raising public awareness of critical social, economic, or political issues, or in influencing national or local government laws or policies. Just one quarter reported being very successful at improving standards and ethics of journalism in either their organization or the country. Furthermore, no respondents ranked themselves as very successful at promoting the independence of media in Macedonia.

Donors involved in media development targeted the enabling environment, the institutions, and Macedonian legal structures in anticipation that they would generate democratic values through these channels. In development circles, this is the embodiment of the chicken and egg quandary. One of the key lessons learned from this research is that if you build institutions and write ideal laws, democratic processes do not necessarily follow. Most of the institutions supported through these programs were either too weak or hollow to survive. One example is Macedonia's protections for freedom of speech, which is guaranteed by laws that are in line with European standards. However, poor implementation due to lack of political will has led to a failure to regulate ownership and broadcast licenses, and a lack of civic interest has resulted in a failure to demand accountability or enforce standards. It is this issue of institutional and market weakness which prevents Macedonia from emulating Hallin and Mancini's North/Central European Model, in which an advocacy press and professionalism coexisted. In their model, a strong market along with effective unions and associations promotes self-regulation. In addition, the government respects the media as a social institution and protects its regulatory procedures. In Macedonia, institutions lack not only economic resources but the vital social capital and self-expression values to make them function.

Economic development as discussed in Chapters One and Two contributes to the rise of self-expression values and social capital. According to Inglehart and Welzel's study, economic development produces greater access to education, resources, networks, and occupational structures. This access drives a demand for civic freedoms and a sense of agency.

Emancipative values emerge from this process and "translate structure into action."[315] In effect, this creates the space and a role for media in the democratic process as well as the civic agency to demand accountability, which completes the feedback loop that makes the system work.

A related concept is that of social capital: the norms, social relationships, and trust which empower institutions and shape the "quality and quantity of societies' social interactions."[316] As highlighted in a report by the Center for Economic Analyses on Social Capital in Macedonia, a lack of social capital has been one factor in slow GDP growth in post-socialist countries and plays a role in poverty, which often results from groups being at a distance from the formal economy and other social resources. Chronic problems such as inefficient government administration, unstable policies, and corruption are symptoms of poor social capital – all of which impact levels of trust, agency, and in turn, economic growth. It is a vicious circle. Without sufficient economic development, the market will not commercialize properly and emancipative values and social capital cannot emerge to support the processes of differentiation and professionalization, which empower institutions.

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[315] Christian W. Haerpfer, Patrick Bernhagen, Ronald F. Inglehart, and Christian Welzel, eds., *Democratization* (New York: Oxford University Press, 2009) 128.

[316] Senaj Daut, *Social Capital in Macedonia and Its Impact on the Economic Growth* (Skopje: Center for Economic Analyses (CEA), 2006) 7. Available at: http://www.cea.org.mk/Documents/LGU_Project/Third_USAID_report_social_capita.pdf. This report asks how the accumulation of social capital in Macedonia can be encouraged. Its author recommends that the government create the proper enabling environment while fighting corruption; he particularly calls for strengthening regulation of the business environment. The research done for the report, though, indicates that the government is unable to perform this role since it is not trusted and acts frequently to maintain the status quo for ruling elites rather than in the interest of the broader society.

Policy Distortions

The gap between economic development and institutional reform within the context of foreign

assistance goals in Macedonia has contributed to a few policy distortions similar to those seen

in Bosnia and Kosovo. Donors heavily sponsored the establishment of non-governmental

organizations as a means of developing civil society and social capital. Many of these

organizations, such as the Media Development Center, have contributed to reform initiatives,

civic awareness, and activism. They have also provided much needed jobs, training, and

opportunities for talented and conscientious individuals in a difficult labor market. However,

there are a few caveats regarding the sustainability of these organizations as well as their civic

mandate. In 2006, for instance, there were approximately 6,000 registered NGOs in

Macedonia, of which only an estimated 5-10% were active. In some cases, these NGOs had

completed their missions and were no longer operational, in other cases they were project

driven and would reconstitute themselves if and when they got additional funding, while

others simply failed due to a lack of funding or an unviable mission.

The boom and bust of the NGO wave has had a negative impact on the reputations of these

organizations and hence their credibility. People working in the NGO sector frequently

complained during interviews that NGOs had a poor reputation with the public and were often

referred to as "spies" or as organizations used for "money laundering." This unfortunate

perception is the result of lapses in accountability during the period of humanitarian crisis in

1999-2000, when large amounts of aid entered the country and much of it disappeared into

thin air or was spent in questionable ways. In a highly publicized media-related scandal in

1995, A1 TV received 1.5 million USD from the Media Development Loan fund, ostensibly

to upgrade their equipment; but the money was diverted to purchase chicken meat for another business interest. MDLF discovered this transgression and sued A1 TV in an 8-year court battle that involved the US Government. The dispute was finally resolved in March of 2006 when A1 TV agreed to return 1.8 million USD. Not surprisingly, A1 TV never reported on this scandal.

In an effort to become more sustainable, some organizations have diversified their funding only to find that administrative requirements, often in the name of transparency and oversight, undermine their capacities. Survey respondents indicated they had indeed increased diversification of their organizations' funding, with 4 organizations responding that they had more donors in 2005 than in 2000, and a few reporting that they had begun to generate income from products and services. These are generally healthy trends, but the reality of diversified funding is that it can create greater administrative demands. According to Belicanec, "In previous years it would cost 100,000 euro for operations and we were able to cover costs with 2 grants, and now we have to make five contracts of different kinds…with five other organizations, which means five reports and more administration for the same money, and it is consuming more time in the office than running the programs."[317] Elena Simonoska of the NGO Infocenter noted that her organization does not aspire to be donor driven, but because fundraising is a full-time job for which donors generally do not pay, the Infocenter does not have the staff to support both core activities as well as fundraising efforts.[318] And, fundraising is a highly skilled job that requires a complex understanding of

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[317] Ibid.

[318] Simonoska, interview by author, November 14, 2006.

how to prepare proposals and budgets, and of all the various rules and regulations required by various funders. Organizational survival can thus become a matter of getting the next grant rather than a question of quality programmatic activities.

Foreign-sponsored NGOs have been a significant employer of young people in Macedonia, but the turnover rate is high, which further weakens the sector. Martin Trajkovski, the Secretary General of the Association of Print Journalists, is not journalist and does not have a background in media. He worked previously as a graphic designer for an NGO; when asked about his work at the NGO and how he came to the Association, he explained that the non-profit world is like a "transit sector" for young people, in which they are able to get jobs and some training before moving on to better paying positions.

