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MIDDLE EAST

WALKING A TIGHTROPE

NEWS MEDIA &
FREEDOM OF EXPRESSION
IN THE MIDDLE EAST

A REPORT BY
LAYLA AL-ZUBAIDI,
SUSANNE FISCHER
& MAGDA ABU-FADIL

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MEDIA



Walking a Tightrope

News Media and Freedom of Expression in the Middle East

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Over the past 15 years, the Arab World¹ has witnessed the rapid development of its news media, raising standards of reporting as well as expectations. Satellite news channels have successfully breached national boundaries and have stirred public debate, challenged censorship and prompted critical reflection. Audiences across the region and in the diaspora have been actively participating in talk shows, and female anchors and hosts provide new role models for women in the region.

These channels have also managed to reverse the traditional flow of news from Western media to the region. In 1990, Arab viewers turned to CNN for live coverage, when Iraq invaded Kuwait and coalition forces led by the US rolled back the invasion. When a US-led coalition invaded Iraq in 2003, it was Western media that sought coverage from their Arab counterparts.

With the outbreak of what has become known as the "Arab Spring," the media landscape is again in a heightened state of flux, as new questions arise: Have Facebook, Twitter and YouTube taken over, or do satellite television channels still enjoy the lion's share of audiences? Are accurate figures on who is influencing whom attainable, at a time when traditional media are struggling to remain financially afloat - in the Arab World and beyond?

What about citizen journalists armed with mobile phones, small digital devices, Internet connections and other means of communication, who are competing to disseminate their messages of anger, hope, fear, defiance, demands for freedom and a better life, while their leaders cling to power and insist on squashing all forms of dissent?

With the spread of revolts across the region, and the increasing reliance on social media and citizen journalism to disseminate new narratives, it is important to keep track of this dynamic process that has already contributed to fundamental changes in the psyches of Arab people, who for the first time in decades have broken the barrier of fear and begun demanding their rights at any cost.

There is an ongoing debate on how far the Arab media have been, and will be, able to contribute to social and political change. The Arab "media revolution" has indeed transformed the sector, but has not necessarily diminished efforts to control these new channels of communication. A number of taboo topics continue to inflame the social and political arena. Media landscapes across different countries remain fairly uneven, as do political circumstances and social, economic, and intellectual environments. Yet, there are structural commonalities in the limits to freedom of expression, which deserve closer attention because they reflect the broader issue of rights and constraints in the region.

¹ Due to the lack of precise and consistent terminology, we use "Arab world," "Middle East" and "region" interchangeably throughout the report. This is not meant to exclude non-Arab populations, such as Kurds, Armenians, etc.

Although transnational media have rapidly expanded, Arab governments have not adequately responded to the quest for freedom of expression. They have recognized the threat as well as the financial potential of such media, often resulting in an ambivalent attitude and contradictory policies of restricting media, while opening new spaces of freedom. The current media sector embodies many of the paradoxes prevalent in the region.

In the following overview, an update of a report originally published in 2004, the Heinrich Böll Foundation seeks to contribute to a better understanding of the "status quo":

This report reviews the situation in which media operate in the Middle East, specifically in Egypt, Iraq, Jordan, Lebanon and Syria, and this time also including a short section on Tunisia, where the first spark of the uprisings began. It draws from a survey of written sources, including literature, press articles, online resources and reports of civil society organizations, as well as some interviews. No attempts have been made to verify the information contained in the secondary data sources. The authors did not intend to present a scientific study, but to provide introductory information on Arab media (print, radio, television, and the Internet) to activists, researchers, civil society organizations, donors, or individuals interested to engage in the field.

Part 1 explores the historical development of the media in the region, outlines their structural environment, and probes practices of censorship and self-censorship.

Part 2 looks into those developments of the past decades that have affected the monopoly on information by states and the access to information on the part of the public.

Part 3 critically examines the function of guidelines for good journalistic practices in the region, and provides some samples of codes of ethics.

Part 4 presents an overview of the recent situation of the media and freedom of expression in the region and provides some historical background. In general, this part seeks to survey the existing media, including the press, radio and television, the Internet, as well as media legislation in the individual countries. Due to specific local circumstances, some of the country sections are however structured in a slightly different manner.

Part 5 compiles select training opportunities for journalists, as well as organizations and projects that are committed to networking, monitoring, advocacy and legal aid.

The Heinrich Böll Foundation, which has been dealing with media issues in the region for years, presents this report as part of a larger objective: to create a framework for meaningful debate on the future role of Arab media within the regional discourse about reform and democratic change.

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1. THE SITUATION OF THE MEDIA: WALKING A TIGHTROPE

Introduction

The media, which in this report include the print press, radio, television and the Internet, arrived in the Arab world as "import products."¹ Abdullah Zakher, a descendant of a renowned family of jewelers from Aleppo, Syria, established the first Arabic printing press in Lebanon in 1734, located in Deir Mar Youhana. It operated from 1734 until 1899 and can still be visited today. It was the first Arabic script printing press in Lebanon, and only the second printing press in the country, as the first Syriac script printing press was established in 1610 in Deir Mar Antonious, near the Valley of the Saints in the north of Lebanon - the first in the Middle East.² But one of the first newspapers to be published in an Arab country did not appear in Arabic, but in French. The *Courier de l'Égypte* was produced at the end of the eighteenth century by the French army, which entered Egypt under the command of Napoleon Bonaparte's "French expedition" and brought with it a printing press. *Hawadith al-Yawmiya* (Daily Events) - published in Egypt, probably around the same time - inaugurated the tradition of Arab newspaper publishing.

¹ Henner Kirchner, "Die Situation der Presse in Ägypten [The Situation of the Press in Egypt]," [henner-kirchner.com](http://www.henner-kirchner.com), (October 1997), accessed December 31, 2004, <http://www.henner-kirchner.de/studies/arabpress.htm>. Other more informal media are not covered in this report. The authors of a report published by the Stanhope Center for Communications Policy Research point out that, for example, religious speeches and Friday prayers are at least as influential on public opinion as the formal media. This counts particularly for those countries with high illiteracy rates such as Egypt. In some countries, steps have been taken for state intervention (The Stanhope Center for Communications Policy Research, *Study of Media Laws and Policies in the Middle East and Maghreb: Executive Summary*, London: Stanhope House, 2003, 27).

² Pascal Zoghbi, "The First Arabic Script Printing Press in Lebanon," 29LT (blog), January 5, 2009, <http://29letters.wordpress.com/2009/01/05/the-first-arabic-press>.

Although the press started out as an imported medium that faced challenges from high overhead costs, it quickly became an integral part of Arab society and the demand for Arabic-language newspapers rose steadily. In 1975 the Arab press represented 0.7 percent of world circulation. In 1988 the percentage had grown to 1.2 percent. During the same period, American newspaper circulation decreased from 22 to 12 percent, and European newspapers decreased from 49 to 42 percent.³

Internationally, the figures today diverge between a sharp slide in circulation and advertising revenues for print media in the West, and a range of different scales across the Middle East/North Africa. Illiteracy remains a hindrance to reading or purchasing newspapers in Arab countries, and distribution is dependent on economic factors such as paper supplies and prices, to political ones such as controls by governments in countries where state-run media are the norm.

In the Gulf Arab states, newspaper publishing is still flourishing compared to countries with fewer resources or oil revenues. Even there, the international financial crisis has invariably had an impact on production, and newspapers in oil-rich countries have had to make adjustments, decrease supplements and tighten budgets.

Since the early development of the Arab press, political elites were quick to realize that the press is an effective tool to further propaganda and consolidate control, and any group attempting to assume power was always eager to gain control of media outlets. Centralized ownership and control of the media is a common pattern in the Middle East, and journalism has been historically tied to political movements or parties. Today, many state-run media or so-called private news organizations have commercial stakes tied to the regimes - wives, brothers, cousins and close associates of Arab rulers own shares in newspapers, magazines, TV and radio stations, in addition to websites and online outlets.

³ Ibid.

Imposing censorship on journalists has a long history, too. By the end of the Ottoman era in 1923, Arab journalism had not surpassed the limits imposed by a traditional system, which arranged the relationship between the political class and the rest of the population according to principles of obedience and respect for the political establishment. Turkish authorities, at first, dominated newspapers that had existed since the mid-eighteenth century. The British and French colonial powers that followed exercised the same principles in dealing with the local press.⁴

Radio, which was introduced in the 1920s and 1930s also spread quickly and came to play an important role in nationalist movements across the Middle East, with its ability to mobilize and make information accessible to the illiterate. Decades later, television assumed a central role in mediating cultural, social and political transformation processes. Egyptian "soap operas" for example have attracted the attention of numerous social anthropologists for their intellectual, educational and religious content, and their impact on values, symbols and consumption behavior.

The Egyptian dialect became known as the dialect of cinema and television entertainment until it began to face competition from Lebanese, Syrian and even Gulf serials broadcast on proliferating satellite TV channels made available to ever larger audiences. In Egypt, and throughout the region, people desert the streets in the evenings to watch popular series produced specifically for the fasting month of Ramadan.

Other programs, such as a growing number of talent and game shows and mimick Western programs have come to attract large audiences. During the heated finales, telephone lines and computers contribute to the suspense as millions of viewers from all over the Arab world vote to pick their favorite stars. The possibility of voting and having a say in choosing the winner - as well as the adoption of the "American dream": that anyone

can be a star - have garnered spectacular successes for these programs amid record-breaking viewership.

The 1990s witnessed a revolution in the Arab news media due to the proliferation of satellite television channels and the Internet. Satellite technology provides access to international and pan-Arab news, while the Internet has opened a space for alternative news and the spread of information by informal groups. Almost predicting how governments failed to stop the flow of information with the outbreak of the uprisings in late 2010, a website on media said five years earlier:

"These are challenging times for the Arab media. Modern communications are breaking down old barriers and taboos in ways that no one can yet fully predict. Governments face increasing difficulties in controlling what their citizens are allowed to know."⁵

As Arab citizens find ways to obtain information and exert pressure on their governments, overt censorship becomes increasingly difficult to sustain. However, new trends are moving away from direct control towards more subtle methods such as restrictive press laws, licensing regimes, control of paper supplies or equipment, taxation, and blocking of websites.

It is widely agreed that independent and pluralistic media are the backbone of any functioning democracy - contributing to an alert public, enhancing political participation of well-informed citizens, and acting as a government watchdog. It is questionable however, whether the media are able to perform this role in societies that do not fully guarantee freedom of expression and rank the "national interest" (which is generally defined by those in power) above citizens' rights to information and free expression. Journalists therefore find themselves in an ambivalent position.

Freedom of expression in turn can only be seen within the context of other human, political and civil rights. A number of structural problems not directly linked to the news media affect the media sector in the Middle East,

⁴ Hussein Amin, "Freedom as Value in Arab Media: Perceptions and Attitudes among Journalists," in *Media Ethics in the Dialogue of Cultures. Journalistic Self-Regulation in Europe, the Arab World, and Muslim Asia*, ed. Kai Hafez (Hamburg: Deutsches Orient-Institut, 2003), 104-5.

⁵ "Changing Arab Media and Communications," Information Policy, April 21, 2005, http://www.i-policy.org/2005/04/_changing_arab_.html.

constrain freedom of expression, and force critical debate to seek other avenues for expression - such as cartoons, theater, cinema, and art, which are more conducive to communicating "between the lines." They reflect a general lack of free elections and the rule of law, deficits in the transparency of procedures and institutions, and an executive branch unchecked by other branches of the state.⁶

An assessment of journalists' performance in the Arab World must be made against this backdrop. Access to information still ranks as one of the key impediments to their work. In most debates, only citizens' right to information is discussed, while journalistic responsibility is framed as accommodating this right by providing the public with necessary information. However, it is important to bear in mind that journalists themselves need to enjoy the right to obtain information in order to keep citizens informed.

It is, therefore, shortsighted to conclude that journalists lack professional standards simply because they are unable to provide information. Not only do many sectors lack reliable information (for example statistics on unemployment, poverty, etc.) but journalists are often denied information. Authorities hamper their efforts by invoking official secrecy or national security concerns. Many countries in the region maintain lists of prohibited topics, such as the publication of court hearings.⁷

Thus, journalists are constantly walking a tightrope: if they position themselves too far from the government, they will be unable to access information and fulfill their public duties. If, on the other hand, they appear too close to powerbrokers and obtain information through *wasta* ("connections" in Arabic), they will stand accused of corruption and towing a pro-government line. Access to information cannot alone be improved through better training and setting of professional standards, but needs to be backed by legislation and practices that enforce

transparency in government, the bureaucracy, the judiciary, the private sector, and other parties.

Seen in this context, Arab media have proven that they can be more than mere instruments of propaganda and mouthpieces for regimes, political parties or individuals. Under difficult conditions, the media can play a far more critical and dissident role than in well-established democracies, where it is rather unlikely that those in power consider leaflets distributed on university campuses a threat to their rule. Media in the Middle East are still perceived as potentially "dangerous" to those in power and are therefore subject to tight control, affirming the subversive potential of critical media today - across multiple platforms and via countless digital devices. Examples abound in the countries surveyed in this report.

⁶ The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Executive Summary, (London: Stanhope House, 2003).

⁷ UNDP and AFESD, Arab Human Development Report: Building a Knowledge Society (Amman: United Nations Publications, 2003), 60, http://hdr.undp.org/en/reports/regional/arabstates/RBAS_ahdr2003_EN.pdf.



Between Rights and Constraints

The media landscape remains quite uneven in the Arab World and media legislation varies considerably from country to country. This section however concentrates on some features common across the media and working conditions of professionals in the region.

The proliferation of news and debate via satellite broadcasters and - in more recent years - through activists, bloggers and citizen journalists offering high quality and freer information, has forced Arab governments to either grant greater freedoms or crack down more effectively when they feel threatened.

Any improvement can quickly be reversed and newly gained freedoms withdrawn, if "red lines" have been crossed. With a few exceptions, media policies in the Middle East nevertheless share a high degree of incoherence, as they are subject to the short-term interests of those in power. Long-term media policy planning and legislation hardly exists - neither at the national nor the regional level.

The media landscape is characterized by a general lack of effort to develop a coherent body of ethics and regulations, as well as a national consensus among government, media professionals and the general public. Instead, media policies ebb and flow like the tide, depending on national, regional, and international political trends.

Constitutional Rights, Laws and National Security

The constitutions of all the countries spotlighted in this report theoretically stipulate the right to freedom of expression. However, "security" remains a priority on national agendas and provides a powerful pretext to justify the suspension of rights and violation of basic freedoms.⁸ Hence, freedoms are granted, "provided they

do not infringe upon the boundaries of law." Most constitutional democracies in the world reserve the right to curtail the right to freedom of expression in order to protect youth or minorities, and to prevent hate speech. This reservation, however, becomes problematic when the diversity of opinions is subordinated to arbitrarily defined concepts of national security or unity.

Most provisions in the region that are related to media freedom and access to information are bound by ethical and moral standards. Caveats refer to a number of scenarios, ranging from "culturally inappropriate" content, to anything "offending members of the government and friendly nations," to information "endangering public order and national unity." Such legal phrases are intentionally vague, granting respective governments room for interpretation so that restrictions can be applied at whim in almost any situation.

Experience also shows that even when constitutions and laws governing media practices are exemplary they may not be implemented. Administrative practice rarely relies on formal law, and legal terms do not necessarily reflect reality: "While de jure acceptance of democracy and human rights is enshrined in constitutions, legal codes and government pronouncements, de facto implementation is often neglected and, in some cases, deliberately disregarded."⁹ This statement, issued in 2002, still rings true in 2012.

It also applies to the recognition of international conventions, which refer to the right to freedom of expression, such as the Universal Declaration of Human Rights¹⁰ and the International Covenant on Civil and

⁸ For Iraqi constitutions prior to the war, see International Crisis Group, ICG Middle East Report, no.19: Iraq's Constitutional Challenge (Baghdad/Brussels: International Crisis Group, 2003), <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20>

[Africa/Iraq%20Syria%20Lebanon/Iraq/Iraqs%20Constitutional%20Challenge.pdf](http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/Iraqs%20Constitutional%20Challenge.pdf). The report highlights how since the overthrow of the monarchy in 1958, Iraq has had a series of "provisional" constitutions, each with a lifespan equal to the regime that drafted it. All of them were largely ignored "when it came to implementing their lofty provisions on human rights and the protection of minorities" (p. 1). The 1970 provisional constitution created by the Baath regime decreed that "the people" constitute the source of authority, however "the people" should be defined only as those not hostile to the Revolution and its program." (p. 2).

⁹ UNDP and AFESD, Arab Human Development Report: Creating Opportunities for Future Generations (Amman: United Nations Publications, 2002), 2, <http://www.arab-hdr.org/publications/other/ahdr/ahdr2002e.pdf>.

¹⁰ Article 19 states that "everyone has the right to the freedom of

Political Rights.¹¹ Both were signed, ratified or acceded to by Egypt, Iraq, Jordan, Lebanon, Syria, and Tunisia. The Sanaa Declaration of 1996 is the only international document on the promotion of independent and pluralistic Arab media.¹² It was adopted in 1997 by the UNESCO General Conference in Paris. The initiative for this declaration was prompted by the international community's growing interest in the condition of Arab media during the 1990s. After the end of the Cold War, bilateral and multilateral donors began drawing up new criteria for their engagement, including democratization, pluralism, and the respect for human rights. Foreign assistance also became increasingly tied to the observance of freedom of expression. In this context, the region's governments were asked to endorse the Sanaa Declaration, but media freedom advocates note that the international community failed to follow up on the declaration.¹³

In addition, many national legal regulations that restrict media freedoms and allow for government interference, and thereby openly contradict the principles of signed international conventions, were never amended or abolished. Important to note is also that in many Arab

countries, journalism is not only subject to press and publications laws, but also to penal codes, and laws to protect state security. These laws often determine who may become a journalist, impose censorship on local and international publications, entitle governments to license publications and restrict access to information - except for what is provided by government institutions. Officially government-accredited journalists in autocratic countries are/were usually state security officials thinly disguised as reporters, editors, anchors, etc.

In Tunisia, a tightly-controlled police state under now deposed president Zine al-Abidine Ben Ali, countless "journalists" were no more than loyal regime apparatchiks. One, for example, was the Washington correspondent for the Tunisian national news agency, who doubled as press attaché at his country's embassy in the US, and later went on to become minister of information just before the Ben Ali regime was ousted.

Most countries in the region maintain ministries of information, which often contribute to silencing dissenting opinions and producing information that echoes official policies. Opponents call them ministries of "disinformation."

Without a doubt, the most known minister of information in the region was Mohammed Saeed al-Sahhaf. The last officeholder to occupy this post in Saddam Hussein's Iraq, al-Sahhaf epitomized the media spin-doctor, who was never at a loss for words in concocting his very own version of reality. His insistence that "there are no American infidels in Baghdad. Never!" made it onto newscasts worldwide, when footage of US army tanks rolling through the streets of Baghdad was being broadcast across the globe at the same time.

For foreign journalists, the Iraqi ministry would organize minders - officials who accompanied the correspondents wherever they went to make sure they did not overstep red lines and conduct interviews beyond what was officially permissible. This practice is widespread in countries with restricted press freedoms. The ministry was dissolved under the authority of the Coalition Provisional Authority (CPA) on May 23, 2003, through Order Number 2, and all personnel were dismissed.¹⁴

opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." See UN General Assembly, Resolution 217 (A) III, "A Universal Declaration of Human Rights," December 10, 1948, <http://www.ohchr.org/en/udhr/pages/introduction.aspx>.

11 Article 19 states that 1. Everyone shall have the right to hold opinions without interference; 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice; 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order, or of public health or morals. See UN General Assembly, Resolution 2200A (XXI), "International Covenant on Civil and Political Rights," March 23, 1976, www2.ohchr.org/english/law/ccpr.htm.

12 For the declaration see UNESCO, "Declaration of Sana'a on Promoting Independent and Pluralistic Arab Media," (January 1996), <http://unesdoc.unesco.org/images/0010/001051/105152e.pdf>.

13 Abdulaziz Al-Saqaf, "After the Sana'a Declaration: The Fate of the Arab Media," Center for Media Freedom Middle East and North Africa, 2000, accessed March 27, 2005, http://www.cmfmna.org/magazine/features/after_sana%27a_declaration.htm 200.

14 Coalition Provisional Authority, Order no.2, "Dissolution of Entities,"

So-called ministries of information rarely support journalists in their work, but rather obstruct and control them. Jordan's former information minister Saleh al-Qallab often said he would be the last one to hold a post that should never have existed in the cabinet. He nevertheless served several terms in that capacity.

Jordan abolished its Ministry of Information in 2003; the last minister, Nabil al-Sharif, was mandated to dissolve the ministry after 40 years of its existence. It was replaced by the Higher Media Council, which was supposed to set guidelines for the media and establish a Jordanian media policy, but was also endowed with the authority to censor content. The Higher Media Council was later abolished in 2009. But according to media reports, then minister of state for media and communication Taher Adwan - whose office operates within the premise of the premiership - resigned due to anti-corruption and penal laws, which he considered restrictive of freedom of expression and after repeatedly condemning attacks on journalists who were doing their jobs.