In her study entitled, "Challenges of Media Intervention in Post conflict Macedonia," Sally Broughton-Miceva concluded that some donor strategies in the country actually distorted the development of the media market they were trying to foster. For greater long-term impact, she felt the project she worked on, CBI, should have taken market forces more into account and had more flexibility in working with the state broadcaster MRT. In her words, "the system damaged their competitiveness in the long run and hampered their commercial development."[319] The "system" of donor programming she referred to did this in two ways: First, grants were given to cover production costs for programming deemed constructive in mitigating ethnic conflict rather than to sponsor programs meant to build long-term capacity,

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[319] Sally Broughton-Micova "Confidence-building, Market Forces and the Public Good: Challenges of Media Intervention in Post conflict Macedonia," in *Transacting Transitions: The Micropolitics of Democracy Assistance in the Former Yugoslavia*, ed. Keith Brown (Bloomfield, CT: Kumarian Press, 2006) 137.

such as capital investments in equipment, training, business development guidance, and marketing strategies. Donors also requested that broadcasters air these programs and public service announcements free of charge, since production costs were covered. Broughton-Miceva believed broadcasters took this easy production money to cope with short-term costs even if it meant they were undermining their long-term marketing opportunities. A better approach, she argued, would have been to pay for airtime with commercial broadcasters, or opt to cooperate with MRT, to reinforce their public service mandates, and have national coverage and bilingual programming. American donors in particular, however, prefer to work with independent commercial broadcasters rather than with state broadcasters such as MRT, which at the time was still heavily controlled by the government.

Over and above a dependency on funding, a dependency on the political leverage brought to the table by donors emerged. Several media professionals interviewed for this research expressed the opinion and concern that only international assistance brings the money and power that can alter the status quo in Macedonia. They voiced a need for foreign leadership to strengthen regulatory and self-regulatory bodies and to put pressure on the government to respect its own laws. For instance, when passage of the new Broadcast Law was stalled, the Broadcast Council and relevant NGOs appealed to donors to put pressure on the government; they could not galvanize enough pressure organizationally or from within the Macedonian public. This reality was further reflected in survey results, in which organizations rated themselves fairly poorly on their ability to impact conditions in the media sector.

Conclusion

In Macedonia, donor strategies to promote professionalization and commercialization were modeled after policies implemented in Bosnia and Kosovo, targeting the enabling environment. As in those places, results in Macedonia have been mixed. On the face of it, donors programs seemed to have made significant strides in legal reform, economic development, and institution building, but progress was superficial and heavily dependent upon the continued funding and political leverage of donors. Once those donors exited, many of the structures and procedures they left behind began to crumble.

An economic environment that is weak overall, coupled with a strong centralized government, has impeded effective commercialization of the market in Macedonia, leaving it open to corruption through Tycoonization. The media market specifically, as was seen in Bosnia and Kosovo, is pluralistic but not diverse. It is small, fragmented, oversaturated, and largely dependent upon subsidies from political and businesses alliances. Hence, it does not operate by free market logic and cannot self-regulate. Without financial independence, media outlets have not been able to initiate the management and structural changes necessary to functionally separate the editorial and business sides of their operations, or to protect the editorial line from owner influence. This dynamic has prevented much of the journalistic and management training sponsored by donors from taking hold. Consequently, media outlets are not viewed as legitimate businesses but as tools of the political and business elite. In this atmosphere, citizens do not trust the media as a reliable source of unbiased information, and media are thus robbed of their democratic role as a catalyst for civic agency.[320]

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[320] According to polls conducted for the 2005 UNDP Early Warning Report for Macedonia, less than 25% of respondents believed "that the media in Macedonia report objectively and accurately on political issues." On interethnic issues, only 23.8% believed the media to be objective and accurate. These trends have been on the

Professionalization has fallen prey to these same forces. Journalism has not differentiated as a profession toward an identity and mandate based on ethical standards. This is not surprising in Macedonia, since journalists daily face economic instability, poor working conditions, inadequate legal protections, and existential physical threats, along with having little social mandate from industry or civil society. Professional associations had initial success – with donor support – in attracting members and self-organizing, but they also quickly fell victim to political divisions, the special interests of members, and economic pressures. On the positive side, educational opportunities for journalists have significantly improved and will hopefully contribute in the long run to raised standards and the formation of a professional identity.

Donors have underestimated the necessity of synchronizing reform initiatives in Macedonia. Many media sector policies relied upon and assumed complementary and supporting legal and economic reforms. Despite considerable legal reforms to create laws on par with European standards, weak implementation has left institutional reforms fragile at best and illegitimate at worst. As was seen in the North American and North/Central European models, the processes of commercialization and professionalization were mutually reinforcing and reflected specific market forces. An outgrowth of these processes was the emancipative values and social capital which gave agency to those systems. This critical dynamic was not accounted for in donor strategies and failed to emerge organically in Macedonia, leaving many of the best intervention efforts to fall flat. In some instances, these gaps led to policy distortions that impacted the legitimacy and sustainability of the sector. For example, in post-conflict

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rise, bringing public distrust of media reports to a discouraging 70%. Ibrahim Mehmeti et al., *Early Warning Report: Macedonia* (Skopje: UNDP, December 2005) 13.

interventions such as with OTI/IOM, donors were disappointed when short-term commitments with long-term expectations simply contributed to the distortion of already fragile markets and created donor dependency.

Ultimately, every country must find its own way, and donors cannot be expected to solve all local political and economic woes. However, when donors do provide assistance, their policies must be informed by a deeper understanding of the interdependence of reform initiatives, so that they can set realistic expectations for their policies and for local partners and avoid adding to disillusionment in the democratic process. The models and practices donors have attempted to inspire in Macedonia and elsewhere must be animated by a "spirit of democracy" that grew not only out of institutions and laws but out of specific socio-economic and political dynamics. There are many talented, hard-working journalists in Macedonia who have demonstrated that spirit; yet they are struggling in an often hostile environment to exercise their professional mandate. Sadly, many are losing faith in the process as media sector laws, institutions, and news outlets are co-opted by narrow, elite interests.

Epilogue

Between 2007 and 2011, "tycoons" and politicians in Macedonia tightened their hold over the media sector. A dramatic political battle waged through the media came to a head in August of 2011 with a virtual coup by a triumvirate of the governing political party, its allied media, and business tycoons over a rival. By 2008, the Gruevski government was exerting even more influence over the media through a dependency on its advertising and a disregard for the law, leading to an erosion of press freedoms. Its reach extended to the police, resulting in an

increase in police violence against journalists, including very public arrests on camera meant

to threaten journalists seen as too vocal, as well as to warn the judiciary. Many journalists

responded by boycotting press conferences. Then, a major shift in power occurred in late

2008 when Ramkovski broke his alliance with Gruevski and the VRMO-DPMNE party after

the collapse of the Swedmilk dairy, a special interest of Ramkovski. A1 TV's reporting

followed suit and blamed the government for troubles in agriculture.