"Such attacks completely contradict political reform efforts, which cannot be achieved without a democratic climate of press freedom,"¹⁵ Adwan said in a statement to AFP, the French news agency whose offices were broken into and vandalized after it reported that part of King Abdallah's motorcade had been stoned during a visit to a southern city. The reports were vigorously denied by the palace, government officials and MPs from the city, according to AFP. But Adwan, a veteran journalist who was editor of the independent daily *al-Arab al-Yanm*, felt that such violence against journalists and their offices could not be justified under the pretext of loyalty and nationalism.

Every foreign journalist who wants to work in Syria, be it for a day or a longer period, requires approval from the Ministry of Information. The list of journalists who were not allowed to return to the country after publishing

stories considered too critical of the government is long. Local journalists also require the ministry's permission to work for domestic or international media.

Since the Syrian uprising began in March 2011, numerous foreign journalists have been barred outright from entering the country. Those who were already based there or were able to enter on journalist visas were often monitored and confined to certain locations. Some foreign reporters have slipped into the country from Lebanon or Turkey and traveled to hotspots across Syria to witness first-hand what was happening. Marie Colvin, a veteran war correspondent for the UK's *Sunday Times*, was killed when Syrian forces are said to have shelled a safe house for activists and reporters in the city of Homs.

Despite their differences, and regardless of whether or not a country has media laws on the books, these states all share some of the same "red lines" that journalists know are not to be crossed. Depending on the country in question, they are limited with varying degrees of flexibility in covering matters of sensitivity, such as stories concerning members of the government, religious figures and issues of "national unity." Where media are seen as an extension of a state's public diplomacy, journalists are restrained from criticizing friendly nations or presenting news that challenge the state's position on particularly sensitive national issues.¹⁶



May 23, 2003, http://www.iraqcoalition.org/regulations/20030823_CPAORD_2_Dissolution_of_Entities_with_Annex_A.pdf.

15 "Jordan Information Minister Quits over 'Restrictive' Law," Maan News Agency, May 21, 2011, <http://www.maannnews.net/eng/ViewDetails.aspx?ID=398653>.

16 The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Executive Summary, (London: Stanhope House, 2003), 19.

In addition to the non-implementation of laws and/or restrictions imposed by the laws, a permanent state of emergency - as exists in Syria and as existed in Egypt for 31 years until it was lifted in May 2012 - can override constitutional clauses and penal codes that prescribe an independent judiciary and freedom of expression, and protect against arbitrary arrest. Specific statutes in Egyptian law, for example, protect journalistic privileges to source confidentiality, and prohibit exposing journalists to physical risks for expressing their opinions. The law also stipulates that documents and information in the possession of journalists cannot be used as evidence against them in criminal investigations unless they themselves are the subjects of investigations, and that journalists can only be arrested with an order from the state prosecutor-general. However, the emergency law could abrogate these favorable provisions at any time.¹⁷

The attacks of September 11, 2001 and resulting global emphasis on security, in what became known as the "international war on terror," have had negative repercussions on media freedoms in the Arab World, as they reinforced the primacy of "national security" and afforded governments further justifications for silencing dissidents.

While especially the Western anti-terrorism discourse phrased democratization and human rights as ideals and goals towards which freedom lovers should aspire, the actual arsenal of "anti-terrorist" measures have become means for restricting citizens' and the media's rights and liberties. In the region, newspapers were censored, confiscated, or shut down, and journalists threatened, dismissed, and detained.¹⁸

For example, in October 2001, Jordan reintroduced the practice of arresting journalists and banning newspapers. The government passed a rigid and highly controversial "anti-terror law" and an amendment to the penal code,

which not only restricted the scope of the media, but also individuals' rights to criticize the government, members of the government, and official policies. The government maintained that it did not intend to curb freedom of expression, but only halt "attacks against authorities." The amendment placed sanctions on publications considered "false" or damaging to "the reputation of the state," and accused of encouraging "protest" or threatening "public order and unity." Journalists swiftly warned that these all-encompassing restrictions would leave little room for serious reporting and would inevitably increase self-censorship.

Forms of Censorship and Self-Censorship

When using the term "censorship," it is important to differentiate between preventative censorship (pre-publication censorship), prohibitive censorship (post-publication censorship), and self-censorship.¹⁹ Most constitutional democracies prohibit only preventive censorship, as it would require the existence of an institution that reviews all media content prior to publication. Prohibitive censorship, however, is usually permitted when media content violates constitutional rights, and is practiced widely.

In countries like pre-revolution Egypt and Syria, preventive censorship was or remains a common administrative practice, mostly carried out by the Ministry of Information. In Egypt, the minister had the authority to prevent any publication that attacked religion or the Egyptian president, under the guise of protecting public peace and order. A move by censors in August 2008 demonstrated just how broad the interpretation of "peace and order" could be: several newspapers were taken off the stands because they had published stories about the involvement of a key Egyptian businessman with close ties to President Hosni Mubarak, in the murder of Lebanese singer Suzanne Tamim.²⁰

17 The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Egypt, (London: Stanhope House, 2003), 16.

18 For a survey of the effects of the September 11, 2001 attacks on the Arab media and individual cases, see Arab Press Freedom Watch, Annual Report: The State of the Arab Media 2002. Dealing with the Aftermath of September 11th, (2002).

19 Most difficult to assess are "silent forms of censorship" that result from political correctness regulations, anti-terror laws, telecommunication laws or data protection. See Roland Seim, "Eine Zensur findet nicht statt, oder...? [Censorship Doesn't Take Place... or Does It?]," (paper presented at the Journalisten-Akademie der Konrad-Adenauer-Stiftung, Wesseling, Germany, January 18, 2003).

20 Salah Nasrawi, "Egypt Bans News on Lebanese Singer's Slaying," Associated Press, August 12, 2008.

Since the fall of Mubarak, Egypt has witnessed a series of government changes and attempts to update and reform media laws. The Ministry of Information was abolished, then reinstated, and it remains to be seen how the political development unfolds - given the power still wielded by the Supreme Council of the Armed Forces (SCAF), which remains the country's effective ruler, and the fact that the police, the army and other security forces have returned to clamping down on media, following a brief hiatus.

In Syria, judges have only limited power to overturn an administrative decision that has halted the publication of an article or an entire newspaper. Egyptian and Syrian authorities also reserve the right to confiscate or prohibit entry of any international publication, and to remove articles considered politically or culturally inappropriate. In Syria, the London-based Saudi newspaper *al-Hayat* was repeatedly banned and its bureau chief Ibrahim Hamidi jailed more than once, after the paper published articles that ruffled official feathers. He was later released, on condition that he limit his coverage to official pronouncements and "non-offensive" stories.

On September 29, 2008, the Syrian Ministry of Information's censorship office notified *al-Hayat's* Beirut bureau that distribution of the newspaper in Syria was being suspended "until further notice."²¹ Copies sold in Syria were usually printed in Beirut and transported overland.

In Jordan, rights advocates have occasionally succeeded in lobbying the judiciary to reverse executive decisions. However, a review of such cases showed that in no instance were press laws used to protect the right of expression. Victories in court were limited to the reversal or reduction of prohibitions, rather than leading to additional rights for the media. The judiciary struck down a restrictive 1997 royal decree - regarded as the greatest victory over an act of legislation - on the grounds that it had been issued in an unconstitutional manner (a procedural matter), rather than on the basis of a constitutional right to free expression.²²

In general, there are no censorship laws that clearly regulate prohibition or permission, and censorship is often imposed by the current political trend. Criticism of a certain issue might be tolerated in one instance, and suppressed in another. The "red lines" are generally known, but rarely officially defined. This grey area allows for arbitrariness in dealing with the media and plays into the hands of those who attempt to take advantage of, or sanction, the media according to their own interests.

It is noteworthy that in the region, censorship is imposed in a variety of forms, which might not be obvious at first sight. Aside from content censorship, the devil is often in the details of legal regulations: in how licenses are granted, what financial guarantees are required, if certain parties are prohibited from owning media outlets, the regulation or prohibition of foreign ownership, and other provisions that are favorable to government control and ownership of the media.

Indirect censorship therefore occurs in the form of over-regulation, which reduces media diversity. Most countries require licenses or permission for newspapers to be published, which can be revoked if publishers "violate" the law. The issuing of licenses is often implemented in an arbitrary and politicized manner. Countries such as Egypt, Jordan, Lebanon and Syria, also require financial guarantees from press outlets. Along with an independent judiciary, rights advocates demand that the media should constitute one of the twin powers not beholden to politicians. Unlike judges and prosecutors, private media executives are not appointed or confirmed, but are self-appointed and sustained by a public that seeks information free of political patronage. However, in countries like Lebanon, many newspapers are family-owned businesses and a number of radio and TV stations are the mouthpieces for political groups, parties, or former civil war militias.

²¹ Reporters Sans Frontières, "Banned in Syria, Pan-Arab Daily al-Hayat is Latest Media to Fall Victim to Tension Between Arab Regimes," Reporters Sans Frontières, October 8, 2008, <http://en.rsf.org/syria-banned-in-syria-pan-arab-daily-al-08-10-2008,28867.html>.

²² The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Jordan, (London: Stanhope House, 2003), 12.

Private media ownership is essential, but also carries the risk of monopolies concentrated in the hands of the few. Free, privately owned media can only flourish when there is meaningful competition.²³ Healthy competition, however, is encumbered by disproportionate licensing regulations. In Lebanon, a press corporation's capital must be no less than LBP 30 million (approx. USD 20,000), and above LBP 5 million (approx. USD 3,300) for limited liability companies. Moreover, the Lebanese government stopped issuing new licenses and instead requires any new newspaper to obtain two already existing licenses. This regulation has de facto raised the capital requirement.

Draft legislation being debated in the Lebanese parliament seeks to overturn this licensing requirement in favor of a new set of regulations and guidelines that will modernize and reform the existing laws. This long drawn-out process is taking an inordinate amount of time due to political bickering, changes in government, and because parliamentary sessions are frequently suspended or delayed for political maneuvering.

In Syria, an applicant for a publication license must be a Syrian national, at least 25 years of age, hold a university degree, and must "not be in the service, or on the payroll, of any foreign country." The prime minister approves licenses and can reject any request for reasons of public interest. The licensing regime often includes regulations regarding work permits for journalists. Syria for example demands that journalists register with the authorities.²⁴ They may not occupy a public post or be employed in the civil service. This contradicts the basic democratic principle that "everybody" should be allowed to work as a journalist. Although certain skills and educational requirements and training are highly recommended, journalism is not a profession that needs to be restricted to holders of specific degrees or certificates, nor by age limits, gender, or nationality.

Apart from the law, appointments of personnel handling the media play an important role. In many cases, so-called "independent" media organizations or councils are staffed with government loyalists, and are hence under state surveillance or control. Networks of government officials and government loyalists on the boards of media establishments and syndicates exert informal pressure and manipulate elections.²⁵ In addition to informal manipulation and bribes, censorship methods employed can also result in the physical harassment of media workers, torture, and deportation.

Self-censorship is therefore a common practice: a means to protect publications or broadcasts from censors, and to avoid harassment. Human rights organizations regularly shed light on the difficult environment in which Arab journalists operate following reported attacks against them. Others have internalized censorship to such a degree that they themselves preemptively abide by low standards of media integrity prior to experiencing pressure from the outside. This form of "preventive pre-censoring"²⁶ has established certain "codes" of what can or cannot be said in public, in regards to a country's specific taboo topics.

These unwritten codes of conduct also exist in countries praised for their relative media freedoms. Before the Syrian military's withdrawal from Lebanon in 2005, the Lebanese government maintained a restrictive grip on media reporting on Syrian hegemony over Lebanon. Criticism of Syrian meddling often resulted in the harassment and arrest of journalists or accusations of acting in the service of the country's enemies. This did not prevent journalists like Samir Kassir of the leading Arabic-language daily *an-Nabab* from writing articles and columns critical of Syrian tutelage and what they saw as the ills plaguing their country.²⁷ Kassir was assassinated in 2005, following what became known as the "Cedar Revolution."

23 Theodore White, "An Independent and Free Media," in *Confronting Corruption: The Elements of a National Integrity System*, ed. Jeremy Pope (Berlin: Transparency International, 2000), 119.

24 The Stanhope Center for Communications Policy Research, *Study of Media Laws and Policies in the Middle East and Maghreb: Executive Summary*, (London: Stanhope House, 2003), 12.

25 Center for Media Freedom Middle East and North Africa, *The Media Environment in Egypt: Public Access and Choice*, (1998), 9.

26 George M. Kallas, "Demokratie und Medien im Libanon: Was ist aus der Authentizität geworden? [Democracy and the Media in Lebanon. What Has Become of Authenticity?]," in *Der Libanon heute*, Kleine Schriftenreihe, Heft 19, ed. Abdel-Raouf Sinno and Rainer Zimmer-Winkel (Trier: AphorismA, 2000).

27 For a detailed account of human rights violations against journalists in the Middle East, see the websites of al-Bab (<http://www.al-bab.com/media/freedom.htm>), Reporters Sans Frontières (<http://en.rsf.org/>), Human Rights Watch (<http://www.hrw.org/>), and the International Press Institute's World Press Freedom Reviews (<http://www.freemedia.at/>).



2. CHALLENGING THE STATE'S MONOPOLY ON INFORMATION

No longer restricted by national borders, Arab media technologies today are challenging governmental monopolies on information and opinion. For over a decade, journalists, media experts and social scientists have been debating their impact.²⁸

Crossing Borders: Satellite News

In the countries covered in this report, local television and radio are generally subject to government control - with the exception of satellite signals and cable systems that can bypass them. Foreign and Arab satellite channels - some of which transmit news programs whose content differs considerably from the propagandistic tenor of national stations - pose a new and serious challenge to governments' ability to restrict access to information. This holds even more true, when this challenge originates from "within" - with critical information provided in Arabic by journalists from the region.

Since the outbreak of the Arab revolts, governments with stakes in satellites have exerted their influence to interrupt signals, halt broadcasts or bar stations from airing programs on certain "birds." The Qatar-based al-Jazeera has been the most obvious target, followed by al-Arabiya and others, which the regimes in Egypt and Libya, for example, considered hostile to their rule.

The most influential agent of change in the world of Arab television has been the Qatari satellite channel, al-Jazeera. Launched in 1996 with massive funding from the Qatari government, it enjoyed a relatively independent management from the very beginning. While it still relies heavily on government subsidies, it has increased its advertising intake.²⁹

Other all-news channels emerged on the scene to compete with al-Jazeera, like the Saudi-owned al-Arabiya based in Dubai. Smaller operations like al-Sharqiya and al-Iraqiya began broadcasting in Iraq while Future News Channel (al-Mustaqbal al-Ikhbariya) was launched in Lebanon. Future News, however, fell on hard times and later merged with its sister Future TV entertainment station (see Lebanon segment).

The BBC, meanwhile, relaunched the Arabic TV Service it had closed in 1996. On March 11, 2008 BBC Arabic returned with 12 hours of airtime, but it has yet to draw large viewership like al-Jazeera and al-Arabiya. Funded by a USD 50 million grant from the UK government and BBC World Service, BBC Arabic initially hoped to attract 20 million viewers per week by 2010.³⁰ It was an ambitious target, as the environment in which the service was launched differed from the scene in the mid-nineties when it first came on the air. "Since then, a new professional culture of pan-Arab television journalism, which BBC Mark 1 played an important role in nurturing, has developed and become established."³¹

But with the onset of the global financial crisis, Britain has had to cut corners as well, and the BBC has gone through a series of budget revisions forcing it to pare down on staff, programs and even relocate its headquarters to more decentralized sites around the country.

Journalists and audiences eager for critical journalism admired the al-Jazeera model and still do, although criticism has been growing, particularly over the last year. Al-Jazeera is widely perceived as giving too much airtime to Islamist actors and to fueling the Sunni-Shia rift in the Arab world, especially in its coverage of the Arab revolts.

²⁸ For an overview on the debate, the following websites are especially useful: Arab Media & Society at the American University in Cairo (<http://www.arabmediasociety.com>) and the Center for New Media & Information Technology in the Middle East at Georgetown University (<http://nmit.wordpress.com/>).

²⁹ Jamil Azar, senior anchor of al-Jazeera openly praised the role of the Qatari government: "Our sponsor the Emir of Qatar, Sheikh Hamad Bin Khalifa al-Thani, has been the visionary behind the idea and has

been supportive materially and morally and would continue to do so, he said, as long as we were doing our job professionally." Jamil Azar, "Changing Media Landscape – Growing Power of Regional Media: al-Jazeera" (talk at the conference Ethical Journalism in Extreme Conditions: The Challenge of Diversity, Bali, Indonesia, May 7, 2008), http://www.intermediadialogue.org/Contributions/Azar_AL_Jazeera.

³⁰ "BBC Launches Arabic TV Channel," BBC News, March 11, 2008, http://news.bbc.co.uk/2/hi/middle_east/7288062.stm.

³¹ Najm Jarrah, "First Look: Watching BBC Arabic TV," Arab Media & Society, no.5, (Spring 2008), <http://www.arabmediasociety.com/?article=674>.

It has also been criticized for going overboard in airing too much gore and bloody scenes from conflict zones, and for uneven coverage of the Arab revolts, by neglecting the uprising in Bahrain - in comparison to other revolts - while entirely ignoring internal Qatari politics.

Yet, the establishment of al-Jazeera definitively transformed the Arab media world. The attempt to create a participatory framework by giving viewers live airtime on talk shows created a platform for democratic exchange and revealed the need for and obvious enjoyment of expression that reflects the grievances harbored by Arab citizens against stifling political systems in their own countries.³² More recently, audiences have taken to pitching in through social media.

At the Global Inter-Media Dialogue Conference held in Bali, Indonesia in May 2008, al-Jazeera news anchor Jamil Azar explained the success of the channel in a paper entitled "Changing Media Landscape – Growing Power of Regional Media":

It was a phenomenon, with no precedent in modern Arab history. . . We set out to make a difference for the audience long dependent on non-Arab sources of information. To achieve this, we made our motto, The Opinion and the Other Opinion, a commitment and a contract with the audience. In tribal and totalitarian political regimes there was the one and only opinion and that is of the regime and tribal leader. To give a platform for the other opinion... was going to be revolutionary... Even in terms of style and vocabulary al-Jazeera seemed to talk differently. Honorific titles have disappeared when mentioning or addressing a president, prime minister or any other official. We referred to them by their job title: there was no His Majesty,

Excellency, Eminence, etc. Opposition figures and even Israeli politicians, analysts and journalists have been given equal time and opportunity to put their side of the story. Discussing taboo issues was the peak of daring and broke the mold of state oppression and hold on the sources of information.³³

Al-Jazeera's reach has not been limited to Arabic-speaking audiences. The channel has an international network and established an English-language website in March 2003 to transcend the language barrier and reach non-Arabic audiences.³⁴ It subsequently launched its own successful English-language channel, originally called al-Jazeera International and later re-named al-Jazeera English, on November 15, 2006. Many international news agencies and organizations, including CNN, began using al-Jazeera's coverage from around the world. During the Israeli war on Gaza in December 2008, for example, al-Jazeera English was able to provide far more direct coverage from within Gaza than CNN or the BBC. Israel had refused to let foreign journalists enter the Strip, while the Qatar-based network used its existing stationed correspondents in Gaza to broadcast daily directly from the homes of Palestinians.

Al-Jazeera English decentralized the network by establishing hubs in Doha, Kuala Lumpur, London and Washington DC, but ultimately all the various al-Jazeera news, sports, entertainment, documentary and children's channels are funded by Doha. The channel has managed to challenge Western dominance as a news provider and pioneered a change in the direction of news flow. This has had the additional effect of increasing pressure on Arab regimes to allow their national media to become more professional and democratic.

32 Ahmed Abdalla, "The Arabic Satellite News Network: Al-Jazeera," in *Culture in Defiance: Creating Spaces of Freedom*, ed. Els van der Plas, Malu Halasa and Marlous Willemsen (London: Saqi Books, 2002), 177.

33 Jamil Azar, "Changing Media Landscape – Growing Power of Regional Media: Al-Jazeera" (talk at the conference *Ethical Journalism in Extreme Conditions: The Challenge of Diversity*, Bali, Indonesia, May 7, 2008), http://www.intermediadialogue.org/Contributions/Azar_Al_Jazeera.

34 Al-Jazeera English, <http://www.aljazeera.com>

The impact of satellite technologies on Arab media however started long before the launch of al-Jazeera, in the 1980s when the first newspapers were distributed via satellite. First, *al-Sharq al-Awsat* (*The Middle East*) and later *al-Hayat* (*Life*) began publishing via satellite from London and Saudi Arabia. They later established international editions published in Cairo, Baghdad and Washington. Although owned by private Saudi interests, these newspapers addressed a pan-Arab audience. As Abdallah Schleifer pointed out, it was the wealth of conservative Arab countries that generated a pan-Arab press, not pan-Arab ideologies such as Baathism or Nasserism.³⁵

Although satellite technology was capable of transmitting television signals from the very beginning, it was initially used only to exchange news and programs between existing Arab state-owned national television stations, without significant impact on the general audience or the media: "The news programs of all Arab national television stations, if one chooses one's words politely, reflected 'information' or PR values rather than intrinsically journalistic values," Schleifer wrote.³⁶ Even the exchange between the channels was limited because each national entity was tied to the official political interests of its country and had to take shifting political alliances and sensitivities, such as a state's attitude toward Israel, into consideration.

In the late 1980s and early 1990s, two separate events catalyzed what is now considered a satellite-driven television "media explosion" in the Arab World.³⁷ In the mid-1980s, the US Cable News Network International (CNN International) was only available in Europe. But even before it moved to the Arabsat bird and began broadcasting to the Arab world, it had begun transmitting via a Soviet satellite, whose footprint (reach) covered the Arab region. By 1989, a small group of entrepreneurs helped CNN and Egypt strike a deal through which the network would be available to the Arab public for the

first time as a pay TV option known as CNE (Cable Network Egypt). Although the government feared a "Western cultural intrusion," a number of officials were interested in the enterprise, hoping for a new platform to promote tourism.³⁸

To break the government's broadcast monopoly, CNE had to overcome various obstacles, including delays in obtaining regulatory permits and the over-involvement of the Egyptian government. The prospect of receiving uncensored, 24/7 news from an international news organization prompted concern and excitement in informed Arab political and media circles, although the service was in English and encoded, and thus available only to a small portion of Egypt's TV audience.

This development was soon followed by a second crucial event: the Gulf crisis. Shortly before Iraq invaded Kuwait in 1990, the Egyptian government legalized the import and ownership of satellite dishes. In Saudi Arabia and the Gulf, local companies began to manufacture dishes to compete with imports for the rapidly expanding market, which was further accelerated by the outbreak of hostilities. Egyptian forces were the largest Arab troop contingent serving in Saudi Arabia as part of the American-led alliance against Iraq. Throughout the fall of 1990, they were subject to intensive war propaganda by Radio Baghdad. In December 1990, Egyptian TV responded by leasing a powerful direct broadcasting transponder. One month before the US-led Desert Storm air operations commenced, Egyptian satellite TV networks began to broadcast 13 hours a day, with an emphasis on pro-alliance, anti-Iraq news.³⁹

35 S. Abdallah Schleifer, "Media Explosion in the Arab World: The Pan-Arab Satellite Broadcasters," *Transnational Broadcasting Studies Journal*, no.1, (Fall 1998), http://www.tbsjournal.com/Archives/Fall98/Articles1/Pan-Arab_bcasters/pan-arab_bcasters.html.

36 Ibid.

37 Ibid.

38 Joe S. Foote, "CNE in Egypt: Some Light at the End of the Tunnel," *Transnational Broadcasting Studies Journal*, no.1, (Fall 1998), <http://www.tbsjournal.com/Archives/Fall98/Articles1/CNE/cne.html>.

39 Amin Hussein, "The Development of SpaceNet and its Impacts," in *Media in the Midst of War*, ed. Ray E. Weisenborn (Cairo: Adham Center Press, 1992), cited in S. Abdallah Schleifer, "Media Explosion in the Arab World: The Pan-Arab Satellite Broadcasters," *Transnational Broadcasting Studies Journal*, no.1, (Fall 1998), http://www.tbsjournal.com/Archives/Fall98/Articles1/Pan-Arab_bcasters/pan-arab_bcasters.html.

In the years following the Gulf War, the number of households with satellite dishes skyrocketed for several reasons: satellites increased in power and range, making more international programming available; and the cost of receivers continued to decline as the number of companies marketing and manufacturing dishes increased. This trend was reinforced by the successive appearance of three Arab satellite systems owned by Saudi private businessmen whose interests are, to a greater or lesser degree, linked to members of the Saudi royal family.

The first station, Middle East Broadcasting Center (MBC), provides a mix of international quality news, field reportage and public affairs programming along with sports, fashion, movies and entertainment. The second station, Arab Radio and Television (ART), first brought specialty channels to the Arab world (such as a movie channel, a sports channel, a children's channel, etc.). To avoid potential sanctions, ART followed a no-news policy from the beginning. Instead, it broadcast a number of public affairs talk shows, some involving audience participation and touching on social taboos such as divorce, premarital sex and drug use. A Saudi investment group launched the third satellite system, Orbit, in 1994 to provide some of the most popular entertainment, music, as well as public affairs programming.

For about a year, Orbit was able to challenge MBC's monopoly on Arabic-language news by commissioning the BBC to produce an Arabic service. However, the experiment was short-lived, coming to a sudden end in 1995. In terms of technology and production quality, BBC Arabic news was clearly the leader. However, several aspects of the content irritated Arab viewers. While MBC's service relied on its network of Arab TV correspondents, many BBC field reports were produced by English-language journalists and voiced over in Arabic.

Orbit management complained about a lack of interest among BBC executives in giving the channel a distinctive character for the Arab market. It finally decided to suspend the operation, accusing the BBC of failing to abide by its contractual obligation of displaying sensitivity

to "Arab cultural values." Behind the official reasons given however Orbit's management seemed to disagree with some programs that openly criticized the suppression of dissent in Saudi-Arabia. MBC, by contrast, retained a more cautious approach common to Arab media dealing with their own or friendly governments. MBC's reporting of Saudi Arabian news "was noticeably cautious and even sluggish in contrast to the more professional pace of MBC bureau reporting elsewhere," Schleifer notes.⁴⁰

Al-Jazeera, a venture that employed many of the BBC's former Arabic-speaking broadcasters, became a serious competitor to MBC.⁴¹ For Arab governments, the fact that both BBC World Television Service and CNN were broadcasting in English reduced the risk of unlimited information transmitted via satellite television. So they were startled when Orbit began transmitting an Arabic version of that service with full editorial control vested in the hands of the BBC. The presence of some British and former BBC Arabic staff at al-Jazeera caused a further stir, when it became clear that the channel did not hesitate to give voice to Arab opposition representatives while simultaneously overlooking the Qatari government's shortcomings. Prior to September 11th, 2001, more than 450 official complaints were filed with the station.⁴²

Media globalization may not equal media democratization, since there are still segments of society that remain dependent on national news because they cannot afford the necessary equipment to access satellite channels. But there has been a growing realization among Arab governments that if viewers do not receive sufficient information from their national media, then they will seek it elsewhere via satellite or the Internet.

40 S. Abdallah Schleifer, "Media Explosion in the Arab World"

41 The other rival is the expatriate Arab News Network, ANN, launched in 1997 by Dr. Sawmar al-Assad, a nephew of the former Syrian president Hafiz al-Assad and a fierce opponent of his regime.

42 "A Revolutionary Impact. Al-Jazeera has Brought the Public Discourse to Another Level – A Conversation with Mohammed al-Nawawy," Bitterlemons-International, vol.2 no.15, The New Media Era, (April 2004), <http://www.bitterlemons-international.org/previous.php?opt=1&id=36#147>.

This has led some countries to restrict the use of satellite dishes, while tolerating their acquisition. In Syria - a country with tight media controls declared an "enemy of the Internet," year after year, by Reporters Without Borders - satellite receivers first began to appear in homes in 1996. Although they were technically prohibited by law, dishes proliferated exponentially over the years. The cost of setting up a dish dropped and receivers were mostly smuggled from Lebanon, while other infrastructure was produced by local workshops.

As early as 1998, attempts were made to exert control over transnational satellite channels. The Satellite Channels' Coordinating Committee within the Arab States Broadcasting Union (ASBU) attempted to isolate al-Jazeera when it began breaking hitherto unchallenged taboos. A committee member insisted that the channel should comply with the "Arab media's code of ethics" before being accepted into the ASBU, and gave it six months to conform to the code that "promotes brotherhood between Arab nations."⁴³

It took ten years before most Arab governments came together to hammer out an ASBU document with repercussions on the future of media freedom that raised considerable objections from advocates, civil society groups, free thinking journalists, as well as Lebanon and Qatar, which opposed the wording therein.⁴⁴

In February 2008, at a special meeting requested by Egypt and Saudi Arabia, information ministers met in Cairo to sign the "Arab League Satellite Broadcasting Charter" - a framework for organizing satellite broadcasting in the Arab world.⁴⁵ Only two states - Lebanon and Qatar - did not sign the document, although it was legally non-binding.

The Arab League backlash leading to the charter occurred after al-Jazeera broadcast a report claiming that the former Saudi ambassador to the US Prince Bandar bin Sultan was deeply involved in a massive arms deal with Britain and had cashed in billions of dollars in kickbacks, to ensure that a sale of British weapons went through. His late father was then defense minister, and both were accused of profiting from the deal. Saudi Arabia expressed outrage and called for sanctions against al-Jazeera. Egypt under then president Hosni Mubarak stepped in and crafted the charter under the guise of a set of rules to protect viewers across the region from misleading information and programming.

The ideas expressed in the charter show the extent to which Arab governments were eager to control the media. The scope of the restrictions in the charter were most alarming, applying not only to satellite channels physically based in member states, but to any transmission entity hosted in the region, such as uplinking facilities, including Western media broadcasting into the Arab world or maintaining offices in any of the Arab countries. The charter goes beyond what should not be aired, but also proscribes what channels should broadcast: they must be committed to safeguarding the Arab identity against the negative impact of globalization; enriching the character of Arab citizens; promoting national integrity, the Arabic language, as well as intellectual, cultural, social and political development. Agnes Callamard who heads the press freedom organization Article 19, expressed concern in an interview with al-Jazeera: "This is turning into the next stage of censorship which is to try to prevent millions of people in the region [from] access[ing] information."⁴⁶

⁴³ Trevor Mostyn, *Censorship in Islamic Societies* (London: Saqi Books, 2002), 34.

⁴⁴ Magda Abu-Fadil, "Arab Broadcast Charter: Setting the Record Straight," *The Huffington Post*, April 20, 2008, http://www.huffingtonpost.com/magda-abufadil/arab-broadcast-charter-se_b_97632.html.

⁴⁵ "Arab League Satellite Broadcasting Charter," Arab Media & Society, Satellite Charter Special Feature, (March 2008), <http://www.arabmediasociety.com/?article=648>.

⁴⁶ "Arab Media Code 'Risk to Freedom,'" Al-Jazeera, February 15, 2008, <http://www.aljazeera.com/news/middleeast/2008/02/20085251442914447849.html>.



The Internet

Ironically, Tunisia's deposed president Zine El Abidine Ben Ali, who encouraged development of the ICT sector to further economic growth, also placed considerable controls on Internet usage to bar dissidents from communicating information about his regime's atrocities, corruption and life in a police state. The tables were turned when he rescinded his own order to block access to Facebook, and opposition journalists and activists took to cyberspace to blog and post videos revealing the nature of the regime, eventually contributing to his ouster.

New Platforms for Citizens

In a research published in 2007, the German Arabist Albrecht Hofheinz concluded that no other language group debates as vividly on the Internet as Arabic-speakers: The Internet is "rapidly becoming a factor in the socialization of the younger generation" who use it primarily to "facilitate and extend social contacts through

e-mail and chat; obtain news from reliable non-local sources; discuss almost everything under the sun, especially topics in the realms of religion, politics and relations between the sexes that have traditionally been taboo; enjoy entertainment...and take moral guidance from what is perceived as contemporary Islamic perspective on modern life... Sites are also used to answer questions about fashion, family, food, relationships, sex life and work, and to provide match-making services and business information."⁴⁷

Due to the still relatively low rate of private access to cyberspace, Internet cafés still play an important role in the Arab World and have created new public spaces for social exchange, especially for young people and women. In contrast to other means of communication, the Internet can be used individually and anonymously (although in Egypt and Syria the governments has made

47 Albrecht Hofheinz, "Arab Internet Use: Popular Trends and Public Impact," in *Arab Media and Political Renewal: Community, Legitimacy and Public Life*, ed. Naomi Sakr (London: I.B.Tauris, 2007), 70-71.



repeated attempts to undermine this anonymity by obliging café owners to register all visitors.) This allows at least some young people and women to communicate and socially interact without family surveillance.⁴⁸ Several projects to train women in online skills indicate that the Internet is seen as a means to overcome women's social isolation and restriction in movement, although the actual impact and benefits remain to be seen. In conservative or religiously conservative towns in Iraq like Najaf or Karbala, women have said that their parents do not allow them to visit Internet cafés, or at least not alone.⁴⁹ Nevertheless, women's organizations in the region successfully use the Internet as a tool for campaigning and outreach.

Even before the Arab revolts began in December 2010, journalists, activists, and others displeased with their governments came to increasingly rely on mobile and digital devices, and turned aggressively to social media platforms to express their views, agitate for action, and publish news of current events. Activist-bloggers like Alaa Abdel Fattah, Manal Hassan, Wael Abbas, Noha Atef, Ahmad Gharbeia, and Hossam el-Hamlawy in Egypt and the Tunisian Sami Ben Gharbia, for example, had been blogging for years about issues neglected by the mainstream media, such as oppression, corruption, torture, and sexual harassment. But their fame subsequently spread through other media like Facebook, Twitter and YouTube when the information they shared about human rights and press freedom abuses went viral.

Early on, journalists and activists in the Arab world endeavored to use the Internet for networking and publishing purposes. The Arab Media Internet Network (AMIN) for example⁵⁰ - initiated in Jordan in 1997 and covering a range of critical issues such as human rights - provided a forum for the country's most progressive journalists.⁵¹ In Lebanon, Beirut Indymedia was launched

in 2003⁵² as a network of individuals and independent, alternative media organizations that offered grassroots, non-commercial coverage of social and political issues. It was dissolved in March 2007, but for four years the website provided a vital portal for open postings on taboo topics.

The Electronic Intifada (EI), focused primarily on Palestine, turned its attention to Lebanon when Israel began bombing the country on July 12, 2006, in retaliation for a Hezbollah raid in which militants kidnapped and killed Israeli soldiers. EI launched "Electronic Lebanon" to provide eyewitness accounts, commentary and multimedia coverage of the war that lasted 33 days, destroying infrastructure and homes, killing over 1,000 citizens, leaving thousands homeless, and creating massive pollution problems, following Israeli airstrikes on fuel tanks at power stations along the Lebanese shoreline. In February 2003, EI had already launched "Electronic Iraq" which was committed to providing a comprehensive look at Iraq and the violence that engulfed it.⁵³ All three websites were run as non-profit organizations and reflected a growing desire in the region not to let mainstream media control the news agenda.

Today, a cursory survey of tweets by Arabs on key political, social and economic issues, notably in countries in transition, reveals much passion, sarcasm, profanity against authorities, humor and debate. So it should come as no surprise that many Arab regimes are less enthusiastic about the Internet than the public, and exert great efforts to restrict the free flow of information through the World Wide Web. When issues get out of hand, as with any revolution where proponents and opponents take sides, or even when supposed allies fighting for the same cause disagree and split into sub-groups, hardline cybernauts have gone so far as to hack their opponents' websites and blogs to prevent their messages from getting out. This has occurred in the case of Syria where a cyber army backing President Bashar al-Assad is said to have hacked dissident sites, only to be met with counter-attacks from anti-regime hackers who attacked Syrian government-controlled sites.

48 Musa Shteivi, "Arab Women, the Internet and Public Space," Qantara.de, August 21, 2003, <http://en.qantara.de/Arab-Women-the-Internet-and-Public-Space/7336c7405i1p489/>.

49 Personal interviews with journalist students in Bagdad and Sulaimaniyah between 2005 and 2008 by Susanne Fischer.

50 Arabic Media Internet Network, <http://www.amin.org>.

51 The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Jordan, (London: Stanhope House, 2003), 4.

52 Indymedia Beirut, <http://beirut.indymedia.org>.

53 Electronic Iraq, <http://electroniciraq.net/> [website is no longer in service]

In its Press Freedom Index for 2011-12, the Paris-based watchdog Reporters Without Borders (RSF) said Syria, Bahrain and Yemen ranked worst among countries curtailing media liberties. In September 2011, RSF re-issued its new version of the "Handbook for Bloggers and Cyber-Dissidents" to help activists circumvent governmental restrictions.⁵⁴

The Internet is often praised as the first truly globalized medium capable of transcending national censorship. However, practice shows that a variety of classical censorship instruments can be employed, including prohibitive legislation and monitoring of the Internet. Critics have remarked that, in fact, the digital age has generated the first medium with already integrated mechanisms of control.⁵⁵ Means of "internal control" include proxy servers, rating and filtering. Many Arab countries have acquired US-developed software that offers a constantly updated control list of millions of web pages in multiple languages organized into various categories "for flexible policy enforcement options."⁵⁶

A further way to influence Internet use - apart from physically and psychologically intimidating web publishers - is to impose high taxes on hardware and software and to restrict the installation of phone lines. Complete control over the Internet, however, is not possible because foreign ISPs can be used at any time - though this remains a very costly option. Moreover, programs like Ultrasurf⁵⁷ can be downloaded to circumvent proxy servers and access blocked websites as can Walid al-Saqqaf's portal, which has allowed Yemenis to download a software called "Alkasir" (Arabic for circumventer).⁵⁸

Despite all attempted restrictions and controls, the Internet has created networking opportunities and a space for disseminating alternative information, which was formerly unthinkable in the Arab world. Esra'a al-Shafei, an Internet pioneer from Bahrain and founder of the pan-Arab website MideastYouth.com, is convinced that "the Internet is one of the most liberating forces in the Middle East... Despite political and physical barriers, the Internet is bringing people together in every arena."⁵⁹

Increasingly, newspapers have been publishing online versions for the Arab diaspora and the international Arab public, with varying degrees of success. More traditional newspapers, or those with limited resources, have yet to move beyond posting simple HTML links and PDF versions of their papers. Those more in tune with the times have realized that to compensate for dwindling print readership requires providing fresh content, infographics, photos, video, audio and interactive content, and means for readers to engage with editors and reporters through social media.

Blogs, an abbreviation of web logs, began as personal agendas or accounts of events that were not published in traditional media. They offered an escape from traditional strictures and a platform to let off steam against society's ills. Journalists who could not publish criticism of their regimes in the mainstream media instead took to the blogosphere. Activists followed suit. In countries with strict media laws - and most Arab countries fall into that category - blogging has flourished because of its inherent grassroots character. The Arabic term for blog, "al-mudawanna," is credited to an Arab blogging pioneer, Abdallah al-Miheiri from Abu Dhabi. Some blogs became so well established that they became sources for traditional media, as during the presidential election in Egypt when bloggers acted as self-appointed poll monitors.⁶⁰

54 "New Version of Handbook for Bloggers and Cyber-Dissidents," Reporters Sans Frontières, July 16, 2009, http://en.rsf.org/spip.php?page=article&id_article=33844.

55 Jean K. Chalaby, "New Media, New Freedoms, New Threats," *The International Journal for Communication Studies*, vol.62 no.1, (February 2000): 23.

56 Albrecht Hofheinz, "Arab Internet Use: Popular Trends and Public Impact," in *Arab Media and Political Renewal: Community, Legitimacy and Public Life*, ed. Naomi Sakr (London: I.B.Tauris, 2007), 57.

57 Ultrasurf, <http://www.ultrasurf.com>.

58 Magda Abu-Fadil, "Yemeni Develops Program to Skirt State's Web Bans, Gain Access to his New Portal," *The Huffington Post*, May 30, 2009, http://www.huffingtonpost.com/magda-abufadil/yemeni-developsprogram-t_b_209321.html.

59 Esra'a al-Shafei, "Social Media for Social Change," *Bitterlemons-International*, vol.7 no.8, *The Internet in the Middle East*, (February 2009), <http://www.bitterlemons-international.org/previous.php?opt=1&id=262#1071>.

60 Ibid.

As noted during the Heinrich Böll Foundation's "First Arab Bloggers Meeting" in 2008, in which bloggers from nine Arab countries participated, blogs were becoming ever more important as catalysts for political mobilization and activism in the Arab world. Blogs have come to constitute public forums that help citizens practice freedom of expression, enhance their argumentative and analytical skills, and break the convention that separates journalism from activism. Especially for young people, blogs represent an outlet for their thoughts and emotions and a sphere they can freely navigate.

As Bahraini blogger Esra'a al-Shafei, co-founder of the Middle East Interfaith Blogger Network, wrote in a story published in the Lebanese paper *The Daily Star*: "With the introduction of the Internet in the intellectually sheltered countries of the Arab world, blogging is now challenging Arab rulers. Most Middle East blogs or online journals are dedicated to politics because the Internet has allowed bloggers, who are effectively citizen journalists, to discuss taboos in their societies and reveal or criticize state information."⁶¹

Activists use their blogs, text messaging, and social networks like Facebook, Twitter and YouTube, to organize demonstrations and boycotts. Although in Egypt the Internet became an effective means of mobilizing activists, trade unionists, young people seeking better economic conditions, and others simply fed up with the sclerotic leadership of Hosni Mubarak, it was also the target of a government shutdown that disrupted all communications across the country in early 2011.

Economist/journalist/activist Muhammad al-Dahshan told Magda Abu-Fadil, co-author of this report that when the Internet and mobile telephone service were shut down by the government, rebels gathered in Cairo's Tahrir Square, the focus of the revolution, and resorted to old-fashioned means of communication - leaflets and flyers to disseminate information. He said that since many Egyptians are illiterate or don't have the means to afford Internet access at home, they rely heavily on their mobile phones. Equipped with cameras, mobile

technology was used to great effect to capture photos and video clips of police crackdowns, to disseminate and post them on YouTube and other platforms, and to let the world know parts of Egypt were ablaze when official media were reporting that the streets were peaceful.

Growth of Internet Use

In early March 2012, during a roundtable at the Mobile World Congress in Barcelona, the International Telecommunications Union's (ITU) Secretary General Hamadoun Touré announced the end of the "Arab Spring," much to the surprise of conference participants.⁶²

Touré argued that job creation throughout the Arab world would be key to ending the unrest in the region and that the Information and Communication Technology (ICT) sector was the only field that could deliver the needed number of skilled, well-paid jobs in time to ensure region-wide stability and to avoid further outbreaks of violence from educated, skilled but underemployed youth. He expressed the belief that oil rich Gulf states could fund development of the ICT sector.