Macedonia's MSI ranking regressed in 2009 to an "unsustainable, mixed system." The new

Broadcast Law had failed, MRT still lacked a system of fees collection and was funded

directly by the government, and 17 new satellite concessions were granted, further

fragmenting the already oversaturated market. Although the Access to Information Law had

passed in Parliament, in practice it was seen as widely interpretable. Previously "inefficient"

and sleepy courts were suddenly occupied with a load of libel and defamation lawsuits for

which unusually exorbitant fines were levied. According to MSI panelists, the increase in

lawsuits was less about irresponsible reporting and more about elites trying to silence

journalists or news organizations.[321] MSI also reported increased pressure on editors by

owners and noted that AJM's Council of Honor had issued 30 violations to the code of ethics.

Journalists fought back, staging protests against low wages and the influence of political and

business interests. Unfortunately, institutional support for the media was crumbling. APEMM

finally collapsed, unable to resolve the competing interests of its members, and the NGO

sector continued to shrink due to financial constraints. Increased government influence, police

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[321] *MSI 2009*, 1 and 3.

aggression, irrational court rulings, and a weakening of professional organizations created a dangerous and unstable situation for journalists.

In November of 2010, the Independent Union of Journalists and Media Professionals (IUJMP) was founded to address issues specific to the industry. Tamara Causidis, the head of the Union, set her sights first and foremost on tackling collective agreements with media owners who routinely violate labor laws. In another positive trend, access to the Internet was on the rise in Macedonia, with 45% of households connected.[322] The downside of this statistic is that Internet use as a news resource became second to television, significantly cutting into the fragile Macedonian print market.

At the end of 2010, fed up with regular criticism from A1 TV, Gruevski publicly charged the station with bias and attempting to undermine national interests; he urged his supporters not to trust their reporting. In August of 2010, A1 had hired two journalists who claimed they had been fired from Kanal 5 for political reasons. A1 took the moral high ground, stating that they would offer a more "democratic" work environment. Kanal 5, which is coincidently owned indirectly by an M.P. in Gruevski's government, responded by charging Ramkovski with tax evasion. Ramkovski countered that Gruevski was the real criminal and accused him of paying A1 over 4 million euro from the state budget between 2006 and 2008 for political advertising in support of VMRO DPMNE. A war had begun.

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[322] In 2007, arriving at the airport in Skopje, one was welcomed by signs announcing Macedonia as the world's "first wireless country." USAID has recently invested $2.5 million dollars in Macedonia Connects, a project which will provide 95% of the country with wireless internet access. This offers great potential and growth opportunities for businesses and the media sector, if utilized properly.

In a live broadcast on November 25, A1 TV announced they were under siege by the police, who were attempting to shut them down for criticizing the government. Financial inspectors said they had been sent not to interfere with the television station but to search for records pertaining to 6 other companies owned by Ramkovski which were registered at the same corporate address. A1 TV journalists made an open call for citizens to come to their defense and asked for an explanation from government officials. Several hundred people assembled outside the station, including opposition politicians and human rights activists. Rival stations Sitel, Kanal 5, and MRT went live in response, hosting interviews with government representatives, all of whom denied the charges and claimed the drama was a ploy to detract from the investigation into Ramkovski. Later that night, A1 TV's editor-in-chief, along with a few journalists, reported that they were beaten and harassed by the police. By the next day, all was quiet and A1 TV returned to regular broadcasting. Several hundred people, including opposition politicians, concerned citizens, staff from Ramkovski-owned newspapers, and employees of A1 protested the investigation.

From November 2010 through August 2011, the media sector in Macedonia unraveled. On December 2, 2010, Ramkovski was arrested for tax evasion, money laundering, and financial irregularities – charges he claims were politically motivated. With his business assets frozen, Ramkovski's three papers (*Špic, Vreme*, and *Kohe e Re*) were threatened with imminent closure. On January 29, 2011, opposition parties walked out of Parliament to boycott the legislature in protest over the government's actions toward Ramkovski. In response, the government called elections in June, which the ruling coalition ultimately won but with a

significantly reduced majority. This narrow win, though, seems to have further emboldened

Gruevski to continue his marginalization of the opposition and the media.

 By July 3rd, *Špic, Vreme*, and *Kohe e Re* were shut down for allegedly owing 1 million euro

in back taxes; and A1 was forced to reduce its programming and lay off many of its

journalists pending an investigation of allegations that it owed 9 million euro in back taxes.

Over 300 journalists reportedly lost their jobs due to the demise of Ramkovski's media

holdings. That weekend, on July 2nd, all seven members of the Council of Honor of the AJM

resigned over the state of journalism in Macedonia, declaring they no longer had any leverage

to fight for their rights as long as journalism was held hostage by power brokers. On that next

Monday, the Journalists' Association AJM and the Macedonian Journalists Union IUJMP

staged another protest against violations of journalists' rights and political influence over the

media.[323] Also in July, WAZ announced that it would cut its staff, prompting another series of

protests; a total of 5 journalists were later fired by WAZ after taking part.

Alarmed by the situation, various international organizations put pressure on the Macedonian

government. The South East Europe Media Organization (SEEMO) issued a press release

condemning developments there, and the OSCE warned that Macedonia had effectively

eliminated nearly all opposition press with the closure of Ramkovski's newspapers. Brussels

(EU), the OSCE, and Amnesty International all urged the government to allow the media

groups in question to pay off their debts in installments so that they could continue to operate.

Pro-government media voiced their opinion as well; Sitel and *Večer* together sent a letter to

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[323] Saše Dimovski, "Macedonia pulls plug on opposition media," *Balkan Insight*, July 7, 2011,
http://www.balkaninsight.com/en/article/macedonia-pulls-plug-on-opposition-media (accessed 7/20/2011)

the government urging them not to negotiate with Ramkovski. In the end, the government

refused to allow Ramkovski to pay the debt in installments.