A few days later in the Qatari capital Doha, Touré told the "Connect Arab States Summit" that a pan-Arab strategy to develop information and communications technology would revolutionize societies and economies, from Manama to Nouakchott: "We need to think about what we are going to do in order to help them exercise their right to be good citizens and to work," he said at the summit, which brought together political and industry leaders from 21 countries in the Middle East and North Africa.

ITU's Telecommunication Development Bureau director Brahima Sanou told conferees in Doha that infrastructure was critical, but must also be accompanied by the correct legal and political framework: "In years to come, broadband infrastructure will become basic infrastructure," he said. "The potential is yet to be tapped into."⁶³

61 Esra'a al-Shafei, "Democracy Is Possible, Arab Bloggers Assure us Every Day," Mideast Youth, February 22, 2007, <http://www.mideastyouth.com/2007/02/22/democracy-is-possible-arab-bloggers-assure-us-every-day/>

62 Alec Barton, "ITU Secretary General Announces End of Arab Spring," Developing Telecoms, March 2, 2012, <http://www.developingtelecoms.com/itu-secretary-general-announces-end-of-arab-spring.html>.

63 Yasmine Ryan, "Arab Leaders Tentatively Embrace Online World," Al-Jazeera English, March 10, 2012, <http://www.aljazeera.com/indepth/features/2012/03/201231013728591674.html>.

Paul Budde, an adviser to the Broadband Commission for Digital Development, a joint initiative linked to the ITU and UNESCO, said world leaders had finally become cognizant of the true potential of ever-evolving communications technologies: "Their function, their status, is threatened," he said. "Suddenly information is spread. Suddenly you can't hide from information. And that's what real democracies are."

But much remains to be done if progress is to be achieved. An ITU report⁶⁴ issued at the *Connect Arab Summit* shows the growth and rapid expansion of mobile technology in the Arab region but points to disparities between countries in terms of facilities, access and connection speeds.

According to an overview of the report, "ICT adoption and prospects in the Arab region":

The Arab region is a rapidly developing region in terms of ICTs and characterized particularly by strong growth in the area of mobile telephony over the last five years. The move towards commercially available 3G networks in almost all countries of the region has driven the number of active mobile-broadband subscriptions and helped bring more people online. ITU estimates that by the end of 2011, around 30 percent of the population in the Arab States were using the Internet. Compared to mobile-cellular services (and in comparison to other regions) both fixed-telephone and fixed (wired)-broadband penetration rates in the region remain relatively low. The penetration for fixed-telephone subscriptions reached ten percent at its highest and has been declining since 2008. The number of fixed (wired)-broadband subscriptions has grown from one million in 2006, to an estimated eight million in 2011, but penetration remains relatively low, at 2.2 percent.

In order to understand ICT developments

within the Arab region, it is important to distinguish between ICT adoption and network deployments between the high-income GCC (Gulf Cooperation Council) countries on the one hand, and the non-GCC countries, on the other hand. Due to ample oil reserves, GCC countries have higher income levels, which tends to translate into higher ICT adoption, stronger and wider network coverage and early migration to Next Generation Access Networks (NGANs).

It went on to say:

While there is a strong link between income levels and ICT uptake, some non-GCC countries, including Morocco, Egypt, and Tunisia with much lower income levels than their GCC neighbors, have done relatively well in certain ICT developments. Morocco, for example, was a relatively early adopter of NGAN technologies and has been able to leverage on NGAN to provide more people and previously unconnected areas with Internet access, bringing its 2010 Internet penetration to close to 50 percent, which is on par with the GCC average. In Tunisia, fixed-broadband penetration had reached 4.6 percent by end-2010, similar to Saudi Arabia and Bahrain.

On the mobile telephone front, the ITU estimates that by the end of 2011, the Arab region had increased to nearly 350 million the number of mobile-cellular subscriptions, up from 126 million in 2006. This translates into a penetration rate of 96.7 percent, which puts the region ahead of the world average (86.7 percent) and well ahead of Asia and the Pacific (73.9 percent) and Africa (53 percent). On the downside, however, since 2006 and compared to other world regions, the Arab states have lagged behind in terms of fixed-broadband penetration levels. According to ITU estimates, fixed-broadband penetration in the Arab States stood at only 2.2 percent at the end of 2011.

⁶⁴ International Communication Union, ICT Adoption and Prospects in the Arab Region, (January 2012), <http://www.itu.int/pub/D-IND-AR-2012>.

Fortunately, mobile broadband is on the rise, as attested by the study:

Compared to fixed-broadband services, the Arab States have done relatively better in terms of mobile broadband services. With a number of relatively early adopters of 3G mobile-broadband technologies in the region, the number of active mobile-broadband subscriptions has grown rapidly from three million in 2007, to an estimated 48 million in 2011. Since 2007, mobile-broadband penetration rates in the Arab region have grown faster than in the developing countries overall, and by end 2011, ITU estimated that mobile broadband penetration in the Arab region had reached 13.3 percent, compared to 8.5 percent in developing countries. The Arab region also has a higher mobile-broadband penetration rate than Asia and the Pacific and ranks only just behind the CIS region, where mobile-broadband penetration in 2011 had reached an estimated 14.9 percent.

It went on to say that sufficient access to international Internet bandwidth was necessary for delivering data-intensive applications and services through high-speed Internet connections. A competitive bandwidth market, including the liberalization of international Internet gateways and the promotion of multiple international connections, were also important to guarantee reliable connectivity, and to bring down ICT service prices for consumers.

In countries like Lebanon, performance remains poor, although ADSL service has been introduced and the government recently oversaw the introduction of 3G service. Nevertheless, regions outside the capital complain of slow connectivity and even residents of Beirut find their ISPs do not always live up to their advertised connection speeds. Prices were very high compared with other countries but were finally reduced in late 2011.

ITU estimated that by the end of 2011, some 31 percent of households in the Arab region had a computer, and 26 percent of households had Internet access. Efforts have to be made in order to achieve the Broadband Commission for Digital Development's target of having 40 percent of households in developing countries with Internet access by 2015.

While household ICT connectivity was slightly higher in the Arab states than in Asia and the Pacific, the region lagged behind the world average and well behind the CIS and Americas, where the percentage of households with Internet access was almost 40 and 50 percent, respectively. In Europe, about three out of four households have a computer and Internet access at home. This was in stark contrast to Africa, where fewer than one out of ten households were equipped with a computer and had Internet access, the ITU reported.

By the end of 2011, the ITU estimated that more than a third of the global population was online, with Internet user penetration in the Arab states remaining slightly lower, at about 29 percent. It noted that only a few countries in the Arab region produced Internet user estimates based on information collected through household surveys. Most of the countries, it said, provided estimates based on administrative registries, which diminished the information's reliability and accuracy.

In a box entitled: "Data availability on ICT access and use by households and individuals in Arab countries," the report detailed how Arab countries were collecting information about household ICT usage:

An increasing number of countries are collecting ICT data through official household surveys in order to complement administrative data usually produced by telecommunication operators. Since ICT data collected through surveys help produce data on the actual access to, and use of, ICTs by households and individuals (but also governments, educational institutions, etc.), they provide important and reliable information necessary to analyze the uptake

and impact of ICTs. They can also be broken down by characteristics such as age, income levels and gender, providing even more in-depth information for analysis. Hence the important role of national statistical offices in collecting ICT data through official surveys or the census, in order to guarantee a nationally representative, internationally comparable and meaningful set of data.

Indeed, recent (2008-2010) data on households with a computer and households with Internet access, and/or data on Internet users for countries in the Arab region are available for only a relatively small number of countries. Data have been collected by national statistics offices either through the 2010 population and housing census round, or through household surveys. Djibouti and Qatar have produced census-based data for some ICT indicators, although the data have not been reported to ITU⁵. Egypt has also produced data for ICT indicators based on an ICT household survey. Algeria and Jordan collected data on households with a computer and households with Internet access in both 2008 and in 2009.

For Iraq, data for some household ICT access indicators are available for 2008 only, whereas Sudan included a question on households with a computer in its census in the same year.

Other government agencies from countries such as Morocco and Qatar have also conducted specific ICT household surveys. One important issue that needs to be addressed is the population represented by the survey. For example, in the case of Qatar only individuals 18 years old and above are considered, while in the case of Morocco, only individuals between 12 and 64 years are included. This causes a problem

of comparability of the results, in particular when estimating the number of Internet users and other related ICT usage indicators, which should be representative of the total population of a country.

So although growth in Internet use in Arab countries has been dramatic in recent years, it is not easy to obtain accurate data given discrepancies in survey methods. According to World Internet Stats, a website that tracks Internet usage around the globe, the region witnessed an impressive Internet usage growth rate of 2,244.8 percent in the past 11 years, rising from an estimated 3,284,800 Internet users in December 2000 to an estimated 77,020,995 users in December 2011, with a regional penetration rate of 35.6 percent.⁶⁵

The site's March 2011 figures for Internet usage in the Middle East show the region accounted for only 3.3 percent of the world's share and were updated in December of that year to show an increase to 3.4 percent of the world's users. But a note at the bottom of the figures' pie chart attributes the statistics to data obtained from the US Census Bureau and its most recent Internet statistics as gathered mainly from data published by Nielsen Online, the ITU, Facebook and what it termed other trustworthy sources.⁶⁶

Even those figures could be misleading because the Middle East/North Africa's population is estimated at over 380 million people by some sources, and could be more given the high birth rate in poorer countries, while the World Bank puts it at about 300 million.⁶⁷ Variances among the different sources are also reflected in estimates of Internet penetration rates, usage, and user constraints. All these conflicting resources must be carefully examined in order to establish a basis upon which to assess demographic estimates.

⁶⁵ "Middle East Internet Usage Statistics, Population, Facebook and Telecommunication Reports," Internet World Stats, accessed May 27, 2012, <http://www.internetworldstats.com/stats5.htm>.

⁶⁶ Ibid.

⁶⁷ "Middle East and North Africa – Countries," The World Bank, accessed May 28, 2012, <http://go.worldbank.org/7UEP77ZCB0>.



3. MEDIA ETHICS

Codes of Ethics: Guidelines for Good Practice or Instruments of Censorship?

Media ethics are not only the focus of an increasing number of university studies but also a popular backdrop for movies and dramas. Graham Greene's "The Quiet American," Woody Allen's oeuvre "Scoop," as well as classics such as "Citizen Kane" starring Orson Welles and "All the President's Men" with Dustin Hoffman and Robert Redford feature reporters who struggle with their roles in society, their ethics and the dilemma between personal ambition and professional standards.



The movies visualize a topic familiar to most journalists: the right to report comes with the obligation to adhere to certain ethical and professional standards. The media are powerful and expected to act responsibly. That is why, over time, a variety of "codes of professional conduct" or "guidelines for good journalistic practice" have emerged, often referred to as "media ethics."⁶⁸

⁶⁸ The authors of this report organized several conferences on media ethics in which participants were keen to avoid the term "code of ethics." International organizations such as UNESCO prefer to call them "codes of professional conduct." Other denominations are "Codes of Conduct," "Professional Ethics," "Codes of Ethics," "Codes of Honor," "Declarations of Professional Principles," etc. (Marcello Scarone, "The Meaning of Journalistic Ethics," in

These guidelines include adherence to accuracy in reporting, impartiality, fairness, balance, and refraining from plagiarism, discrimination, incitement to violence, libel and slander. Certain codes refer to objectivity while others avoid the term because it could be misconstrued.

Major media outlets like the BBC, CNN, the *New York Times*, the *Guardian* and al-Jazeera, have their own codes of conduct. Others voluntarily subscribe to general codes of ethics such as the "Declaration of Principles on the Conduct of Journalists"⁶⁹ or the "UNESCO International Principles of Professional Ethics in Journalism."⁷⁰

As RSF formulates it: "The professional journalism world is awash in ethics codes. Some are longer than the United States Constitution, trying to anticipate every possible breach. Others are short and succinct, offering more positive guidance."⁷¹

Some organizations have stayed away from the word "code" fearing it may be equated with "law." In some Arab countries, the media's code of conduct is handed down by the government and is akin to stringent laws.

While the details may differ, the common basis for all these codes and the media's contribution to democracy is responsible, fact-based reporting, providing reliable information to support public debate, holding officials accountable, and informing the electorate.

While state media laws may deal retroactively with threats or violations of ethical or legal principles, most codes of ethics aim at establishing active responsibility for media producers. They offer guidelines and arguments for decisions prior to publication, broadcasting or online publishing.

Professional Ethics, Media Legislation & Freedom of Expression in Lebanon (Beirut: Lebanese American University, 2002), 9-10, <http://ipj.lau.edu.lb/events/20020301/roundtable200203book.pdf>).

⁶⁹ Adopted by the Second World Congress of the International Federation of Journalists at Bordeaux on 25-28 April 1954 and amended by the 18th IFJ World Congress in Helsingör on June 2-6, 1986.

⁷⁰ Issued by the Fourth Consultative Meeting of International and Regional Organizations of Journalists in Paris on November 20, 1983.

⁷¹ Dan Gillmor, "What Ethics Should Bloggers Have?" in Handbook for Bloggers and Cyber-Dissidents, ed. Sylvie Devilette (Paris: Reporters Sans Frontières, 2005), 23, http://www.rsf.org/IMG/pdf/Bloggers_Handbook2.pdf.

Codes of ethics clearly differ from press or media laws. As Dan Gilmor, founder of Grassroots Media Inc., points out: "All ethics codes are created for one essential purpose: to instill trust. If a reader (or viewer or listener) cannot trust the report, there is usually little reason to bother in the first place."⁷²

Ideally, codes should be of a self-regulatory nature, i.e. adopted voluntarily by media organizations or journalists associations. The drafting, management and enforcement of journalistic ethics should therefore be the prerogative and responsibility of media professionals, and never be imposed by national or international authorities.

One cannot ignore irresponsible practices and the disregard for ethical standards (including bias, defamation and sensationalism) that plague international and Arab media. During a conference on "Professional Ethics, Media Legislation and Freedom of Expression" in Lebanon jointly held by the Institute for Professional Journalists at the Lebanese American University and the Heinrich Böll Foundation in Beirut, experts stressed that quality control was needed.⁷³

The desire for balanced and fair coverage is even being debated on social networking platforms like Facebook, where a group called "End Hateful Incitement in Lebanese Media" was established.⁷⁴

But the issues journalists face every day often center around questions like: can I publish this picture? Do I cite a person's name? Can I rely on this source? Which word should I choose? Whether one decides to call a movement "fundamentalist," "resistance," "terrorist" or "extremist," is a matter that has plagued decision-makers in the news business for years.

The fact that media operate in different cultural, social, and political contexts calls into question the feasibility of establishing a universal code of conduct. Social traditions and taboos define different limits of what is acceptable to print, broadcast or publish online. Terms like "public good" may be defined in different ways and used by those in power to legitimize restraints on the media.

The notion of "responsibility" can be applied to silence unwanted voices as much as to enhance the quality of information. The inherent danger of codes of ethics is therefore their employment as instruments of censorship.

The Jordanian Press Association (JPA) for example tried to force Internet journalists to accept a binding "code of honor" which the latter viewed as a veiled attempt by the government to use the JPA to regulate websites.⁷⁵ The case was particularly draconian, as membership in the JPA is obligatory for Jordanian journalists and failure to accept the prescribed code would have been akin to blacklisting.

Given the Arab region's inconsistent application of ethical media standards, codes miss their target when employed to reinforce censorship and self-censorship, which already hamper the work of journalists.

⁷² Ibid.

⁷³ "Proposed Guidelines for Good Journalistic Practice," in Professional Ethics, Media Legislation & Freedom of Expression in Lebanon (Beirut: Lebanese American University, 2000), 61-63, <http://ipj.lau.edu.lb/events/20020301/roundtable200203book.pdf>.

⁷⁴ By the NGO Lebanese Civic Media Initiative.

⁷⁵ Oula Farawati, "Jordan's Press Syndicate Attacks its Own over 'Irresponsible Reporting,'" Menassat, September 26, 2008, <http://www.menassat.com/?q=en/news-articles/4726-jordans-press-syndicate-attacks-its-own-over-irresponsible-reporting>.

Samples of Codes of Ethics in the Region

Media ethics in the Arab region are prescribed by a number of regional and national media conventions, including the Code of the Council of Arab Information Ministers, the Code of the Federation of Arab Journalists, and the Code of the Islamic Media Conference.⁷⁶

Arab Code of Ethics, Third Conference of the Federation of Arab Journalists (1972)⁷⁷

In 1972, the Third Conference of the Federation of Arab Journalists in Baghdad adopted the Arab Code of Ethics. The code is based on the principle that journalists should adhere "to the objectives of the public and the right of the Arab nation to unity, freedom and progress." It rejects "dishonesty," "defamation" and "personal profit," and maintains the right of individuals to privacy and dignity. Furthermore, journalists should abstain from publishing personal or family scandals aimed at weakening family relations. The code also calls upon journalists to check the data in "advertisements that spread propaganda for the benefit of imperialist states, reactionary forces and foreign monopolies that contradict supreme Arab interests [...] Objective reality and truth should be the central goals of a journalist, who should also be required to support justice in courts, not side with any party against another or support any case being deliberated."

Arab Information Charter of Honor, Council of Arab Information Ministers (1978)⁷⁸

The Arab Information Charter of Honor was approved by the Council of Arab Information Ministers in 1978.

The charter expresses the duty of Arab governments to guarantee "the freedom of professional conscience of journalists" as well as the free movement of Arab journalists and their freedom to work and join professional organizations.

The charter says information is based on "the right of expression and the right to knowledge." Its definition of desirable content is an emphasis on religious and moral values, search for plain truths that could serve justice and virtue, strengthening relations, and deepening understanding, to name a few.

The charter acknowledges that freedom of expression is a basic condition for information.

It stresses the responsible role of "the Arab journalist" who should "avoid any harm to Arab solidarity," be "committed to the struggle against all kinds of colonialism, different types of aggression, support developing and non-aligned countries, refrain from using illegal methods in obtaining news, pictures, documents, etc., and maintain the secrecy of sources with regard to national security."

An additional proviso requires Arab journalists to safeguard the correct use of the Arabic language.

Islamic Mass Media Charter, Islamic Media Conference (1980)⁷⁹

The Islamic Mass Media Charter was adopted by the First International Islamic Mass Media Conference in Jakarta in 1980.

The Charter obliges Muslim media professionals to "unite the ranks of Muslims, and to advocate wisdom, Islamic brotherhood and tolerance in solving their problems." They should strive to "combat all forms of colonialism, aggression, fascism and racism" as well as "Zionism and its colonialist policy of creating settlements" and "maintain vigilance against anti-Islamic ideas and trends."

⁷⁶ For other Arab ethics codes, including the UNESCO Code and the Code of the International Federation of Journalists, see "International Journalism Codes," al-Bab, accessed May 28, 2012, <http://www.al-bab.com/media/docs/intcodes.htm>, and journalism-islam.de, "The Ethics of Journalism – Codes of Ethics," accessed May 28, 2012, http://www.journalism-islam.de/con_codes.htm. For a comprehensive listing of international ethics codes, see the website of the International Journalists' Network, <http://www.ijn.net.org>.

⁷⁷ Kaarle Nordenstreng and Hifzi Topuz, ed., *Journalist: Status, Rights and Responsibilities* (Prague: International Organization of Journalists, 1989), 273-74.

⁷⁸ Ibid., 275-77.

⁷⁹ The Journal *Rabitat al-Alam al-Islami*, no.12, (July 1980), 60-61 (quoted in "International Journalism Codes: Islamic Media Conference (Jakarta 1980)," al-Bab, accessed May 28, 2012, <http://www.al-bab.com/media/docs/intcodes.htm#isl>).

One article calls on Muslim journalists to censor print or broadcast content that may harm the *ummah* (nation of Islam); preserve the integrity of the profession and Islamic traditions; avoid using offensive words, publishing obscene material, indulging in cynicism, slander, provocation of *fitna* (religious sedition), rumor-mongering and other forms of defamatory actions; abstain from broadcasting or publishing anything that goes against public morality and the rules of decent demeanor; refrain from condoning crime, violence, suicide or anything that arouses terror or provokes bestial instincts.

According to the charter, Muslim journalists should be committed to the propagation of the *Dawah* (promotion of Islam), elucidating Islamic issues and the defense of Muslim views. They should be interested in Islamic civilization and the promotion of the Arabic language among Muslims, particularly Muslim minorities. They should seek to re-establish the dominance of *sharia* (Islamic law), in lieu of secular legislation.

Charter of Work and Press Code of Ethics, Egyptian Press Syndicate, Egypt (1972)⁸⁰

The Egyptian Press Syndicate adopted its Charter of Work and Press Code of Ethics in 1972. Law No. 76 of 1970 on the Establishment of the Press Syndicate authorized the board to pursue disciplinary measures against anyone violating the charter.

In the socialist spirit of the times, the charter declares that the national press plays a vital role in giving expression to the "long struggle of the Egyptian people" and the working masses. Journalists affirm their conviction that the press should continue to fulfill the constructive mission it shouldered in its march alongside the Revolution of July 23, 1952 by supporting its political and social endeavor and protecting its progressive achievements in the service of the Egyptian and Arab masses.

The Charter states that journalistic ethics do not primarily derive from good performance, but from the "honorable objective" served by the published word: "The word which is not committed to the service of our people's progress is a word devoid of honor, and the honor of commitment in press work can only be achieved when that work is a conscious choice, independent of all kinds of tutelage, censorship, orientation and containment."

It stresses that social responsibility in the service of the people is the prime condition for the honorable and responsible performance of journalistic work. The charter furthermore stipulates "total adherence" to the basic instruments which guide the struggle of the Egyptian people, particularly the Charter of National Action (1962), the Declaration of 30 March (1968) and the Program of National Action (1971), and emphasizes the following principles: "pursuit of the evolution towards socialism as a system and a way of life and social behavior," "spiritual values as an essential component of the cultural and intellectual heritage of the Egyptian people."

However, it also promotes "democracy as the only healthy and sound framework for practicing political liberties, foremost among which are freedom of expression and opinion," as well as "world peace and international cooperation in line with the United Nations Charter and international conventions and agreements."

The charter is committed to the "defense of the freedom of the press against any encroachment...in confirmation of the right of the working masses, especially workers, peasants and intellectuals, to know the whole truth and freely express their opinions."

It finally demands a clear definition of the relationship between press institutions and the Arab Socialist Union, which preceded later ruling bodies in Egypt, like the National Democratic Party under ousted president Hosni Mubarak.

⁸⁰ Clement J. Jones, *Mass Media Codes of Ethics and Councils* (Paris: UNESCO Press, 1980), 67-69, <http://unesdoc.unesco.org/images/0004/000423/042302eo.pdf>.

The charter rejects subjecting journalists to disciplinary measures, except within the framework of syndicate laws and the appropriate authority designated to handle such measures, so that no outside authority should interfere in the affairs of the press.

The charter obliges authorities to provide journalists with all information they request to "ensure the right of the masses to know all the facts and be informed of all affairs." It demands the elimination of all obstacles and restrictions barring journalists from accessing external sources of information, by making them available and by lifting censorship imposed on foreign papers and periodicals.

In reality, however, journalists did not gain the access they needed under these provisions, notably under the presidency of Gamal Abdel Nasser who kept a tight lid on foreign publications and whose censors blacked out or ripped out pages of offending foreign newspapers and magazines.

The late president Anwar Sadat also tried to maintain tight controls on the media and had several run-ins with journalists during his administration. Prior to his assassination in 1981, he tangled with journalists who accused him of being a dictator.

Code of Ethics, Supreme Press Council in Egypt (1983)⁸¹

The Code of Ethics was adopted by the Supreme Press Council in Egypt in 1983. It states that the charter's implementation depends on the conscience of journalists.

Unlike preceding documents, it starts with several clauses on the rights of journalists and media freedoms, contending that "the concept of journalism is tied to freedom of the press under the sole supervision of the people," and that "protecting the press' honor is a right that cannot be separated from defending the liberties granted by the constitution to individuals and the public."

⁸¹ Kaarle Nordenstreng and Hifzi Topuz, ed., *Journalist: Status, Rights and Responsibilities* (Prague: International Organization of Journalists, 1989), 169-70.

Interim Iraqi Broadcasting Program Code of Practice issued by the National Communications and Media Commission, 2004⁸²

The code sets forth rules and editorial standards for program content of television and radio broadcasters in Iraq. Based on generally accepted standards like decency, non-discrimination, fairness, accuracy and balance, it is "designed to ensure that broadcasters promote educational, civic, cultural and democratic goals of television by allowing the commission to regulate speech that may incite, represent or portray violence or ethnic, national or religious intolerance."⁸³

The Code stresses the principle of personal responsibility, stating that the Commission "is willing to provide general advice on the interpretation of this code. However, broadcasters themselves are responsible for the content of all transmitted material."

The main principles to which the journalists must adhere are: a) prohibition on incitement to violence, b) decency and civility, c) fair and impartial programming, d) fair reporting about religion and religious groups, e) consideration of matters involving the private lives and dignity of individuals, and f) not broadcasting any material they know to be false or deceptive. The code also specifies that broadcasters should respect copyright and comply with "generally accepted international conventions and standards for intellectual property protection."⁸⁴

Rules of Professional Ethics, Iraqi Syndicate Law 178, Iraq (1969)⁸⁵

The Iraqi Syndicate Law 178 of 1969 included rules for professional ethics, which draw on the resolutions of the Second Congress of the Federation of Arab Journalists convened in Cairo in 1968.

⁸² The Code entered into effect on July 27, 2004.

⁸³ Preamble of the Interim Broadcasting Program Code of Practice. ("Iraq Media Developments Newsletter: Issue 26," The Stanhope Centre, accessed May 28, 2012, <http://www.stanhopecentre.org/research/26.shtml>).

⁸⁴ Ibid., Article 4.

⁸⁵ Kaarle Nordenstreng and Hifzi Topuz, ed., *Journalist: Status, Rights and Responsibilities* (Prague: International Organization of Journalists, 1989), 176.

Article 25 of the law basically requires members to refrain from practicing the profession without renewing their syndicate membership, from using any means to gain illegal profit, from disclosing sources, from using the press to threaten citizens, from making declarations that may benefit an enemy at the expense of the country, from undermining the confidence of the country, from misusing the press to slander citizens without patriotic and legal justification, from arousing public passions, from violating liberties guaranteed by law, and from taking sides in legal cases where verdicts have not yet been announced by the concerned authorities.

Jordanian Journalists Code of Ethics⁸⁶

The Jordanian Code of Ethics contains two articles. The first states that journalists should maintain the confidentiality of their sources, "respec[t] religious values as a basis for intellectual and cultural heritage," "wor[k] to assert national unity and protect it as a basis for the community's strength and development... asser[t] the joint past, present and future history of the nation, suppor[t] freedom movements in the world and condem[n] racial segregation movements in the world." Journalists should refrain from "using the profession for illegal personal gain and avoid expressions of slander, libel and defamation," while subscribing to "national responsibility without redundancy and triteness." Journalists are also called upon to defend the cause of freedom, to enhance democratic practice, and to support "citizens' rights to positive participation in the causes of the country and daily issues." However, at no point does it address the rights of journalists to free expression or access to information.

The second article lists prohibitions, some of which, in principle, are incorporated in the first article. Prohibitions include publishing incorrect data, misleading the public, accepting presents, breaking the journalists association's law and using the media for private gain.

At the time of the code's drafting, the Internet was not yet taken into consideration. Later, media advocates realized they needed to establish guidelines to regulate the new medium in order to avoid stricter government rules on news sites. As in other countries, the Internet has proven a boon and a bane for Jordanian freedom of expression advocates. It provides a means of communication and opportunities for commerce, but also serves as a platform for journalists, activists and press freedom advocates to disseminate messages against their governments, to call for more accountability and transparency, and to demand penalties against those who have broken the laws or harmed others.

Charter of Professional Honor, General Assembly of the Press Federation, Lebanon (1974)⁸⁷

Lebanon has a Journalists Union grouping editors and working journalists, and a Press Federation made up of publishers and owners of publications. The first is headed by a Christian and the latter by a Muslim, who has held the position for decades - both in a bow to sectarian quotas.

Repeated attempts have been made to update Lebanon's media code of conduct and establish guidelines for good journalistic practices across platforms, but they have been strongly resisted by the two press syndicates' leaders.

The Charter of Professional Honor was approved by the General Assembly of the Press Federation in Lebanon in 1974.

The charter emphasizes that the history of the Lebanese press "is intertwined with the history of free thought and national and popular struggle," the "practice of democracy" and the "defense of public interests."

⁸⁶ "Code of Ethics of the Jordanian Journalists," Eye on Ethics, accessed May 28, 2012, <http://www.eyeonethics.org/journalist-code-of-ethics-in-asia/code-of-ethics-of-the-jordanian-journalist>. The website indicates neither the source nor the date of the code.

⁸⁷ Kaarle Nordenstreng and Hifzi Topuz, ed., *Journalist: Status, Rights and Responsibilities* (Prague: International Organization of Journalists, 1989), 174-75.

Its mandate is to print media and the charter maintains that a publication's responsibility is not limited to adherence to the law, but includes respecting one's professional conscience and readership. The newspaper, it states, is an "institution that renders a cultural, social, patriotic, national and humanitarian public service," which is also commercial in nature. As such, a journalist should be committed to truth, honesty, accuracy and the principle of not disclosing sources.

According to the charter, a newspaper is a "forum belonging to readers, who enjoy the right to express their views and the right of reply (to misinformation)." It has the duty to "mobilize public opinion in defense of the country, rights and justice, and resist aggression and unjust force," while "avoiding fanaticism and inciting passions and differences as well as slander and insults." The charter refers to the right to privacy and individual dignity, and rejects defamation, exaggeration and blackmail as "characteristics of yellow journalism."



4. MEDIA LEGISLATION AND FREEDOM OF EXPRESSION IN THE MIDDLE EAST, INCLUDING TUNISIA

Tunisia

The Recent Situation

"Is it Tunisia's Spring... or Fall?" read the title of a column by Diana Moukalled in the pan-Arab daily *al-Sharq al-Awsat*, a year after the ousting of former president Zine El Abidine Ben Ali. Moukalled questioned the decision by prime minister Hamadi al-Jabali to appoint senior officials to state-run media, including television:

"This happened in a country still marking the Bouazizi revolution - in reference to the street vendor who set himself on fire in desperation at his miserable economic condition after having been slapped by a policewoman under the previous regime - a revolution against the government's hegemony and monopoly of the economy, politics and liberties. It was Zine al-Abidine Ben Ali who appointed state-run media officials and al-Jabali's latest decision is no different from the previous system, even if it was justified later as a temporary procedure until journalists union elections are held," she wrote.⁸⁸

Moukalled asked rhetorically how al-Jabali, who had been imprisoned by Ben Ali for almost two decades, could act in a similar dictatorial fashion, notably because he was jailed in the 1990s for publishing anti-government articles that called for civil disobedience, and for membership in a banned civil society organization. She added that targeting the media, whose freedom should have been one of the revolution's prizes, by attacking

journalists, by appointing officials, or by selectively implementing laws that suit the government, was a very bad omen.

There have been endless complaints about attacks on journalists and efforts to stifle the media, such as trying to force Iqbal al-Gharbi to resign from her post as the head of al-Zaitouna Radio for not donning the veil, to name but one example.

The rules on covering the 2011 elections, which brought the once outlawed Islamist Ennahda movement to power, were published in a guide for journalists on October 23, 2011, available online on the site of the *Instance Nationale pour la Reforme de L'Information et de la Communication (INRIC)*.⁸⁹ The 50-page booklet covers general principles, journalists' duties to inform and educate voters, media conduct during electoral campaigns, coverage based on electoral laws, rules for broadcast media during such campaigns, and crimes and penalties for violations of such laws.

The national commission to reform and update media laws is headed by Kamel Labidi, a long-time journalist and activist who was intimidated, threatened, fired twice from media jobs, had his passport confiscated for six months, and denied the right to travel while he worked with Amnesty International. He later went into exile for several years before deciding to return after the Ben Ali regime was toppled.

"I was given a mandate to prepare a report on ways to reform media and communications," Labidi said, in an interview with Magda Abu-Fadil, one of the authors of this report. "I couldn't start without holding lots of workshops with speakers from different countries - South Africa, Spain, the Czech Republic, France, Belgium - and experts who helped shed light on how countries got rid of dictators."⁹⁰ He said INRIC was establishing criteria to recommend and grant authorizations for radio and TV stations. It was examining 74 applications for radio stations and 33 licenses for TV channels.

⁸⁸ Diana Moukalled, "Rabi' Tunis...am Kharifiha? [Tunisia's Spring... or its Autumn?]," *al-Sharq al-Awsat*, no.12098, January 12, 2012, <http://aawsat.com/leader.asp?section=3&issueno=12098&article=658547>.

⁸⁹ Instance Nationale pour la Réforme de l'Information et de la Communication, <http://www.inric.tn>.

⁹⁰ Kamil Labidi, interview by Magda Abu-Fadil, Tunis, January 25, 2012.

In 2011 Labidi said 12 new private radio stations were going to be launched, including Kalima (Arabic for word) whose staff had gone on hunger strike in 2010 to protest not being granted an FM license. Tunisian authorities had raided Kalima's premises and confiscated its broadcast equipment while it was an opposition online radio station.

Under Ben Ali's rule, another anti-regime online station, "Radio 6," had been barred from cyberspace; its equipment seized, it was shut down in 2009 on charges that it did not have a license to broadcast over the Internet. Activists were in an uproar at the time as licenses had been granted with ease to members of Ben Ali's family and their supporters.

Even after the overthrow of Ben Ali, the New York-based Committee to Protect Journalists (CPJ) has continued to call on Tunisia to cease harassing local and foreign journalists. In a statement issued on May 9, 2011, it reported that more than a dozen journalists had been assaulted and urged Tunisian authorities to stop attacking those who report on anti-government demonstrations. "It is unfortunate to see Tunisian police revert to their old repressive ways," said CPJ Middle East and North Africa Program Coordinator Mohamed Abdel Dayem. "It is not enough for the Interior Ministry to apologize to journalists and identify the offending officers; a credible investigation must hold accountable all those found to have violated the law by physically assaulting journalists."⁹¹

In 2008, the CPJ published a special report on Ben Ali entitled "The Smiling Oppressor" in which it detailed how Tunisia's press code included an array of media restrictions - including an outright ban on offending the president, disturbing the public order, and publishing what the government deems "false news."⁹²

It concluded:

While such laws have been used to prosecute journalists over the years, authorities prefer to use more subtle tactics to keep those voices in check, a CPJ investigation found. They control the registration of print media and licensing of broadcasters, refusing permission to critical outlets. They control the distribution of government subsidies and public sector advertising, thus wielding an economic weapon. Outspoken newspapers are subject to confiscation by police. Critical online news sites, those belonging to international rights groups, and the popular video-sharing site YouTube are blocked by the government.

Independent journalists, some of whom double as human rights activists, have also been targets of harassment. Their phone lines are cut, they receive anonymous threats, they are placed under police surveillance, they are denied the right to travel outside the country, and even their movements inside the country have been curtailed. Those who exceed the authorities' acceptable boundaries for criticism are targeted with harsher measures such as imprisonment or violent attack.

In July 2011, the Paris-based Reporters Sans Frontières (Reporters Without Borders) criticized the government of then prime minister Beji Caid Essebsi for its crackdown on journalists in central Tunis and for assigning partial blame to the media for the continuing social and political unrest. It said security forces charged at protesters, hitting them with batons, insulting them and firing out-of-date tear gas. They also used violence against journalists who were clearly identifiable because of their cameras even if they were not wearing press markings. "Reporters Without Borders regards the comments that Prime Minister Essebsi made about journalists during an address to the nation... as dangerous. He clearly portrayed them as troublemakers and blamed them for the current unrest," it said.⁹³

⁹¹ "More Than a Dozen Journalists Assaulted in Tunisia," Committee to Protect Journalists, May 9, 2011, <http://cpj.org/2011/05/more-than-a-dozen-journalists-assaulted-in-tunisia.php>.

⁹² Joel Campagna, "Tunisia Report: The Smiling Oppressor," Committee to Protect Journalists, September 23, 2008, <http://cpj.org/reports/2008/09/tunisia-oppression.php>.

⁹³ "Police Attack Journalists during Tunis Demonstrations," Reporters Sans Frontières, July 19, 2011, <http://en.rsfb.org/tunisia-police-attack-journalists-during-19-07-2011,40658.html>.

That same month, London-based Article 19 published a "Comment on the Decree on Access to the Administrative Documents of Public Authorities of Tunisia," which it said would roll back the culture of secrecy that had existed in the country. But it expressed concern that exceptions to the right to information were too broad and would largely undermine the decree's impact of assuring transparency and accountability.⁹⁴

A few months earlier, in April 2011, the Center for Law and Democracy published a report on the draft press laws in order "to provide interested stakeholders with an assessment of the extent to which the draft laws conform, and do not conform, to international human rights standards and, in particular, the right to freedom of expression. They provide recommendations for reform, as relevant, with a view to helping to ensure that the laws which are finally adopted give effect, as fully as possible, to this fundamental right."

While noting some of the proposed legislation's positive attributes due to the relaxation of previous strictures, the report also underlined some highly menacing trends. It said:

The draft laws have a number of positive features. Perhaps most importantly, they repeal the repressive 1975 Press Law. They also do away with licensing of the print media and instead put in place a technical registration system for periodicals. At the same time, there are some significant problems with the draft laws. They establish far too broad and onerous registration requirements for all sorts of printed, as well as audio and audiovisual, materials. They envisage harsh punishments for periodicals that do not register properly or fail to deposit copies as required. They establish excessively broad entitlements to the right of reply. But by far the most serious problem is that they establish a wide range

of harsh criminal content restrictions which are often illegitimate in the first place but which, in any case, have no place in a press law.⁹⁵

With all the post-revolution changes, Labidi's commission was required to meet with journalists, academics, and lawyers to deliberate how Tunisia could turn a new page on its repressive past. But he admitted that some public media were dragging their feet by not providing adequate data. "We will make our recommendations public to ensure implementation and this commission will not tolerate interference into its own matters," he insisted. The INRIC's reports are posted on the commission's site in a bid to exercise transparency and to involve Tunisians in the discussion about their media.

On another web page, the commission took UNESCO to task for what it considered to be the organization's publication of false information about the state of Tunisian media, notably laws issued in November 2011 related to the establishment of publications and the freedom of broadcast media, as well as details on private media that had reverted to state ownership after January 14, 2011.⁹⁶ In a bolder move, the commission expressed great concern about "the double talk" from the government of prime minister Hamadi al-Jabali, saying that the premier had pledged to protect INRIC's temporary mandate and turn it into a permanent institution, while several of al-Jabali's advisers had "issued statements contradicting his positive messages about his commitment to respect the media's independence and their becoming a party to the campaign aimed at obstructing the course of reform."⁹⁷

94 "Tunisia: New Decree on Access to Administrative Documents Roll Back Culture of Secrecy," Article 19, July 11, 2011, <http://www.article19.org/resources.php/resource/2207/en/tunisia-new-decree-on-access-to-administrative-documents-rolls-back-culture-of-secrecy>.

95 Center for Law and Democracy, Tunisia: Comments on the Draft Decrees Making Up the Press Law, (April 2011), 1, accessed May 28, 2012, http://www.law-democracy.org/wp-content/uploads/2010/07/11.04.Tunisia.Prs_.pdf.

96 "Munazamat al-Umam al-Mutahida lil-Tarbiya wa al-Thaqafa wa al-'Ulum Tas-hab Taqriruha hawla Taqyim al-I'lam fi Tunis [UNESCO Withdraws its Report on the Assessment of the Media in Tunisia]," INRIC, January 18, 2012, http://www.inric.tn/index.php?view=article&catid=1%3Ainric-actualites-recentes&id=147%3A2012-01-18-16-04-17&tmpl=component&print=1&layout=default&page=&option=com_content&Itemid=156&lang=ar.

97 "Tunis: al-Haiaa Tastaghreb Izdiwajiyat Khitab al-Hukuma bi-Shaiin

A September 2011 INRIC report states that two committees were established to consider requests for broadcast media licenses, to hear applicants' cases for setting up operations, and to evaluate proposals and ensure that no applicant was connected to the old regime.⁹⁸ Among the key INRIC requirements for granting licenses were prohibitions on merging media organizations, combining a media organization with an advertising firm, working for a media organization while assuming a political or party leadership position, and accepting foreign funding as capital to set up media institutions.

One major development following Ben Ali's ouster was the interim government's abolition of the Information Ministry, which had served as a key institution controlling the media and limiting freedom of speech, according to "Political and Media Transitions in Tunisia: A Snapshot of Media Policy and Regulatory Environment," a study prepared by *Internews* in August 2011.

It concluded:

Virtually the whole of the Tunisian media is connected, to a greater or lesser degree, to the previous regime. Being founded during the dictatorship and before the revolution, media groups were inevitably obliged to work out the best way to survive and "coexist" with the Ben Ali regime. It has given rise to a significant and understandable situation: Tunisians do not trust their country's media, and international sources of information such as France 24 or al-Jazeera carry far more weight in the forming of public opinion than local news

sources. Tunisia's news sources are concentrated into few hands and lack diversity. The press essentially consists of four main daily papers, more or less tied to the previous regime (*La Presse*, linked directly to the state; *Le Temps*; *Le Quotidien*; and *al-Yaom*) and three daily papers with links to the old opposition (*al-Maouqif*; *al-Mouatinoun*; and *al-Tariq al-Jadid*). The audiovisual space includes two large state television channels, two private television channels, and 12 radio stations, two of which belong to the state. Although the two private television channels, Hannibal TV and Nesma TV, are purely commercial in content, they are nevertheless connected to the family and friends of Ben Ali; Nesma TV is also partially controlled by (former) Italian prime minister Silvio Berlusconi. According to their license agreement (*cahier de charges*), private television channels cannot provide political information. There is also the national press agency, TAP, which until recently served as a powerful propaganda weapon. There is surprisingly little tradition of regional and local news outlets, or social or community radio and television, although there are a few unlicensed community radio stations. In addition, the Internet is opening up a new space for the media, through online newspapers and journals and social networking. In this period of transition, media sources whose funds were directly controlled by members of Ben Ali's Constitutional Democratic Rally party (RCD) have had these funds frozen by the interim government and subject to court administration (for example, *Le Rénouveau*, *as-Sabah* and *Sabeel*).⁹⁹

al-I'lam [Tunisia: The Instance Is Consternated by the Government's Double Discourse on Media], "INRIC, February 15, 2012, http://www.inric.tn/index.php?view=article&catid=1%3Ainric-actualites-recentes&id=150%3A2012-02-15-15-39-47&tmpl=component&print=1&layout=default&page=&option=com_content&Itemid=156&lang=ar.