On July 20, 2011, without any public debate or notice, the government passed an amendment

that increased the Broadcasting Council from 9 to 15 members, with most new members

hailing from state commissions or bodies and giving the government further control over the

Council. The government justified the change as a move that would make the work of the

Council more transparent and efficient. The EU responded that they were investigating the

impromptu amendment to assess if it was in line with European regulations. The Independent

Union of Journalists and Media Professionals (IUJMP), MIM, and AJM jointly issued a

statement opposing the amendment. AJM threatened to withdraw their members from the

Council and organized a protest. But, neither condemnations and investigations by

international governing bodies nor protests by local professional organizations and journalists

deterred the government from silencing the opposition.

In violation of the Broadcast Law, the Broadcast Council, and Council of Europe regulations,

A1 TV's frequency was canceled and screens went black on July 30th. And with that, former

A1 TV editor Borjan Jovanovski announced in the press that Gruevski had finally won.[324]

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[324] Borjan Jovanovski, "Farewell to A1, and a Country's Lost Hopes," *Balkan Insight*, August 3, 2011, http://www.balkaninsight.com/en/article/aaa-tv-s-death-symbolises-a-country-s-lost-hopes (accessed 8/16/2011)

CHAPTER 6

Conclusion: Lessons to Write Home About

This study has explored the evolution and export of dominant democratic media models and their impact on recipient communities in Bosnia, Kosovo, and Macedonia. Donor governments and international organizations expected that media could play a transformative role in the reconstruction and transitions of these societies. To that end, media assistance programs sought to professionalize and commercialize the media sectors. While structural changes contributed to bringing the media sectors more in line with European standards, a strong independent pluralistic media has not emerged nor has the media been able to influence "hearts and minds" or inject values and attitudes to the extent that was anticipated. I have tried to show through these three case studies that, in the future, media assistance must pay closer attention to the relationship between economic growth and institution building as part of democratization strategies. Despite significant economic reforms, growth and stability never reached a threshold to act as catalysts for systemic change in these instances.

It would have been completely unrealistic to expect these countries to transition into modern liberal democracies in a decade or even two, and I don't believe donors envisioned such rapid change, but the protracted nature and contentiousness of the reform process were not anticipated. In addition, economic development has been the weakest of the development processes for various reasons, and what little there has been was neither well coordinated with development in other sectors nor did it necessarily raise levels of investment to empower business development and institution building. If donors had been more successful with

economic reforms, specifically in lowering poverty and unemployment to less destabilizing

levels, these countries would be much better off not only economically, but politically and

socially. Bosnia, Kosovo, and Macedonia are some of the poorest states in Europe; they have

outdated industries, few natural resources, and the legacy of the communist system to contend

with. No miracles would have occurred there like they did in Germany or Japan, even if

donors had made the economy their first priority, but success in this case is a matter of

relativity. Unfortunately, the dire economic situation in these countries turns much political

decision making into a zero-sum game since political parties generally fall along ethnic lines.

Drawing from Chua and Del Castillo, discussed in Chapter Two, economic development, if

done correctly – so that it brings greater prosperity to the majority of the society and not just

to specific elites or an ethnic group – would help bridge some of these ethnic divisions and

create a more stable political, economic, and social environment. The modernizing aspect of

economic development is fundamental for building a functioning stable democracy where

there is the opening and capacity for some of the media to assume a public service role.

For commercialization and professionalization processes to support independent media, they

require a complex balancing act in which the interaction between economic development and

emerging democratic values creates the independence, space, and mandate for the media to

act in a watchdog capacity, and spurs occupational specialization as well as the differentiation

process that enables necessary professional values to strengthen the sector and balance the

forces of commercialization. If media are a reflection of political and social systems, which

are in turn shaped by the economic environment, policy makers need to understand how

market conditions influence those interdependent systems, even indirectly. Media can only

influence political and social change if values exist to reflect, shape, and inspire into social action.

These questions are especially salient and urgent now as we are experiencing global crises of democracy, journalism, and the economic order. We are arguably in the midst of a fourth wave of democratization, if we use Huntington's famous model, which has begun with the Arab Spring, Occupy Wall Street, and the ongoing and intensifying Syrian uprising. In recent decades, dramatic technological advances – the proliferation of cable television and digital and social media – combined with a concentration of corporate ownership have contributed to new modes of reporting, means of distribution, and shifts in the economic foundation of traditional media that are changing the structure of our media system. Furthermore, the world economic crisis has brought greater levels of poverty, inequality, and instability even to established democracies.

These political and economic shifts mean that normative definitions and understandings of democracy as well as the underlying media systems, and hence journalism, are becoming more important. In these current circumstances, we are *all* (every country and region in the world) potentially experiencing transitions of one kind or another. How we define our situations, negotiate our paths, and envision our futures will depend on those normative constructs. Forces shaping media transitions include a combination of democratic aspirations and the understanding of media freedoms, the local cultures of communications, and external influences from international media, allied governments, and international organizations.

The classic challenge of how to balance democracy and capitalism has resulted in a situational irony; international development strategies advocate neoliberal economic policies purported to free up markets for international trade and spur economic prosperity that are simultaneously undermining political policies to democratize through institution building. Furthermore, there is hypocrisy within policy expectations, because recipient countries are asked to build strong institutions based on a normative model of democracy that is faltering in the societies promoting its use. This problem plays out in the media sector as an imbalance between commercialization and professionalization. While recognized in some circles, this issue – that the values system behind an economic model may undermine the values system behind political objectives – is largely ignored in policy formation. How can we expect to establish democratic political or media systems in environments where the concept of democracy itself – in all its global guises – is perpetually adjusting to significant political and economic changes?

These changes lead us to the broader questions of how media systems will evolve in the current world order, what role media in its various forms will play in governance, and what components are necessary to insure it fulfills its mandate. Are international journalism standards, over and above the classic US, multiple European, and other models, emerging? What role should media development play in our foreign policy and how can it be better integrated to achieve greater sustainability and impact? Future research on media development must address these questions.

A Comparison of Case Studies

The case of Bosnia illustrates how policy evolution has led to the mapping of a model media system and to the identification of an enabling environment for democratic development. This environment includes a legal foundation for rule of law and the establishment of specific institutions, including educational institutions, regulatory agencies, professional and advocacy organizations, and public service broadcasters. Within this environment, donors have sought to professionalize and commercialize the sector. Commercialization was expected to create a pluralistic marketplace of ideas in support of good governance and donors gave financial and technical support to independent news organizations along with substantial training to shape sustainable business models. Public service broadcasters were financed to balance commercial outlets as well as to help create an inclusive civic voice. Professionalization policies included substantial training, education reform, and the establishment of relevant regulatory and self-regulatory mechanisms. A democratic legal framework was expected to provide the necessary protections to enable the system to operate. Combined, these became a "tool box" of strategies for future interventions.

Once that "tool box" was unpacked and the institutional architecture was in place in Bosnia, donors and international administrators found that the system didn't function as anticipated, and much progress that had ostensibly been made began to recede or crumble once donor funding waned. Donors ascribed some of the blame to the contentious political situation in the country and the legacy of the previous system; and they assumed some of the blame themselves as well – identifying flaws in their own implementation process as well as in

policy design, both of which undercut their success by resulting in uncoordinated programs, inappropriate training, and duplication of efforts.

Donors tried to take the lessons they learned in Bosnia to their intervention efforts in Kosovo. Attempts to better plan and coordinate assistance went awry in the deluge of organizations, competing mandates, and projects. Despite recognition of the need for long-term development strategies, policies were only short term due to the legal obstacles related to the issue of Kosovo's final status. This ultimately held back critical reforms, especially in the economic sector. Although the economic situation there is as difficult as in the other countries, perhaps even worse, the full effects of economic indicators are mitigated by heavy support in the form of remittances and aid.

In the media sector, however, donors thought that they had the model for Kosovo figured out; they established an advanced legal foundation based on the best laws in Europe, along with all the complementary institutions – the frameworks of which were designed to be mutually supporting. In this case, they did not create new media outlets, but instead offered aid to existing outlets that showed professional commitment and capacity. Yet despite that, the media sector in Kosovo, like others in the region, shows signs of oversaturation and high levels of dependency on either government advertising or alternative revenue streams. Some media-related institutions meant to support professionalization, such as the journalism association and the Press Council, were introduced into the local ecology in a top-down, quasi-imperial manner by the international administration. Once again, donors were faced with weak outcomes and some outright distortions of their model.

Macedonia provided a different set of circumstances surrounding international intervention and subsequent assistance programs, and still the end result was similar. Assistance was not systematized, synchronized with reform in other sectors, nor imbued with longer-term objectives. Since it came with fewer strings attached and a less imperial attitude, buy-in for media development was quite high in Macedonia. However, without lasting donor commitment and the leverage that comes with international oversight, professionalization and commercialization were quickly prey to many of the same political and economic forces that arose in neighboring countries. An environment of weak economic development and rule of law, poverty, ethnic unrest, and powerful political parties paved the way for tycoonization to dominate the media landscape. These factors have undermined the capacity for a professionalized, independent, and pluralistic media to take root.

In each of the countries in this study, a lack of synchronization among reforms, political divides, and poor economic growth have contributed to a web of interrelated challenges and distortions. On the state level, there are strong political parties representing entrenched ethnic divisions, weak rule of law; economically, there are high levels of unemployment and poverty. Citizens are consequently in survival mode and tend to be apathetic in the face of unaccountable politicians, institutions, political parties, and tycoons.

In the media sectors of these countries, commercialization and professionalization have been conflicting forces rather than mutually supporting processes of democratization. This situation has created fragmented and oversaturated media markets, resulting in hyper-competition and a

lack of self-regulation. Public broadcasters, while they are *de jure* independent, find that they are *de facto* subject to coercion by ruling parties. The dependency of media outlets on alternative revenue streams has prevented their evolution into sustainable businesses with editorial independence, full-time professional journalists, and a healthy separation of editorial and business functions. Without the stability of full-time living wages, adequate benefits, and protection from outside interests (pressure from owners and politicians), journalism has not been able to fully differentiate and institutionalize a unique identity and universal standards, nor has it established a solid foundation on which to advocate on behalf of the profession. In turn, this has resulted in professional organizations that have almost no basis for support and a public that is distrustful of both the media and the political system.

Without the establishment of professional norms and effective institutions, independent pluralistic media will not only struggle to survive, but the whole concept is in peril in the region. Regan McCarthy pointed out some of the problems and paradoxes of institutionalizing those norms; she sees press councils and journalism associations as imperative so that journalists can protect themselves, especially from state and international interference. If journalists fail to self-regulate, as was seen in Bosnia and Kosovo, then the state will be forced to regulate in volatile situations such as with the TMC in Kosovo. She believes self-regulation is a core component of professionalism and that this type of "co-regulation" of the press is completely inappropriate. "Journalists should not have to be slapped to be good journalists," but self-regulation in post-communist societies, she warns, "is a very subtle process because it is the process of changing minds or consciousness. All those journalists were from a system where you got big slaps every time you were not in line with the central

committee… the Party had a special department to monitor the press and media and punish those who were out of line."[325] Many journalists in Bosnia have told her that they support self-regulation but that it has been difficult in the current environment and that "co-regulation," even of the press, is sometimes necessary. This brings us back to that distortion, of using undemocratic means to democratic ends, and the need to find a better way to foster those professional attitudes and behaviors.

Trust is another key requirement for democratization and for a functioning media sector. Media have been expected to act as a watchdog in support of good governance, to expose inequalities and corruption, and to unite and mobilize citizens demanding political change. This cannot happen without trust in the credibility of the media as well as in the responsiveness of the political system itself. Furthermore, trust is also the basis of interpersonal networks that can play both a positive or negative role in democratization. One negative example is seen in the networks that are the basis of tycoonization in the region.

In his book *Democracy*, sociologist Charles Tilly wrote that democratization cannot take place if there are strong autonomous, non-state forms of power dominant in society, if there are elements of categorical inequality, and if those inequalities are replicated on the state level.[326] In all three countries included in this study, there are autonomous, non-state actors, such as "tycoons," and there are categorical inequalities in the form of institutionalized ethnic divisions – inequalities which are replicated at the state level. The media, as we have seen, reflect those divisions, inequalities, and power centers, and function as tools of those

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[325] Regan McCarthy, interview with author, June 28, 2007.

[326] Charles Tilly, *Democracy* (New York: Cambridge University Press, 2007) 188.

alternative power centers and detrimental trust networks. While Tilly does not cite economic development as a required causal factor in his model, under the right circumstances it can act as a catalyst for greater equality, which is necessary for social transformation.

These case studies also demonstrate that the all-important feedback loop between citizens, media organizations, and the state is flawed in these countries. This is largely the result of local political divisions compounded by the structure of international administrative bodies. David Chandler wrote, regarding Bosnia and Herzegovina, that it was "faking democracy," and that the international intervention "undermined autonomy and self government on the assumption that external assistance is necessary for building an alternative that will more effectively bridge segmented political divisions."[327] International policies in Bosnia and Kosovo have created weak, decentralized, over-bureaucratized states, often unaccountable to citizens and overly dependent upon the international community.[328] Similarly, Carothers has labeled Bosnia and Serbia as democracies with "feckless pluralism" – states with weak civil societies where there is a gulf between political leaders and the public that has resulted in a lack of political legitimacy in the government and its leaders.[329] In this kind of an environment it is difficult for the media to act as a watchdog since there is little expectation of accountability and few means to enforce it.