98 "Taqrir Nihai hawl Baath al-Talfazat al-Khasa [Final Report on Restoring Private TV]," INRIC, September 7, 2011, http://www.inric.tn/index.php?view=article&catid=47%3Ainric-rapports&id=119%3A2011-09-07-14-35-04&tmpl=component&print=1&layout=default&page=&option=com_content&Itemid=158&lang=ar.

99 Joan Barata Mir, Political and Media Transitions in Tunisia: A Snapshot of Media Policy and Regulatory Environment, (*Internews*, July 2011), 2-3, accessed May 28, 2012, <http://www.globalmediapolicy.net/sites/default/files/Tunisia%20Media%20Law%20Review.pdf>.

Since the revolution sparked by Muhammad al-Bouazizi's self-immolation, there has been a tug-of-war between the authorities and the media. Leading media and legal activist Nouredine al-Bouheiri told the pan-Arab daily *al-Sharq al-Awsat* that the media has an important role to play in developing rights and the transition to democracy:

"Many media are still beholden to groups that opt to pull us backwards and with wrong approaches, including campaigns against a particular party, whereas what's required or assumed is that these groups work to bring citizens, political parties and government institutions closer together to ensure a democratic life free of unrest and fears from a particular group," he said. He added that Tunisia needed independent journalists who struggled and who worked under the umbrella of diversity and a split with the past policy of attachment to the government.¹⁰⁰

While newspapers, radio and TV stations not owned by the former president and his cohorts flourished and the Internet became a platform for all manner of traditional and citizen journalists after Ben Ali's ouster, there are new fears the initial thrill may have been too short-lived and that those gains are slowly slipping away. The co-author of this report, Magda Abu-Fadil, visited Tunisia during the Ben Ali era and was only able to access her university email account at an embassy where access was better than that in the five-star hotel that followed the government's strictures on cyber communications. The ultimate irony was that UNESCO held its World Summit on the Information Society in Tunis in November 2005, much to the dismay of freedom of expression advocates and to the horror of countless Tunisians suffering under Ben Ali's dictatorship.¹⁰¹



Fast forward to January 22, 2012 when *La Presse de Tunisie* newspaper reported that Google CEO Eric Schmidt would pay Tunisia an historic 36-hour visit before heading to the World Economic Forum in Davos. Writing in the paper, Internet expert Nader Yamoun argued it was in Tunisia's interest to seek a cooperation agreement with the search engine giant that could draw investments to develop the country's IT sector as well as the country's educational institutions through its free Google Apps for Education.

Tunisia's Internet landscape could also benefit from Google's Cloud Computing infrastructure for its government and other services to boost the economy and promote an Open Government Data environment, while civil society could capitalize on the program *Google for Non-Profits*, which is still out of Tunisian associations' reach, Yamoun said.¹⁰²

Yamoun's article coincided with the 5th Arab Free Press Forum¹⁰³ staged in Tunis from January 22-24, 2012 by the Paris-based World Association of Newspapers & News Publishers (WAN-IFRA). During the forum, Kamel Labidi said that Tunisians were not interested in Tunisian media and instead followed foreign news outlets, but that trust was slowly returning. He added that

100 Abdel-Baqi Khalifa, "Al-I'lam al-Tunisi ba'd al-Thawra... Ziada fi al-Kam wa Murawaha fi al-Naw'iya [Tunisian Media after the Revolution ... Increase in Quantity and Alternation in Quality]," *al-Sharq al-Awsat*, no.11895, June 23, 2011, <http://www.aawsat.com/details.asp?section=37&article=627892&issueno=11895>.

101 "UNESCO in Tunis Phase," UNESCO, accessed May 28, 2012, <http://www.unesco.org/new/en/communication-and-information/flagship-project-activities/unesco-and-wsis/about/unesco-in-tunis-phase>.

102 Nader Yamoun, "Visite Historique Demain du Patron de Google: Voilà à quoi s'Attendre et Comment s'y Prendre [Historic Visit by Google Chief: Here's What to Expect]," *La Presse de Tunisie*, January 22, 2012.

103 WAN-IFRA – Arab Free Press Forum, <http://www.arabfreepressforum.org>.

more training for journalists was needed, as well as shedding light on the problems of editorial quality.¹⁰⁴ Participants at the conference who had visited Tunisia during the Ben Ali years noted positive changes such as being able access email, social media, and make use of the Internet in a freer environment.

There is no doubt that online media, particularly social media, have contributed immensely to the political changes in Tunisia. Journalists and activists of all stripes have for years used whatever platforms were available internally and externally to disseminate their message that the Ben Ali regime was repressive, used various methods to silence or harm journalists, and stifled the media, and that the international community should not turn a blind eye to the abuses under the pretext that Islamic extremists would take over in Ben Ali's absence.

The Tunisia-focused news portal *Nawaat*¹⁰⁵ has been among the most active outfits in bringing press freedom violations to light. It includes a YouTube video gallery and endless links to articles and blog posts by activists and commentators expressing fear that the revolution may be headed in the wrong direction. Its home page features a link to *TumiLeaks*, affiliated to *Wikileaks*, which is devoted to documenting scandals related to the former regime, or issues of freedom of expression that are at odds with the current government. Particularly the *Wikileaks* cables that testified the awareness of American diplomats of massive corruption among Ben Ali and the Trabelis, his wife's family, played a role in mobilizing for protests during the revolution.

According to Lamine Bouazizi, a chronicler of the history of Sidi Bouzid, the town where the uprising began, Facebook, along with other modern communications media, played an important role in breaking the siege around the Tunisian uprising when it was still in its infancy, succeeding in widening the scope of the uprising with its comprehensive coverage of

events.¹⁰⁶ This coverage was not limited to Facebook but was provided by countless websites and blogs that set the stage for the revolution, according to political activist Mahmoud Baroudy of the Progressive Democratic Party. He observed that over the last decade Tunisians could not access online information easily except through the site *Tunis News*, which was banned in Tunisia, and *Nawaat*, followed by Facebook, which was blocked by presidential decree in 2007 and unblocked again later, inadvertently increasing its popularity in the country. However, the micro-blogging site Twitter did not play a significant a role in the revolution, since much of the content relating to Tunisia is posted in English, a language not widely spoken in Tunisia. Baroudy further pointed to Fatma al-Rihani, author of the blog *Arabica*¹⁰⁷, who was detained by regime authorities and charged with libel on the Internet amid allegations that she was the administrator of the blog *Deba Tunisie (The Tunisian Debate)*.¹⁰⁸

"On 6/11/2009, after Fatma's arrest, the blog Deba Tunisie published cartoons in response to an article in *La Presse*, a Tunisian French-language newspaper. Fatma's blog, *Arabica*, was blocked three days prior to her arrest," The Initiative for an Open Arab Internet reported.

For Neji Baghouri, former head of the journalists union, Tunisian media need a modicum of freedom to regain the confidence of citizens, since a fundamental shift in the culture of reporting requires time: "The unlimited freedom and plethora of information reflects the truth uncovered by the Tunisian revolution by creating a real awakening in various media to create a form of reconciliation between Tunisian citizens and journalists."¹⁰⁹

104 William Granger, "Session 3: How Can the Media Regain Public Trust as a Credible Source of News?" WAN-IFRA, January 23, 2012, <http://www.wan-ifra.org/articles/2012/01/23/session-3-how-can-the-media-regain-public-trust-as-a-credible-source-of-news>.

105 Nawaat de Tunisie, <http://nawaat.org>.

106 Samir Sasi, "Kayf Saham al-Plam al-Iliktroni fi al-Taghiyr al-Siasi fi Tunis? [How Did Online Media Contribute to Political Change in Tunisia?]," *al-Hayat*, January 24, 2011.

107 "Tunisian Authorities Continue to Suppress Bloggers: the Detention of Fatma 'Arabica,'" The Initiative for an Open Arab Internet, November 9, 2009, <http://old.openarab.net/en/node/1548>.

108 DEBATunisie, <http://www.debatunisie.com>.

109 Amal al-Arisi, "Thawrat al-Yasamin Tosmir Hurriyat wa Tarakhis li Matbou'at 'Khalaya Naima'... Touarreq al-Plam al-Tunisi [The Jasmine Revolution Yield Freedoms and Licences for "Sleeper Cells" Publications... Haunting Tunisian Media]," *al-Hayat*, May 30, 2011.

This optimistic view is challenged by the testimony of press freedom advocates and others who complain of setbacks since the revolution. The International Freedom of Expression Exchange Tunisia Monitoring Group (IFEX-TMG) issued a release on February 15, 2012, expressing grave concern about what it saw as regressive measures by authorities. It stated:

With the Tunisian revolution, came the need to revolutionize the broadcasting media in Tunisia. In 2011, the Interim Government prepared several decrees, including the Higher Independent Authority for Audiovisual Communication known as the HAICA and the Press Code to replace restrictive laws inherited from the Ben Ali regime and facilitate the country's democratic transition. By providing legal guarantees for free broadcasting during the post-revolutionary period, the HAICA promised to strengthen the foundations of Tunisia's emerging democracy. However, on Thursday February 9th, the high official from the prime minister's office, Ridha Kazdaghli, revealed that the government will conduct a review of the already passed laws, including the HAICA and the press code.

In response to these worrying developments, IFEX-TMG calls on the Tunisian government to immediately pass the application decrees regarding the establishment of the HAICA - a regulatory body consisting of experts and representatives of all stakeholders to protect media against all forms of corruption and abuse. The press code, which the government has also highlighted as needing to be reviewed despite having been published in the official gazette, Erraid Ettunsi, on November 2, 2011, was drafted by the media sub-committee of the Higher Authority to Achieve the Goals of the Revolution, Political Reform and Democratic Transition, in cooperation with the Higher Authority to Reform

Information and Communication (INRIC), the National Syndicate of Tunisian Journalists, and the General Syndicate of Information and Culture. Under former President Ben Ali's regime, the print press was subject to a comprehensive system of censorship. In strengthening the rights of journalists, the new Press Code represented, in part, a dismantlement of these repressive structures.

"Despite public promises made by prime minister Hamadi Jebali in January 2012 to implement these decrees. . .the failure to abide by decrees passed under the former transitional government and run by the official gazette thus far is alarming," said Kamel Labidi, President of INRIC. "It is shocking to see the government inclined to yield to pressure groups which were close to the country's fugitive dictator and unwilling to conform to international standards for media broadcasting regulation."¹¹⁰

On March 5, 2012, Emna Ben Jemaa, a journalist and blogger¹¹¹ who works for the Tunisian *Afrique Magazine* and Express FM radio station replied to a series of questions by email. The following is a translation of her remarks in French:

I admit that I've been alarmed by what's happening in my country. As expected, the government is exerting pressure, but indirectly, through militias.

The organization and evolution of matters are done differently. Those who are lacking in knowledge and are ignorant and incapable of debating because it was discouraged during the years of the Ben Ali regime, are easily indoctrinated.

¹¹⁰ "IFEX-TMG Concerned by Series of Setbacks, Calls on Authorities to Consolidate Free Expression in the Country," IFEX, February 16, 2012, http://www.ifex.org/tunisia/2012/02/16/series_of_setbacks.

¹¹¹ Emma Benji (blog), <http://emmabenji.canalblog.com>.

On the media front, the following has occurred:

-The director of a TV channel was attacked, his house vandalized and lawyers sued the station for broadcasting a film. The government did nothing to halt the hate campaign egged on by Ennahda supporters. At first, they condemned the attacks and when international media reported the event, the government claimed it supported freedom of expression.

-A newspaper director was jailed for publishing a picture. Judges were quicker to jail him than they were in nabbing killers or those who have attacked journalists.

-Two journalists were attacked in full view of policemen who did nothing and the courts were slow to act.

What really puzzles me is when some people demonstrate against journalists and when web pages are created that incite people to attack, the government does nothing. What's striking is that such people, in addition to being bearded, say they're members of the Islamist Ennahda or Hizb al-Tahrir movements.

That the government issued no statement condemning such action, but instead accused the media of being responsible for all of society's ills reminds me of statement made by Ben Ali: 'We support freedom of expression. But the media, by reflecting a negative image of Tunisia, undermines investments and tourism.' Ben Ali even criminalized such actions.

Instead of dealing with the core of the problem and condemning the Salafists and their militants (since they are the ones scaring off investors and tourists), they attack journalists.

These attacks have become a regular occurrence. But I'm convinced that their militiamen are even more dangerous than before when we knew we could be caught by the police and beaten up, but at least we knew the source of danger. Here with the militias scattered everywhere, a journalist can be attacked anywhere and has no recourse, as the government will never admit responsibility.

Two days ago, a journalist was attacked in Sidi Bouzid and required stitches. Who will protect us every day? We're more alone than ever before.

Self-censorship - worse than censorship - will soon be restored as many journalists will avoid tackling certain subjects to avoid trouble.

There's a team of lawyers who have been mobilized just to track down and penalize journalists. Who will defend them when, like the director of Ettounsiya TV, they are jailed? (The station was also shut down on charges of breaching a campaign law and caused quite a stir in Tunisia).¹¹²

There is now a sit-in in front of the national TV station. Why? To purify television, because they want to see veiled women and bearded men; they want the media to cover the government's activities.

Are we that idiotic to think that this isn't politicized? That the government isn't in collusion, in one way or another?

¹¹² Houda Trabelsi, "Ettounsiya TV Closure Sparks Debate," Magharebia, October 12, 2011, http://magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2011/10/12/feature-02.

The TV station is across from a hotel where foreign business people stay. It is near a clinic, near the Foreign Ministry. The government is aware but feigns ignorance. Since when do people demonstrate so that the media talk about the government?

I even created an album on Facebook that I called "Insults": defamation, threats and calls to hatred.

The Labidi commission has begun its work, but I think it was rather slow given the impatience of citizens. It worked fairly freely at the time of its creation after the revolution, but I no longer hear much about it. On the flip side, we have a government that does nothing but talk about the media, as if it were their duty to do so. The new militias want media that resemble them and want to impose their view of things on all media, as well as on the government, and if it does not restrain itself it will end up acting in the Ben Ali fashion.

On her blog, Ben Jemaa's is not only scathing in her criticism of the government's performance, but also employs satire to illustrate her point and posts video clips about the need to reform the security services, showing scenes of police brutality shot by citizen journalists.¹¹³

"I say the media are beginning to annoy (the government and its supporters) and that's a good sign," she writes. "It means they're on the right track for real reform."

113 "Ya Muwatin Ya Jaban, al-Boulis la Yuhan [O' Citizen, O' Coward, the Police Should Not Be Insulted]," YouTube video, 4:02, posted by "CPowerProd," February 26, 2012, <http://www.youtube.com/watch?v=xzjTs6KN6qk>.



Egypt

The Recent Situation

The Egyptian revolution against the long-term rule of Hosni Mubarak may have scored a victory with his ouster in February 2011, but it is far from over. The youth who took to the streets in Cairo, Alexandria, Suez, Port Said and other cities electrifying the world with their demands for freedom, organized many protests through social media, although that was not the only means of spreading the word about gatherings, demonstrations and opposition to the regime.

A sense of helplessness had permeated Egyptian society as rising prices, high unemployment and underemployment made an already restless young populace despair over improving their lot, while a class of fat cats closely associated with the regime got richer by the day. The tipping point was an attempt by Mubarak (a stilted octogenarian) and his wife Suzanne to ensure that their second son Gamal inherits the presidency. Gamal had been groomed to take over in recent years amid rumors about his father's failing health, and had risen through the ranks of the ruling National Democratic Party to assume senior positions.

Their coterie of supporters had also abused power, clamped down on dissent and mobilized the media to support their rule. State-run media were effectively cheerleaders for Mubarak, as they had been for his predecessor Anwar Sadat, with the difference that, by 2011, they had been made to parrot the party line for over three decades and routinely used to attack opponents as enemies of the state.

Although some private and pseudo-liberal newspapers were allowed to operate in the years prior to the revolution, their editors were constantly harassed or jailed for publishing anti-regime articles and editorials. Ibrahim Eissa is a case in point. The sharp-tongued editor-in-chief of the daily paper *al-Doustour*, which Egyptian authorities closed from 1998 to 2005 for having published a letter from the militant Gamaa Islamiya group, was sentenced to two months in prison in September 2008 for writing that Mubarak was in poor health and that his son Gamal was not fit to succeed him.

The government charged Eissa with "propagating false news and rumors causing a general security disturbance and harming the public interest." Mubarak pardoned him a month later, although he appealed another conviction and was already free on bail at the time. At a conference on press freedom in Beirut, Eissa mocked Egyptian customs authorities that had sued private weekly newspapers for allegedly distributing a whopping 50 million copies without paying their taxes. In a country of nearly 80 million people, more than half of whom are illiterate, Eissa pointed out: "Even China doesn't distribute that many copies."

"What we face is an economic and distribution siege," he noted regarding controls on editorial content, advertising streams, distribution channels, and the very licensing of newspapers that rest in government hands. He blamed Western governments for supporting corrupt Arab regimes that he said were repressive and inept at handling non-state media.¹¹⁴

The charge of Western support for the regime is not new. The US has been granting economic and military support to Egypt for decades and has attempted to keep the Supreme Council of the Armed Forces (SCAF), which succeeded Mubarak, in check through financial and other incentives in order to prevent a breakdown of the peace agreement Egypt signed with Israel under former president Anwar Sadat.

In March 2012, the International Freedom of Expression Exchange (IFEX), a global network of 95 organizations working to defend and promote the right to free expression, reported that multinational telecommunications companies had colluded with the Egyptian government during the eighteen-day uprising that unseated Mubarak in February 2011. According to the report, the Cairo Institute for Human Rights Studies (CIHRS), in cooperation with the Egyptian Initiative for Personal Rights (EIPR), had delivered an oral statement before the nineteenth session of the Geneva-based UN Human Rights Council expressing concern over practices

¹¹⁴ Magda Abu-Fadil, "3rd Arab Free Press Forum Exposes Region's Warts," The Huffington Post, December 14, 2008, http://www.huffingtonpost.com/magda-abufadil/3rd-arab-free-press-forum_b_150839.html.

like blocking access to websites and committing violations against human rights defenders for using social media tools to document rights violations. IFEX cited:

"In their joint statement, CIHRS and EIPR revealed the existence of documented proof that the telephone and Internet blackout in Egypt during the 18 days revolution was a premeditated crime organized between the Interior Ministry and the local heads of multinational telecommunications and Internet companies. Both organizations argued that official documents from 2010 and 2011, included strategies to cut off Internet access in a single city and in several cities, blocking particular websites, and obtaining personal information. In addition to other strategies to tap into online accounts, plant spy files on computers, and other highly invasive abilities."

The IFEX report included a downloadable presentation in Geneva by activist Ramy Raouf who said a group of citizens had forced their way into Interior Ministry buildings and found a cache of documents (apparently now accessible on the Web) detailing a series of meetings between ministry officials and local heads of large multinational telecommunications and Internet companies operating in Egypt.

In his testimony, Raouf said:

In one such meeting at the end of 2010, the discussions included how to cut off Internet access in a single city and in several cities, blocking particular websites, and obtaining personal information. In another meeting at the beginning of 2011, digital spy-ware purchased from a private company was discussed, including its ability to tap into online accounts, plant spy files on computers that would allow one to control the computer, and other highly invasive abilities. Here were well-known private companies planning repression with a government body famous for committing severe rights violations.

A couple of months later, all of the capabilities that private companies jointly developed with the Interior Ministry were employed on a country-wide scale in an attempt to undermine mass democratic protests. Sequential crackdown on communication platforms, including kill-switch, happened from 25 January till 5 February.

This story demonstrates how private companies operating in a human rights vacuum and without any reference to the legality and morality of the purposes of those with which they cooperate have become indispensable partners of repressive governments enabling them to carry out widespread human rights violations through undue manipulation of the multi-media realm.¹¹⁵

Social media, blogs and mobile phones played a key role in mobilizing Egyptian demonstrators to take to the streets and break the fear barrier, although they were certainly not the only factor leading to the January 25 Revolution. Analysts and Western media reductively called it the Facebook and Twitter revolution, but it went well beyond these platforms and reflected true anger at, and dissatisfaction with, a corrupt and autocratic system that had turned ordinary people's lives into dead ends.

Despite former President Mubarak's attempts to silence dissent by shutting down the Internet and disrupting mobile telecommunications, months after his ouster, activists continue to use social media to demand that the military return to their barracks and hand over the country's reins of power to democratically-elected civilians. *Al-Tahrir* newspaper, named after Cairo's Liberation Square and headed by one-time *al-Doustour* editor Ibrahim Eissa, reported that security authorities in the Gharbiyya region had issued a directive to monitor political movements' Facebook pages for incitement to demonstrate and for organizing protests against the SCAF in public squares. In a November 2011 report, the

115 "Multinational Telecoms Colluded with State during Revolution, Says CIHRS," IFEX, March 6, 2012, http://www.ifex.org/egypt/2012/03/06/hrc_multinationals.

paper said intelligence services had traced phone calls by the "April 6 Movement" - one of the earliest online protest groups against the Mubarak regime - in which they coordinated plans to demonstrate against the military's crackdown on Egyptian youth in Tahrir Square.