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[327] David Chandler, *Bosnia: Faking Democracy After Dayton* (London: Pluto Press, 1999) 194.

[328] Robin Luckham, Anne Marie Goetz, and Mary Kaldor, "Democratic Institutions and Democratic Politics," in *Can Democracy be Designed? The Politics of Institutional Choice in Conflict-Torn Societies*, eds., Sunil Bastian and Robin Luckham (London: Zed Books, 2003); and Marcus Cox, *State Building and Post-conflict Reconstruction: Lessons from Bosnia*, the Center for Applied Studies in International Negotiations (Geneva, January 2001), www.casin.ch/pdf/cox.pdf (accessed July 11, 2003; link no longer active).

[329] Thomas Carothers, "The End of the Transition Paradigm," *Journal of Democracy* 13, no. 1 (2002): 11.

Of all the tools and prescriptions implemented by international organizations, it is interesting that economic development efforts never reached that threshold necessary to support systemic change. Economic development, as part of its role in democratization, shapes attitudes and behaviors on various levels. Modernization processes in society can create emancipative values such as demands for elections and rule of law, as well as self-expression values such as civil liberties and equal rights, as illustrated by Ingelhart and Welzel's World Values Survey. When achieved, economic growth can help people in countries emerging from ethnic conflict to overcome insecurities (physical as well as psychological) that perpetuate social divisions.

The media model that was exported to these countries was based on the historical experiences of the US and of Northern Europe, and as discussed in Chapter Two, a common catalyst of this liberal model was a growing economy that fueled markets and strengthened the middle class – both of which contributed to shifts in economic and political influence. Within the media sector, economic growth enabled the emergence of profitable media organizations that had significant editorial independence and a broad audience base. In this environment, journalism was able to develop as a profession with standards and a social mandate. It was within the dynamic of economic development and political change that the processes of commercialization and professionalization became mutually supporting, culminating in the period of High Modernism as defined by Hallin and Mancini. Through this complex, lengthy and, at times, messy process, democratic attitudes and behaviors emerged, inspiring civic action, animating institutions, giving life to the rule of law, and thereby instigating the necessary shifts in power and perspective that have allowed the system to work.

The historical experiences of the US provide insight not only into how a democratic media sector can evolve, but also how it can *de*volve. In the 1960s, American society went through drastic changes, leading to a loss of public trust in leaders and institutions that was largely due to the experiences of Vietnam, Watergate, the civil rights movement, and the "culture wars."[330] Journalism became more adversarial toward political power at the same time that it began to feel the pressures of significant economic changes that were taking place in the country. The classic liberalism of the previous period gave way to neo-liberalism, where deregulation began to dismantle the protective laws and institutions of both the economic and media systems, so that market forces could maximize profits. Communications theorists responded with Nerone's *Last Rights*, a rebuke of *Four Theories of the Press*, which argued that the press was losing its place as mediator of the public sphere in the democratic process because information was no longer about an exchange of ideas but, thanks to corporate monopolies, had been turned into a commodity.[331]

During the 1980s, major corporate mergers and acquisitions put control of the US media into the hands of fifty corporations. Ben Bagdikian documented this trend in his book *The Media Monopoly*, warning that mass advertising was exerting undue influence over content. By 2000, media sources proliferated, giving the appearance of an extraordinary diversity of content; meanwhile, corporations continued to consolidate their power and influence behind the scenes. In *Rich Media, Poor Democracy*, Robert McChesney wrote about the paradox that

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[330] Daniel C. Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics* (New York: Cambridge University Press, 2004); Michael Schudson, "Good Citizens and Bad History: Today's Political Ideals in Historical Perspective" (keynote lecture, The Transformation of Civic Life Conference, Nashville, TN, November 12-13, 1999), http://communication.ucsd.edu/people/f_schudson_nashville.html (accessed April 24, 2006); John C. Nerone, ed., *Last Rights: Revisiting Four Theories of the Press* (Urbana, IL: University of Illinois Press, 1995).

[331] Nerone.

media in America have become an anti-democratic force in this information age rife with global media empires. He blames demands for profit and of advertisers for creating a "poison pill" for democracy, by advancing "hypercommercialism," and contributing to the "denigration of journalism and public service."[332] McChesney believes this paradox constitutes a political crisis not only because of the dire consequences it has for our political process but most importantly because "the very issue of *who* (emphasis in original) controls the media system and for what purpose is not a part of contemporary political debate."[333] Sociologist Herbert Gans warns that the public service mandate of the media is deteriorating and that journalists are increasingly disempowered by corporate budget restrictions, profit margins, cutbacks, and a preference for soft news.[334] He believes significant reform is needed to rescue democratic values from the grip of corporate interests.

Clearly, even in developed democracies, commercialization and professionalization are out of balance, eroding both media independence and its social role as ascribed in the liberal model. Just as professions differentiate, they can de-differentiate, and hence experience a weakening of values, professional mandate, and autonomy.[335] Autonomous power centers, as well as rising levels of inequality similar to those Tilly has warned can lead to de-democratization, are gaining influence in developed democracies. John Keane, writing from the British

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[332] Robert W. McChesney, *Rich Media, Poor Democracy: Communications in Dubious Times* (Chicago: University of Illinois Press, 1999) 2.

[333] Ibid., 6-7.

[334] Herbert J. Gans, *Democracy and the News* (Oxford: Oxford University Press, 2003) 122.

[335] Hallin and Mancini, 295. They relate this to Bourdieu's and Habermas' conceptions of how the media have lost autonomy in relation to the market and economic system.

perspective, observes an inherent contradiction between market liberalism and trends in democratic governance:

> The key point is that market liberalism is incapable of actualizing the "libertarian" values it affirms. It is hoist with its own petard of "freedom of choice," and that is why its critics must open their eyes wider. They need to give their criticisms of market liberalism more bite and public appeal by emphasizing not only that markets fail to guarantee the open expression and representation of opinions, but also that market liberalism is in love with arcane and "invisible" state power, which also contradicts freedom of communication among a plurality of citizens.[336]

Keane, McChesney, Nerone and others have all recognized that economic forces have served to decrease levels of independence and transparency in media systems as well as the capacity of the media to function as a mechanism in support of good governance, yet today we have not learned lessons from our recent past and continue to export the globally conflicting paradigms of liberal democratic institutions and neo-liberal economic policies.

From Western Models to International Standards

Throughout 2011, as protests for democratic freedoms ignited around the globe, Freedom House and Reporters Without Borders reported that press freedoms were in fact receding. Freedom House's 2010 report announced that access to a free press worldwide had declined to its lowest point in a decade because repressive governments were stepping up their efforts to control all forms of media, traditional as well as internet-based.[337] Reporters Without Borders' Press Freedom Index showed double digit drops for Bosnia and Macedonia, as well

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[336] John Keane, *The Media and Democracy* (Malden, MA: Blackwell and Polity Press, 1991) 114.

[337] Karin Deutsch Karlekar, *Freedom of the Press 2011 – Press Freedom 2010: Signs of change amid repression*, Freedom House, http://www.freedomhouse.org/report/freedom-press/freedom-press-2011 (accessed February 20, 2012). Freedom House has not yet published their 2012 report (covering 2011), so the impact of the Arab Spring and other uprisings, as well as of Occupy Wall Street, is not yet reflected in their numbers.

as for the United States. Only Kosovo made minor advances in the rankings, rising to 86 from

92. The report linked problems in Bosnia and Macedonia to their economic ills:

> The economic crisis accentuated the Balkan media's problems – use of the media for private or criminal interests, unfair competition in very small markets, and self-censorship by a growing number of badly paid journalists. Judicial officials – many of them poorly trained, allied with the government and often corrupt – seem more interested in harassing the media than ending impunity for those who threaten or physically attack journalists. This was the case, for example in Bosnia-Herzegovina (58th), Montenegro (107th), Albania (96th) and Macedonia (94th), which lost 40 per cent of its media with the closure of Plus Produkcija, a company that owned three dailies and the leading privately-owned TV station.[338]

The United States had a tough year as well; not only did Standard and Poor's downgrade its

credit status in response to a loss in confidence in the American political system's ability to

manage federal finances in light of the "political brinkmanship" displayed during the debates

over raising the debt ceiling, but the country's Press Freedom ranking was also downgraded

27 points by Reporters without Borders, to an embarrassing 47. This plummet in confidence

reflected the number of arrests of journalists covering the Occupy Wall Street movement.[339]

While a 20 point drop could be called excessive, my guess is that it served as a means of

publicly censuring the US, which is expected to act as a role model for democratic behavior,

especially during a period of extraordinary popular unrest in support of democracy

worldwide. It is difficult to criticize the behavior of authoritarian regimes for cracking down

on protesters and journalists they claim are destabilizing when videos from the US of police

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[338] Reporters Without Borders, *World Press Freedom Index 2011-2012,* January 25, 2012, http://en.rsf.org/IMG/CLASSEMENT_2012/C_GENERAL_ANG.pdf, 3.This index only began in 2002; for the sake of comparison, that year, the US was ranked 17th, BiH 43rd, and Yugoslavia (Kosovo was not yet independent) 60th. In 2010,BiH ranked 47th, Kosovo 92nd (a 17 point drop from previous year), Macedonia 68th (down 34), the United States 20th, and the United Kingdom 19th. In the 2012 rankings, Kosovo has moved up to 86th and the United Kingdom has dropped to 28th, largely due to the News of the World scandal.

[339] Also see: Melissa Bell, "U.S. falls 27 places in worldwide freedom of press rankings," Blogpost, *The Washington Post*, January 25, 2012, http://www.washingtonpost.com/blogs/blogpost/post/us-falls-27-places-in-worldwide-freedom-of-the-press-rankings/2012/01/25/gIQAFWZvQQ_blog.html (accessed February 20, 2012).

pepper-spraying, beating, and arresting protesters and journalists are broadcast internationally

and posted online. If the United States can find solutions to its own political, economic, and

media-related problems, it might then be in a better position to offer democratization

strategies to other countries.

From a practitioner's standpoint, trying to implement programs and standards that are not

being upheld at home often feels like an exercise in hypocrisy, which undermines the

credibility of any project. Rosemary Armao of the Center for Investigative Reporting readily

acknowledges that media development often touts models that are no longer functioning at

home.

> I am working on training for election coverage. Our (American) coverage of elections is
> horrible. Our press is filled with criticism of how it is done, yet that is what we are
> teaching… We don't live up completely to our standards here (at home); so the standards
> need to be set and you try to live up to them. You learn from the gap of where you are
> and where the standard is. That is the way it ought to be. That means, if a story comes in
> and there are unnamed sources, or it is not completely sourced, you throw it back – you
> do not just say, "Well that is the best the Bosnians can do, or the Spaniards can do." That
> does not work. That is a mistake. So I think the standards are exactly right and it is living
> up to them that will make a difference.

Instead of trying to export institutions and models, a potentially better approach is to

acknowledge systemic challenges and flaws while striving to meet internationally-recognized

professional standards. In a similar vein, within the American context, Schudson advises that

the news media adopt a kind of "schizophrenic" approach, to be of two minds, striving to

reach classical democratic norms while accepting the social and political limitations of a less

than fully engaged citizenry.[340] Adjusting expectations, setting more realistic goals, and

distilling various traditions down to core practices and standards may allow for greater

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[340] Michael Schudson, *The Power of the News* (Cambridge, MA: Harvard University Press, 1995) 223.

acceptance of an international standard. However, getting to that point still requires levels of editorial vision, support, and independence that can only come from stronger economic foundations.

Future media policy should take a more context-specific approach, allowing for cultural and historical differences, while advocating for basic professional standards. More consideration should be given to lessons from societies facing similar economic and political challenges and with analogous historical experiences. For instance, policy approaches should be considered from some of the post-soviet countries, or countries of the Mediterranean pluralist tradition. When designing policy, local stakeholders should be given more responsibility in crafting solutions.

Communication structures and the role of journalism certainly vary among Asian, Islamic, African, or Western societies, but there are basic roles that information or news media are realistically expected to fulfill in self-described democracies, regardless of their cultural specificities. This is not to say that there is not room for gossip, scandal, sports scores, drama, and astrological and weather forecasts – things which have always played a role in human communication as means of interpreting and documenting our communal lives.[341] Just as fundamental is a basic need for factual and trustworthy information that can facilitate citizen participation in social and political processes.

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[341] Michael Schudson, *The Sociology of News* (New York: W.W. Norton and Company, 2011) 7.