In a more comic twist, Egyptians on Facebook used social media sites to disparage the deposed president when he was wheeled in to court alongside his sons Gamal and Alaa, to face charges of having ordered the killing of demonstrators during the 18-day uprising.

"Ana shamtan ya makhlu'e," (I'm gloating, you deposed man) is the name of a Facebook page,¹¹⁶ which delights at the prospect of seeing the Mubaraks behind bars. Egyptians were incredulous at the sight of their ex-president standing trial, and the first court sessions were covered live on television. Later Egyptian authorities barred the live coverage but reporters continued to see Mubarak, his sons, and former reviled interior minister Habib al-Adli hauled in and out of court, the latter three wearing prison garb and transported in caged police vans.¹¹⁷

But in June 2011 authorities floated a trial balloon to replace the term "deposed" with "former" president Mubarak in government-controlled media. This ignited a heated debate about how authorities were treating the ex-leader and whether it meant a prolonged trial may eventually lead to a pardon since the SCAF did not wish to continue humiliating one of its own. Mubarak, like all former Egyptian presidents, had been a career officer and was head of the air force during the October 1973 Arab-Israeli War. Soon thereafter, activists set up Facebook pages insisting on the term "deposed" and reminding the SCAF that Mubarak was a deposed dictator, *not* a former president. Alleged leaks were subsequently published in the daily *al-Shourouq* reporting that Mubarak had been pardoned, which the SCAF denied.¹¹⁸

More than a year after the revolution and following major changes to state-run newspaper editorial boards, there are still complaints that - as the French proverb says - the more things change, the more they stay the same. The National Council on Media Freedom's first report on Egyptian media liberties covering the period from January 25, 2011 to January 25, 2012 provides an invaluable resource on the state of the media in Egypt in the year since the uprising began. The report examines actions by the Ministry of Information, state-run national newspapers, the Supreme Press Council, the Journalists Syndicate, press violations and broadcast media.¹¹⁹

In an unsigned report published in the pan-Arab, Saudi-owned daily *al-Hayat*, a journalist said Islamists had tightened their control over the committee tasked with drawing up the country's new constitution, raising fears among press freedom advocates that state-run newspapers, which had been used by the former regime, would now become mouthpieces for the Islamists. They demanded a revamping of papers controlled by the Consultative Council (parliament's other chamber), which can appoint editors, editorial boards and extend their mandates to liberate them from the government's grip.

The activists' demands came in the wake of the council's extension of the term of editors and editorial boards with no specified length of mandate. Council President Ahmad Fahmy said that the General Assembly, which is controlled by members of the Muslim Brotherhood, had met and voted to extend the editors' terms until a joint committee convenes to elect replacements and set new criteria for the selection process, as well as for oversight over each newspaper's

116 Ana Shimtan Ya Makhlu's Facebook page, 2012, <http://www.facebook.com/ana.shmtan.ya.ma5lo3>.

117 Mohamad Agam and Amr Ahmad, "Al-Masriyoun 'ala al-Facebook: Ana Shimtan Ya Makhlu' [Egyptians on Facebook: I Am Gloating, You Deposed Man]," *al-Sharq al-Awsat*, no.11937, August 4, 2011, <http://www.aawsat.com/details.asp?section=4&article=634217&issueno=11937>.

118 Mohamad Abdo and Mohamad Ahmad, "Tasribat Hawla Istibdal

Mustalah al-Rais 'al-Sabiq' bi 'al-Makhluu' Flamiyan Tusiru Jadalan [Leaks on Replacing the Term "Former" President with "Deposed" in the Media Stirs Controversy]," *al-Sharq al-Awsat*, no.11884, June 12, 2011, <http://www.aawsat.com/details.asp?section=4&article=626101&issueno=11884>.

119 "Taqrir Hurriyat al-Flam... al-Qaddiya Mouajalah: Yaomiyat al-Flam al-Masri Khilal al-'Am al-Awal min Thawrat 25 Yanayir [Report on the Media Freedom... Case Deferred: Diary of the Egyptian Media during the First Year of the Revolution of 25 January]," Arabic Network For Human Rights Information, March 11, 2012, <http://www.anhri.net/?p=50416>.

financial affairs. Elsewhere, the Muslim Brotherhood stopped the filming of a TV series at Ain Shams University's School of Engineering after objecting to the short and revealing clothes worn by the show's actresses, which they deemed "un-Islamic," raising further alarm in artistic and cultural circles.¹²⁰

Meanwhile, activists feel the slow process hampers reform and fear it will adversely affect press freedom in the foreseeable future. They are concerned that the corrupt system that controlled the media before the revolution has essentially remained the same. In October 2011, activist youth launched a campaign through websites, social media and mobile phones¹²¹ called "Imsik Fouloul" (Catch the remnants of the old regime) to face off against Mubarak's former cronies in scheduled parliamentary elections, since no laws had been passed barring old regime officials from running for office.¹²² "Imsik Fouloul" spokesman Sherif Diab said the campaign's website would list all members of the discredited ruling National Democratic Party vying for public office, monitor their actions, and disseminate findings via mobile phone messages and alerts.

The 18 days in 2011 that led to the overthrow of the regime would have been inconceivable a few years earlier, had the groundwork not already been laid by activists, bloggers, anti-regime journalists, Islamist groups, and all those who had suffered under Mubarak's rule.

In the run-up to the campaign preceding the new presidential elections, a group of young people launched their own initiative called "Ana al-Rais al-Masry" (I am the Egyptian president) to encourage Egyptians to participate in the process and help break the staid methods used in the media to present a long list of potential candidates, many of whom withdrew their applications before the March 10, 2012 deadline. The youth campaign targeted ordinary citizens by asking what they expected of a new president and how their electoral participation might help achieve their goals. They interviewed several of the candidates and reported on the latter's electoral programs over the Internet, further evidence that young people in Egypt are increasingly turning to online media and away from traditional outlets like newspapers, television or radio for their news consumption.

The campaign's Facebook page includes pictures of potential candidates who have been interviewed and a lone video.¹²³ According to Mustafa Abdel Meguid, the campaign's general coordinator, traditional media cover a limited number of known candidates, which is why "Ana al-Rais al-Masry" interviews all presidential aspirants without regard for fame or fortune:

"Young people have the right to learn about the vision and ideas of unknown candidates like Fayed al-Naggar and Sameh Ibrahim Abdel Razeq, since they may have a better vision than the well-known names being proposed, and are organizing popular conferences to promote their electoral programs," he told *al-Sharq al-Awsat* newspaper.¹²⁴

Organizers plan to train young people and raise awareness of the need to participate in Egypt's political life and be responsible citizens.

120 Mahmoud Abdel-Hadi, "Tullab 'al-Ikhwan' Youqifun Taswir Musalsal Talfizioni fi Jami'a Masriya ['Brotherhood' Students Stop the Filming of a Television Series at an Egyptian University]," *al-Sharq al-Awsat*, no.12127, February 10, 2012, <http://www.aawsat.com/details.asp?article=662944>.

121 Al-Ligan al-Sha'biya lil-Difa' an al-Thawra al-Masriya's Facebook page, <http://www.facebook.com/legansh3bia>. Al-Ligan al-Sha'biya lil-Difa' an al-Thawra al-Masriya's Twitter account, <https://twitter.com/#!/legansha3bia>.

122 Mohamad Abdu Hasanein, "Imsik Fulul'... Hamla Jadida li-Muwajahat Rijal Nizam Mubarak fi al-Intikhabat al-Barlamaniya al-Masriya ['Capture Remnants'... A New Campaign to Confront the Men of Mubarak's Regime in the Egyptian Parliamentary Elections]," *al-Sharq al-Awsat*, no.12021, October 27, 2011, <http://www.aawsat.com/details.asp?section=4&article=647048&issue=12021>.

123 Ana al-Rais al-Masri's Facebook page, 2012, <http://ar-ar.facebook.com/pages/%D8%A7%D9%86%D8%A7-%D8%A7%D9%84%D8%B1%D8%A6%D9%8A%D8%B3-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%89/255524217798626>.

124 Aliya Qasem, "'Ana al-Rais al-Masri'... Hamla Taksor Namatiyat al-I'lam fi Taqdim Murashahi al-Riasa bi-Masr ['I Am the Egyptian President'... A Campaign that Breaks Media Stereotyping in Presenting Presidential Candidates in Egypt]," *al-Sharq al-Awsat*, no.12136, February 19, 2012, <http://www.aawsat.com/details.asp?section=4&article=664259&issue=1213>.

An independent opposition newspaper, which stood out from the official crowd was *al-Masry al-Youm*. Its former editor Magdi Gallad said in 2011 that he and his colleagues prayed every day that the revolution would succeed, least their lives be endangered. Under his administration, the paper's circulation rose from 10,000 to over 500,000 copies, according to *al-Masry al-Youm*'s figures, beating out the leading established daily *al-Ahram*, whose owners include Egyptian business tycoon Naguib Sawiris who also founded the OnTV satellite channel.

Gallad, who established good relations with post-Mubarak government officials, was later accused of being a member of the "fouloul," the regime's remnants. He resigned from the paper in March 2012 to become the founding editor of the daily *al-Watan (The Nation)*, although he had been summoned by authorities in previous years after publishing uncomplimentary articles about Mubarak.

Al-Masry al-Youm credits itself and other traditional media with laying the groundwork for the popular uprising. In a June 7, 2012 editorial, the paper wrote: "The demonstrations that ended 30 years of Mubarak's rule became known as the 'Facebook' revolution, but their roots are in traditional media, since in the last decade, with the emergence of independent media like *al-Masry al-Youm*, Egyptians got a realistic picture of the corrupt system and the Mubarak regime's failure. So when activists and pro-democracy supporters converged on Tahrir (Liberation) Square last January, millions of angry Egyptians joined them."¹²⁵

A June 2010 Information Ministry document leaked after the revolution revealed the details of a government plan to clamp down on the media - beginning with the parliamentary elections and leading up to the presidential ballots then scheduled for 2011, during which Egyptians believed Mubarak would orchestrate the succession to his son Gamal. The document also cited a writer for a government-owned magazine, who said that Gamal would dismantle *al-Masry al-Youm* soon after his takeover.

A November 2011 Human Rights Watch (HRW) advisory documented repeated violations of the right to free expression and assembly, and noted that military and police officers had forcibly dispersed peaceful protests, arrested demonstrators and bloggers for criticizing the military, and failed to uphold the rule of law in policing operations in the run-up to the parliamentary elections.

On freedom of expression, HRW said:

The Mubarak government frequently used overly broad provisions in the penal code to crack down on criticism of the government's policies and human rights record, trying editors, opposition leaders, and activists on charges of "insulting the president" or "insulting public institutions." The military government and courts are today using the same provisions. Military prosecutors have summoned at least nine activists and journalists, to question them on charges of criminal defamation after they publicly criticized the SCAF, or alleged abuses by the military. Since the departure of Mubarak in February, authorities have prosecuted and jailed demonstrators and bloggers for expressing controversial ideas or criticizing military rule, beginning with Maikel Nabil, sentenced by a military court on April 10 to three years in jail for "insulting the military." On October 22, a civil court sentenced Ayman Mansour to three years in jail for allegedly insulting Islam on a Facebook page. On October 30, military prosecutors jailed blogger and activist Alaa Abdel Fattah on apparently politically motivated charges, that include inciting the October 9 Maspero demonstration of Coptic Christians.

The Ministry of Information, a Mubarak-era ministry that oversees and directs state-run television and radio, has been directly involved in restricting freedom of expression. On September 12, the ministry announced that it was halting the approval

¹²⁵ Ayman Hassunah, "Businessweek: Laysat Faqat Thawrat Facebook... wa al-Masry al-Youm 'Tuhalliq Ba'idan 'an Munafisiha [Businessweek: Not Just the Facebook Revolution... and al-Masry al-Youm Flying Away from its Competitors]," *al-Masry al-Youm*, June 7, 2011, <http://www.almazryalyoum.com/node/465805>.

of new licenses for private satellite TV stations. During the October 9 violence, government-owned media called on "honorable citizens" to "defend the military against attack."

In September authorities expanded the emergency law to include "intentionally spreading false information" as grounds for invoking emergency law provisions, which limit basic rights. This expansion could allow for the detention without charge or trial of activists, election monitors or journalists who publish information the authorities consider to be "false," including criticism of their management of the elections.¹²⁶

In 2011, the army arrested and detained blogger and former law student Maikel Nabil Sanad for posting anti-SCAF content online. He went on a 130-day hunger strike attracting international attention before finally being released. His detention did not deter him from writing an opinion piece in the *Wall Street Journal* on March 19, 2012 strongly criticizing the military and blaming the US for continuing to support what he termed SCAF's "thuggishness." CNN correspondent Ben Wedeman had posted a picture on his Twitter account showing a spent tear gas canister that had been shot at demonstrators in Tahrir Square with the name and address of the US manufacturer - Combined Tactical Systems of Jamestown, Pennsylvania.¹²⁷

Sanad wrote:

Last November, three months into my 130-day hunger strike in Egyptian prison, I was called into the office of a senior general in the military court. I was led there in handcuffs and my coarse blue prison uniform.

As I sat, the general leaned back in his big chair, stared directly into my eyes and smiled. "Last week, I met with some American generals in the Pentagon," he said. His message was clear: America was on his side, while a liberal democratic activist like me was in prison.

For the past six years, I have been fighting for democracy, individual freedom and human rights. I oppose racism, war, militarism and discrimination. For these views, I have been arrested five times and beaten. Last March, Egypt's post-revolutionary interim military government sentenced me to three years in prison for "insulting the military" - meaning blogging about its violations of Egyptians' human rights.

My family and friends have paid an enormous price. My father was forcibly transferred from his job four times. My house has been invaded twice, and authorities brought a case against a friend when they thought she was my girlfriend.

Activists around the world fought for my freedom. It was because of this global pressure that I was released two months ago. But the military has made sure I know that I can be returned to prison at any time on a whim.

Few Egyptian revolutionaries believed that the toppling of Hosni Mubarak would lead to such a militarized nightmare. We rose against Mubarak to build a free and democratic country. We wanted the dignity of all citizens respected. Instead, we were killed, injured and arbitrarily detained by the military regime.

Perhaps our second-biggest surprise was that the Egyptian military continued to be supported by the Free World, particularly America. [...]¹²⁸

¹²⁶ "Egypt: Curbs on Free Press, Assembly Before Poll," Human Rights Watch, November 27, 2011, <http://www.hrw.org/news/2011/11/27/egypt-curbs-free-press-assembly-poll>.

¹²⁷ Ben Wedeman's Twitter account, accessed May 29, 2012, <https://twitter.com/#!/bencnn/status/139001560524001280/photo/1>.

¹²⁸ Excerpt from Mikael Nabil Sanad, "The Message from Egypt's Generals: Doubling Down on Thuggishness with Help from US

After Mubarak became president in October 1981 following the assassination of Anwar Sadat, the state began to tighten its grip on the media. For about two decades Mubarak and the National Democratic Party controlled all newspapers and TV stations. This created bloated bureaucracies at leading state-run papers like *al-Ahram* and *al-Akhbar* whose editors were appointed by the regime, and who tripped over themselves to cover all the news about Mubarak and his family, in exchange for massive subsidies to hire countless journalists, underwrite runaway production costs, keep sale prices down, and keep competitors at bay.

In the fall of 2010, during a White House summit grouping US President Barack Obama, Mubarak, Jordan's King Abdallah and Palestinian Authority President Mahmoud Abbas, *al-Ahram* published a doctored photo of the Egyptian leader shown leading the group of statesmen down the red carpet. The revelation that the image was doctored turned the paper into the laughingstock of Egyptian and international media. Yosri Fouda, a former investigative journalist with al-Jazeera and then host of a show on Egypt's On TV, aired a picture of Mubarak wearing a pinstripe suit with his name sewn into the stripes, satirizing the extent of the president's narcissism.¹²⁹

In the final months of 2010, the former regime cracked down harder on independent media, sidelining TV presenters viewed as unsympathetic to Mubarak, forcing some newspapers to bar specific journalists from writing, and tightening the purse strings on pro-reform publications. Even after Mubarak's ouster, Fouda continues to enjoy a penchant for ruffling official feathers. In March 2012, he was referred to a military court, alongside other prominent Egyptians, on claims of inciting hate against the ruling SCAF and attempting to bring down the state.

TV presenters Reem Maged and Bouthaina Kamel, who was running for president, were hit with the same charges, as were Nawara Negm and Google's head of Middle East marketing, Wael Ghonem, whose Facebook group "We Are All Khaled Said" had inspired high turnouts at demonstrations, following the torture and subsequent death of a young man held by Egyptian police in Alexandria.¹³⁰ Hackers targeted activist Negm's email, Facebook and Twitter accounts in January 2012 and posted insulting tweets on her Twitter accounts to retaliate against her criticisms of public figures like former Vice President Omar Suleiman - sworn into office days before Mubarak stepped down - who ran Egypt's leading intelligence service and was considered a possible replacement for Mubarak.

Hackers also took aim at the Twitter accounts of two other former potential presidential candidates, Ayman Nour (who was imprisoned by Mubarak) and Mohamed al-Baradei (former Nobel Peace laureate and head of the International Atomic Energy Agency), and removed tweets critical of Egypt's ruling military council.

Among the most reviled figures in Egypt were its ministers of information Safwat al-Sherif and Anas al-Fiqi who were noted for their abuse of power, corruption, distortion of facts, blind support for the regime, and bitter animosity towards opponents. Safwat al-Sherif, the ministry's longest term holder, went on to head the country's Consultative Council and was a key government figure until he, too, ended up in jail after the revolution.¹³¹

While press freedom advocates lauded the interim cabinet's initial decision to do away with the Ministry of Information in early 2011, they were appalled when it was reinstated only a few months later.¹³² The "National

Money," *The Wall Street Journal*, March 19, 2012, <http://online.wsj.com/article/SB10001424052702304636404577290352562402604.html>.

129 Magda Abu-Fadil, "Egyptian Media Takes on Mubarak's Narcissism," *The Huffington Post*, March 15, 2011, http://www.huffingtonpost.com/magda-abufadil/egyptian-medias-take-on-m_b_835078.html.

130 "Complaints against al-Aswany, Ghoneim and Others Referred to Military Prosecution," *Ahram Online*, March 7, 2012, <http://english.ahram.org.eg/News/36221.aspx>.

131 Magda Abu-Fadil, "Former Egyptian Information Ministers Charged with Corruption/Abuse of Power," *The Huffington Post*, April 26, 2011, http://www.huffingtonpost.com/magda-abufadil/former-egyptian-informati_b_853943.html.

132 Magda Abu-Fadil, "Egypt Deep-sixes Information Ministry," *The Huffington Post*, February 22, 2011, <http://www.huffingtonpost.com>.

Coalition for Media Freedom" announced today its estimate refusing the decision of prime minister Dr. Essam Sharaf to appoint a minister of information as a step backwards in the liberalization of media policy and independence from executive power, stressing that the Ministry of Information exists only in totalitarian states and dictatorships," read a statement published by the Arab Network for Human Rights Information.¹³³

The minister in question was Osama Haikal, a former editor of the nominal opposition party paper *al-Wafd*, who was later replaced and came under suspicion of corruption and toadying to authorities. SCAF's chief, Field Marshal Hussein Tantawi, had asked Haikal to reorganize Egypt's media. This entailed freezing new licenses for private satellite TV stations and punishing broadcasters the military said were inciting violence.

The Associated Press reported that Mubarak's consecutive governments sent journalists to jail for covering issues related to the president's health and other sensitive issues, and managed a web of security agents who meddled in newsrooms. To many journalists, the SCAF was just another manifestation of the Mubarak regime, in uniform. Given the military tradition of issuing and following orders, its handling of the media caused confusion, anger and several missed opportunities to address popular grievances.

In September 2011, reports circulated that authorities had seized an issue of the privately-owned *al-Fagr* newspaper whose editor Adel Hammouda had published scathing attacks against the Mubarak regime, which had landed him in court on more than one occasion. Distribution of *al-Fagr*, which is printed with *al-Abram*, was reportedly halted after its deputy editor Mohammad al-Baz alleged that SCAF chief Tantawi had met with then-president Mubarak, implying that the two men had agreed to crack down on and put an end to demonstrations at any cost, including through the use of lethal force - a charge Tantawi later denied in court. A senior officer was dispatched to *al-Abram* to bar the printing of the paper,

but *al-Fagr*'s editors stood firm, arguing that Tantawi's court deposition had not been made public, although it had been leaked. *Al-Fagr* later published the issue without any amendments. Al-Baz insisted that any attempts to send the media back to square one would encounter strong resistance, speculating that "there may be something hidden being planned and [that's why] they are dealing with the media as harshly and cruelly - so that nobody comes close and it remains hidden."¹³⁴

Analysts who have covered the Egyptian scene for years were not surprised, viewing the attempted media intimidation as typical of the military, which has effectively ruled Egypt since the overthrow of King Farouk in July 1952, when a series of officers took control of the country.