A short list of basic media roles or functions should include the ability to provide information on events in their context, offer analysis and frameworks for understanding those events, act as a public forum of ideas from various groups in society, mobilize interest and concern for policies and programs, cultivate social empathy so people can understand the viewpoints and perspectives of all segments of their society, and investigate potential abuses of power.[342] These functions work best when media operate in a democratic political environment where media assume these responsibilities as part of a professional mandate. That is to say they have established a professional identity and adhere to ethical standards. Media in different political contexts with a different understanding of their role can take on different functions or different interpretations of these functions, such as publicizing government policies under authoritarian regimes or "mobilizing" in the most negative sense, as was witnessed through the proliferation of hate-speech throughout the Balkan wars and in Rwanda. Media organizations negotiate their role within their social, political, and economic environment. Even in the best of circumstances, as Schudson writes, "Journalism does not produce democracy where democracy does not exist, but it can do more to help democracies thrive if it recognizes the multiple services it affords self-government, encourages the virtues that underwrite those services, and clarifies for journalists and the public the many gifts news contributes to democratic aspirations."[343]

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[342] Michael Schudson, *Why Democracies Need an Unlovable Press* (Cambridge: Polity Press, 2008) 12. Also see: Clifford G. Christians, Theodore L. Glasser, Denis McQuail, Kaarle Nordenstreng and Robert A. White, eds., *Normative Theories of the Media: Journalism in Democratic Societies* (Chicago: University of Illinois Press, 2009) 30.

[343] Schudson, *Why Democracies Need an Unlovable Press*, 26.

In fact this last role of media as a watchdog over the public good is part of Kosovo's Civil Law against Defamation and Insult. Article 1 states that, "The objective of this law is to regulate civil liability for defamation and insult while ensuring: …(d) the essential role of media in the democratic process as public watchdogs and transmitters of information to the public."[344] As new democracies reform their laws, they are increasingly looking to draw from modern versions of laws that protect a broader spectrum of rights.[345] It is possible that future media legislation will include expanded media freedoms as well as definitions and protections of its role in society.

When writing policy and designing programs, expectations of the capacity of media to support democratic transitions must also be realistic. Media institutions cannot create democratic attitudes in a vacuum or invoke them from within a broken society, but they can replicate and influence extant values. Schudson argues that the influence of news media is cultural, tapping into existing attitudes, which it can shape but not control; and therefore media cannot be expected to have the power to prevent or promote social change.[346] Dan De Luce and Mark Thompson came to a similar conclusion in a study of Bosnia. They wrote that

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[344] *Civil Law against Defamation and Insult*, Law No. 02/L-65, Assembly of Kosovo, June 15, 2006,. http://www.assembly-kosova.org/common/docs/ligjet/2006_02-L65_en.pdf (accessed January 25, 2012).

[345] For an interesting article on how new drafters of constitutions are ignoring the US's archaic founding document in favor of more modern examples with expanded rights, such as The European Convention of Human Rights, the Canadian Charter of Rights and Freedoms, and the South African Constitution, see: Adam Liptak, "We the People Loses Appeal with People Around the World," *The New York Times*, February 6, 2012.

[346] Schudson, *The Sociology of News*, 63.

the expectation for media to dissolve ethnic divides was unrealistic, but that a more

achievable goal is to separate media from direct political control.[347]

New strategies for sustainable independent media are needed to address the current economic

realities. This may mean better enforcement of existing laws, the drafting of new laws or

regulations to further insulate media from corporate influence, or new business models. These

countries are not only struggling with the fundamental problems of market regulation,

concentration of ownership, and professionalization, they are now also feeling the effects of

market changes from digital media. While on one hand they are working to strengthen

traditional media and institutions, they are simultaneously being threatened by new

competition from online sources – along with all the economic, business, and legal challenges

this new environment brings. There are examples in the region of media organizations such as

CIN, discussed in the Bosnia chapter, and a similar organization called BIRN (Balkan

Investigative Reporting Network) that are working to bridge traditional and new media. They

adhere to a social mandate, offer content to local newspapers and TV, and also provide it

online. They employ local journalists, offer professional reporting on local and regional

issues, and network internationally, but they are still donor dependent and need to find

workable business models to survive in the long term.

Media professionals and scholars in the United States and Europe are facing similar

challenges. McChesney, for one, advocates finding revenue sources to support significant

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[347] Mark Thompson and Dan De Luce, "Media Intervention in Bosnia and Herzegovina," in *Forging Peace: Intervention, Human Rights and the Management of Media Space,* ed., Monroe E. Price and Mark Thompson (Bloomington, IN: Indiana University Press, 2002).

non-profit and non-commercial news outlets to meet the information needs of citizens. In a study entitled "The Reconstruction of American Journalism," Leonard Downie, Jr. and Michael Schudson propose a range of possible approaches including new corporate structures for media, such as hybrid legal entities that allow both for-profit and non-profit investment, a greater commitment from the US government to support public service broadcasting, and in turn, a greater commitment from public broadcasters to increase coverage of local news; they also encouraged universities to act as centers for professional news reporting.[348]

As technological advances change the shape of media, and as new business models evolve, so will journalism practices. Tumber and Prentoulis make a very important point about the changing nature of journalism and how digital media offers increasing access to news along with unfiltered and unedited information from endless sources. In addition, changes in attitudes toward political authority and a rising lack of trust in many political systems has led to more reliance on interpretive forms of journalism.[349] In such conditions, quickly becoming the norm globally, the basic roles of journalism become even more important, as does the need for accurate, truthful, and credible information gathering and the establishment of professional ethics.

Risto Popovski's comment that one cannot live from the news business in Macedonia is typical of the reality in transitioning countries with weak markets. For a public service-

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[348] Leonard Downie, Jr. and Michael Schudson, "The Reconstruction of American Journalism," October 19, 2009, Columbia Journalism Review Projects, http://www.cjr.org/reconstruction/the_reconstruction_of_american.php?page=all (accessed February 21, 2012).

[349] Howard Tumber and Marina Prentoulis, "Journalism and the Making of a Profession," in *Making Journalists*, ed. Hugo de Burgh (London: Routledge, 2005) 70-71.

oriented editor or media owner to produce quality journalism, he or she must frequently find alternative revenue to support their mission, without capitulating to pressures from tycoons. In established democracies with strong markets, editors are facing similar challenges, albeit in different environments. LaMay charges that corporate owners in the US are not in the business because they desire to produce news or fulfill a public service mandate, but because they are meeting an insatiable desire for ever increasing profits. In order to save public service-oriented journalism from the dual international crises facing both journalism and democracy, he calls on policy makers to develop and implement new economic and business models for journalistic enterprises. For this to happen, there must first be broad recognition of the problem, followed by consensus and mobilization to address it. That alone is a tall order, and one that will require a long-term approach that accounts for evolving economic and political dynamics; but this is what will be necessary to correct the system – at home and abroad.

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