An online free speech monitoring service called "Uncut" reported that *Egypt Independent*, previously published as the privately owned *al-Masry al-Yaum*'s English language edition, which was then edited by Magdi Gallad exercised self-censorship and had once halted publication because of an opinion piece that was critical of the military. The article entitled, "Is Tantawi reading the public pulse correctly?" written by an American historian, suggested that the military ruler could also land in prison due to popular discontent with his management of the desired transition to civilian rule:

"Many in the military resent the reputation of their institution being abused by the Field Marshal and his 19 colleagues in the SCAF... the present rumblings of discontent among junior officers, Chief of Staff General Sami Anan's greater popularity than the field marshal in the military and among Egyptians as a whole, and intensified pressure from the US could all result in the field marshal sharing President Mubarak's fate," Robert Springborg wrote in the original version of the article. He concluded that discontented officers outside of SCAF might decide that a coup would be the best way to save the country's honor and their institution.

com/magda-abufadil/egypt-deepsixes-informati_b_826466.html.

133 "Appointing Minister of Information Is a Step Backward," Arabic Network For Human Rights Information, July 10, 2011, <http://www.anhri.net/en/?p=2960>.

134 Mohamad Abdel-Raouf, "'Irtibak' fi Ta'amol al-Jaish ma' al-I'lam al-Masri... wa Jadal hawl Awdat al-Raqaba ['Confusion' in Army's Dealing with Egyptian Media... and Controversy around the Return of Censorship]," *al-Sharq al-Awsat*, no.11994, September 30, 2011, <http://www.aawsat.com/details.asp?section=4&issue=11994&article=642772>.

"Uncut" said the incident demonstrated that overt criticism of the military was a red line with serious consequences that few were willing to cross, and that editor Gallad presumably had close ties to the military as he had been offered, but had turned down, the position of information minister in the cabinet of SCAF-appointed prime minister Kamal al-Ganzouri.¹³⁵

Interestingly, *al-Masry al-Youm* still published reports on press freedom violations, attempts to silence independent media activists, as well as the SCAF's unprecedented attacks on civil society organizations and NGOs with foreign affiliations, which had been demanding greater liberties and organizing activities to train Egyptians. In January 2012, the paper reported on the escalation in the media tug of war during clashes on Qasr al-Aini Street in downtown Cairo between protesters and the military, which had left at least 17 people dead and hundreds injured, marking the first sustained street battle involving army soldiers since the revolution began.

The clashes pitted the military against journalists. Soldiers detained reporters, destroyed and confiscated media equipment, and targeted news outlets. Citizen journalists and protesters managed to capture the infamous assault on a veiled young woman, who was dragged and stomped on by soldiers, her veil pulled over her head exposing her stomach and bra. The scene was aired on private TV stations and went viral after it was uploaded online.¹³⁶ "A year after the revolution began, the battle of information and ideas is as fierce as ever," Sharif Abdel Kouddous, an independent journalist based in Cairo and correspondent for the TV/radio show Democracy Now!, wrote in *al-Masry al-Youm*.¹³⁷

Following a short-lived honeymoon between the army and demonstrators in Tahrir Square, in sharp contrast to the popular hatred toward the police and security services, the SCAF's heavy-handedness has continued unabated. In May 2011, the military prosecutor hauled in Hussam al-Hamalawy, who blogs under the name *3arabany*, TV presenter Reem Maged and journalist Nabil Sharaf al-Din, for reporting on human rights abuses by the military. Al-Hamalawy had not only blogged about such violations but had also appeared on a program on Tahrir TV, the broadcast of which was abruptly cut off when he argued that the army should be held accountable for its actions since it played a political role and received funds from the national budget, i.e. taxpayers' money.

The military's hold on a substantial chunk of the national budget is a bone of contention between pro-democracy advocates and the SCAF. The armed forces control large swaths of national industries including defense, consumer items, and agriculture, and are the country's largest employer.

When Egyptian authorities are not slamming their own media, they turn their attention to foreign news organizations. A favorite target has been al-Jazeera TV with its Arabic, English and *Mubasher* (direct) 24/7 live blanket coverage of events across Egypt during the revolution, which has rattled SCAF's cages. Authorities from the days of the Mubarak regime regularly accuse al-Jazeera of inciting Egyptians to violence. Following the outbreak of hostilities, the government said that the channel had encouraged the revolt. The channel's Cairo bureau came under repeated attack and its equipment was confiscated. Other Arab and international channels were not spared.

Ahmad Shafiq, who briefly served as prime minister during the revolution and was civil aviation minister under Mubarak, tried to convey an image of homeliness when he appeared in public wearing a shirt and sweater. However, Shafiq's handlers lost their cool following an interview with the BBC in January 2012 in which Shafiq's name came up as a potential presidential candidate. His campaign staffers apparently confiscated the interview tapes from the TV crew because Shafiq "objected to questions he was asked regarding the ruling military council," *al-Masry al-Youm* reported.¹³⁸

135 Najwa Joy, "Egypt: Self-Censorship and the Military Hinder Press Freedom," Uncut, December 5, 2011, <http://uncut.indexoncensorship.org/2011/12/egypt-self-censorship-and-the-military-hinder-press-freedom>.

136 Magda Abu-Fadil, "Media Freedom and Ethics Challenge Reporters, Bring Out the Worst in Oppressive Regimes," The Huffington Post, December 19, 2011, http://www.huffingtonpost.com/magda-abufadil/journalists-safety-arab-spring_b_1156442.html.

137 Sharif Abdel-Kouddous, "Egypt's New War of Information," Egypt Independent, January 7, 2012, <http://www.egyptindependent.com/opinion/egypts-new-war-information>.

138 "Shafiq Campaign Confiscates BBC Arabic Interview," Egypt Independent, January 22, 2012, <http://www.egyptindependent.com/news/shafiq-campaign-confiscates-bbc-arabic-interview>.

It remains to be seen where Egypt is headed, how political parties will affect the role of the media and whether reforms pertaining to freedom of expression will take hold. In January 2012, the Supreme Press Council that groups senior journalists and media professionals was said to be drafting new legislation. But facts on the ground indicated that the council and legislators still have a long way to go before meaningful reforms that can safeguard freedom of expression take effect.

In August 2012, Egypt's new president Mohamed Mursi, who took office on June 30, 2012, in the first use of legislative power issued a law barring the temporary detention of defendants involved in offences related to the media. The announcement came after a court ordered the detention of the editor-in-chief of *al-Dustour* newspaper on charges of insulting the president. Observers suspect that the decree aimed at deflecting criticism that the president cracked down on journalists opposed to his rule. Mursi was criticized severely when the Islamist-dominated upper house of parliament appointed new editors to several state newspapers, a common practice under Mubarak's rule. Independent newspapers published blank editorial columns on August 9, 2012, to denounce the Muslim Brotherhood's encroachment on press freedoms.



Background

The first French and Arabic-language newspapers began publishing in Egypt on the eve of the nineteenth century. Other Egyptian newspapers followed suit about 30 years later, and the first paper production began in 1835. Under the reign of Ismail, the grandson of Muhammad Ali Pasha, "modernization" was made a political priority and the number of European residents in Egypt grew. For this foreign audience, a number of papers were published in French and Italian. In 1867, the first formally independent newspaper appeared and enjoyed government protection. By 1870, the Egyptian press included six newspapers, a number that grew with the arrival of Lebanese-Syrian journalists immigrating to Egypt. In 1876, two Lebanese brothers founded *al-Abram* (*The Pyramids*), the first weekly newspaper, which later became a daily. Today, *al-Abram* still provides a platform for leading Arab intellectuals. During the years of British colonization from 1882 to 1952, the press developed into an important tool for fostering Egyptian nationalism.

At the beginning of the twentieth century, as political parties developed, a wider circle of readers emerged. In the 1920s and 1930s, hundreds of newspapers appeared. The period between the two World Wars is regarded as the liveliest for the Egyptian press. Henner Kirchner, however, suggests that the main reason for this growth was a response to repression,¹³⁹ as editors tried to circumvent censorship by putting out new titles when prohibition was imposed. The constitution of 1923 enshrined freedom of expression, but provided legal limits in the case of vested interests, which was used extensively by the king and his ministers. Four topics dominated the Egyptian press at the time: ideological and political conflicts among the parties; confrontations with the palace and its supporters (especially regarding issues of press freedoms); the struggle against the foreign presence in the country; and the debate about the identity and shape of the "new" Egyptian society.

¹³⁹ Henner Kirchner, "Die Situation der Presse in Ägypten [The Situation of the Press in Egypt]," henner-kirchner.com, (October 1997), accessed December 31, 2004, <http://www.henner-kirchner.de/studies/arabpress.htm>.

The 1952 coup by the "free officers" marking the end of 30 years of monarchic rule transformed the press environment and initiated state monopolization. Initially, President Gamal Abdel Nasser tolerated an independent press and censorship was rather inconsistent, and even officially abolished in 1952.¹⁴⁰ Two years later, the Revolutionary Command Council started to print its own publications, while leaving others untouched until 1960. The period between 1960 and 1968, however, witnessed a process of nationalization, during which almost the entire press was brought under government control. Law no. 156 of 1960 forbade the publication of any paper without permission of the "National Union," the country's only legal political party, which later became the "Arab Socialist Union" (ASU). Ownership of the big publishing houses was transferred to the National Union, which appointed the newspaper directors and chief editors. The law turned journalists into state employees, and no journalists could join the press syndicate or obtain a working license without membership in the ASU.

In the years that followed, the press served mainly as an instrument for winning over the population to official policies. Criticizing these policies, or even the regime itself, became more and more difficult. In 1958, Egypt adopted law no. 162, which granted the executive branch the right to declare a state of emergency if national security and public order were threatened by war, disorder, disaster or epidemics. Under these circumstances, the president may order the censoring and suspension of publications and all other forms of expression, as well as shut down publishing houses. This law, first implemented in 1967 and amended several times, remained in force and continued to cripple the media until the revolution of 2011. It was most recently renewed on May 26, 2008 for another two years, a step criticized internationally. "The emergency today in Egypt is a government that refuses to govern without routinely resorting to extreme measures that deprive people of basic freedoms," the Middle East bureau of Human Rights Watch said.¹⁴¹

Between 1960 and 1970, some newspapers, including *al-Ahram*, tried to revive their critical function and offered suggestions to overcome the political crisis. Under Nasser's successor, Anwar Sadat, it was the non-dailies that were most outspoken in their criticism.¹⁴² The first years under Sadat showed slight improvements, but the ban on private newspapers continued. Before the ban on opposition political parties was lifted, Sadat passed a 1975 decree to establish the Supreme Press Council, with authority to issue licenses to journalists and newspapers. The Council was also asked to draw up a code of ethics to ensure freedom of the press and arbitrate disputes. In 1980, law no. 148 was introduced, which promoted the idea of a free press and the respect for the private lives of citizens, and allowed private ownership of newspapers. However, it also criminalized the dissemination of any information, form of language or images that offend the dignity of the state.¹⁴³ Offenders could be banned from public life, economic activity or from managing their own property, and face internal exile or be prohibited from leaving the country.

Following Sadat's assassination in 1981 and his succession by Hosni Mubarak, the government's attitude and dealings with the media were rather ambiguous. The title of an article by James Napoli exemplified this ambiguity: "Should Egypt have a free press or not? Mubarak's government can't seem to make up its mind."¹⁴⁴ In recent years, the media landscape flourished, leading to newsstands that "groan under the weight of the myriad of state and privately-owned journals, catering from tastes ranging from the somber to the salacious."¹⁴⁵

140 Kenneth J. Cooper, "Politics and Priorities: Inside the Egyptian Press," *Arab Media & Society*, no.6, (Fall 2008), <http://www.arabmediasociety.com/?article=689>.

141 "Egypt: Extending State of Emergency Violates Rights," Human Rights Watch, May 28, 2008, <http://www.hrw.org/news/2008/05/27/egypt-extending-state-emergency-violates-rights>.

142 William A. Rugh, *The Arab Press: News Media and Political Process in the Arab World* (Syracuse: Syracuse University Press, 1987), cited in Kirchner, "Die Situation der Presse in Ägypten [The Situation of the Press in Egypt]," henner-kirchner.com, (October 1997), accessed December 31, 2004, <http://www.henner-kirchner.de/studies/arabpress.htm>.

143 The Stanhope Center for Communications Policy Research, *Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Egypt*, (London: Stanhope House, 2003), 3.

144 James J. Napoli, "Should Egypt Have a Free Press or Not? Mubarak Government Can't Seem to Make Up its Mind," *Washington Report on Middle East Affairs*, (May-June 1998), <http://www.wrmea.com/component/content/article/194-1998-may-june/2978-should-egypt-have-a-free-press-or-not-mubarak-government-cant-seem-to-make-up-its-mind.html>.

145 Jeffrey Black, "Egypt's Press: More Free, Still Fettered," *Arab Media & Society*, no. 4, (Winter 2008), <http://www.arabmediasociety>.

During the last years of Mubarak's rule, an estimated 500 legal cases per year were brought against journalists, based on accusations such as "insulting the president" or "endangering national stability."¹⁴⁶ By the same token, Egyptian journalists criticized the regime and its personnel more openly than ever. The outspoken criticism has often, but not always gone punished. Thus everybody lived under the constant threat of possible sanctions, which could be enforced with an array of legal and administrative provisions, and the state of emergency which lasted 31 years before it was lifted in May 2012. The presence of this threat has led to the widespread practice of self-censorship in the Egyptian press.

In the summer of 2004, a new opposition movement emerged, exposing - at least temporarily - the limits of the government's capability to shut down all critical voices. After the government-controlled press began to speculate about imminent changes to the top political leadership, a loose-knit umbrella of diverse political trends and grassroots coalition called the Egyptian Movement for Change, better known as "Kifaya" (Enough), coalesced. The fear of a dynasty-style hand-over of power from father to son, as had occurred in Syria, mobilized intellectuals and activists. On December 12, 2004, Kifaya held "the first rally ever convened solely to demand that Mubarak step down and refrain from handing over power to his son"¹⁴⁷ on the steps of the High Court in Cairo. The protesters wore yellow stickers over their mouths with the word "Kifaya," which soon became the movement's slogan.

According to the International Crisis Group, Kifaya "focused on two main targets: the prospect of continued rule by Mubarak and what it called 'the monopoly of power,' the concentration of decision-making powers in the presidency."¹⁴⁸ Observers considered Kifaya's

appearance, along with other movements like the Judge's Club,¹⁴⁹ as an informal opening of "expressive space"¹⁵⁰ but did not see "any structural changes in the way the press is governed."¹⁵¹

The Press

The number of daily and weekly papers in Egypt has multiplied over the past years, as dozens of independent publications compete with the traditional government-owned papers, offering readers a new type of information-based, less state-controlled journalism.¹⁵²

Egypt's three leading state-run dailies are *al-Ahram* (*The Pyramids*), *al-Akhbar* (*The News*), and *al-Goumburiyya* (*The Republic*). Until the 2011 revolution, their editorial staffs were appointed by the National Democratic Party (NDP) via the upper house of parliament, with the president's approval.¹⁵³ Opposition papers, for their part, act as mouthpieces for political parties, like the conservative New Wafd Party's daily *al-Wafd* (*The Delegation*), the Liberal Party's daily *al-Ahram* (*The Liberals*) or the paper of the liberal, secular *Al-Ghad* Party's paper *al-Ghad* (*The Morning*). They have considerably lower circulation than the government dailies. The Islamist-oriented socialist Labor Party was not permitted to publish its newspaper *al-Sha'b* (*The People*) more than twice per week. Although these papers often receive subsidies from the government, they pay more attention to human rights issues and more frequently criticize the government than state-run newspapers.¹⁵⁴ As partisan press, they cannot really be considered independent.

com/?article=572.

146 Ibid.

147 Mona El-Gobashy, "Egypt Looks Ahead to Portentous Year," MERIP, February 2, 2005, <http://www.merip.org/mero/mero020205>.

148 International Crisis Group, Middle East/North Africa Report no.46 – Reforming Egypt: In Search of a Strategy, (October 2005), 10, <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/Egypt/Reforming%20Egypt%20In%20Search%20of%20a%20Strategy.pdf>.

149 The institution to which all Egyptian judges belong played an important role during the referendum and presidential elections in 2005. Some 1,200 judges threatened to step down unless independent monitoring of the elections was guaranteed.

150 Jeffrey Black, "Egypt's Press: More Free, Still Fettered," Arab Media & Society, no. 4, (Winter 2008), <http://www.arabmediasociety.com/?article=572>.

151 Ibid.

152 The website onlinenewspapers.com lists 79 newspapers and magazines published in Egypt. onlinenewspapers.com, "Egypt Newspapers," accessed May 29, 2012, <http://www.onlinenewspapers.com/egypt.htm>.

153 Center for Media Freedom Middle East and North Africa, *The Media Environment in Egypt*, 2.

154 The Stanhope Center for Communications Policy Research, *Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Egypt*, (London: Stanhope House, 2003), 10.

A phenomenon of the Egyptian media has been the so-called "Cyprus press" where private newspapers choose to register in the EU state to avoid government licensing. The term, although still used, is no longer accurate, as these papers aren't in fact printed in Cyprus anymore. Some have even registered in the UK (e.g. *Cairo* magazine) or in the US (e.g. the *Cairo Times*). The Cyprus Press has its "staff, headquarters, distribution channels, topics and public" in Egypt, but by registering in Cyprus or elsewhere, publishers "rid themselves of legal and financial restrictions, though at the expense of being subjected to the law dealing with foreign press."¹⁵⁵ Most offshore publications are either printed in Lebanon or in the "Free Zone" in Cairo's Nasr City neighborhood.¹⁵⁶

One of the most prominent and prestigious examples of the Cyprus press is the daily *al-Doustour* (The Constitution) founded in 1995. Its former editor-in-chief Ibrahim Eissa was one of the most outspoken critics of now ousted president Mubarak and faced a series of charges and trials over the years. Some of the "exiled" Cyprus papers have earned a less noble reputation and come across as "a mix of the political and sensationalist with a heavy sex and divorce element."¹⁵⁷

Since 2004, locally registered yet independent papers have jostled for space on the media horizon. In 2004, the Egyptian government allowed a group of businessmen to publish the first independent English daily in the country, *al-Masri al-Youm* (the *Egyptian Daily*). Its circulation rose from a few thousand to approximately 150,000 in a matter of four years,¹⁵⁸ and according to experts the paper "introduced both higher journalistic standards and an intellectual rigor to the business of reporting Egyptian society and politics."¹⁵⁹

A year later, another private daily - *Daily Star Egypt* - was licensed and began to publish in cooperation with the Lebanese *The Daily Star* and the American *International Herald Tribune*. In 2007, the paper changed its name to *Daily News* after the partnership with the Lebanese paper ended. The circulation was small - 5,000 to 10,000 copies daily.¹⁶⁰ While the papers were considered independent and privately financed, the editors admitted they practiced "self-censorship to avoid legal confrontations with the government."¹⁶¹ Another independent locally published paper is *Sawt al-Umma* (*Voice of the Nation*).

A more recent addition to the market of independent dailies was *al-Badeel*¹⁶² (*The Alternative*), which had to undergo a lengthy licensing ordeal in 2007 and wait seven months for publishing permission, only to face more bureaucratic impediments imposed by the Egyptian Journalists Syndicate, which refused to admit its 42 staffers in March 2008.¹⁶³ According to the Arabic Network for Human Rights Information, journalists from other independent Egyptian newspapers faced similar problems with the syndicate. For journalists, the lack of membership can constitute a serious impediment to their work, as security bodies refuse to recognize them unless they have membership cards.¹⁶⁴ This basically gives the syndicate the power to decide who is allowed to work as a journalist in Egypt.

The weekly press still features a large number of pro-government papers,¹⁶⁵ such as *Akhhbar al-Yaum* (*Today's News*), *Akhir Sa'a* (*Last Hour*), *al-Musanwar* (*The Illustrated*), *Sabah al-Khair* (*Good Morning*), and *Rose al-Yousef*. The two main opposition weeklies are the National Progressive Unionist Party's *al-Ahali* (*The People*), and the Nasserite Arab Democratic Party's *al-Arabi* (*The Arab*). Most opposition newspapers are printed and distributed by one of eight government-owned houses, and much of the advertising revenues go to state-run newspapers.

155 Atef al-Saadawy, "Where Is the Egyptian Press Heading?" Arab Press Networks, February 26, 2008, <http://www.arabpressnetwork.org/articlesv2.php?id=1943>.

156 Issandr al-Amrani, "A Quick Guide to Publishing in Egypt," The Arabist (blog), June 4, 2005, <http://arabist.net/archives/2005/06/04/a-quick-guide-to-publishing-in-egypt/>

157 As noted by al-Badeel editor-in-chief Mohammed el-Sayyid Said, cited in Jeffrey Black, "Egypt's Press: More Free, Still Fettered," Arab Media & Society, no. 4, (Winter 2008), <http://www.arabmediasociety.com/?article=572>

158 Kenneth J. Cooper, "Politics and Priorities: Inside the Egyptian Press," Arab Media & Society, no.6, (Fall 2008), <http://www.arabmediasociety.com/?article=689>.

159 Jeffrey Black, "Egypt's Press: More Free, Still Fettered," Arab Media

& Society, no. 4, (Winter 2008), <http://www.arabmediasociety.com/?article=572>.

160 Kenneth J. Cooper, "Politics and Priorities"

161 Ibid.

162 Al-Badeel, <http://elbadil.com/>

163 "Happening Only in Egypt: Press Syndicate Refuse to Accept Membership!" Arabic Network For Human Rights Information, March 19, 2008, <http://anhri.net/en/reports/2008/pr0318.shtml>.

164 Ibid.

165 Center for Media Freedom Middle East and North Africa, *The Media Environment in Egypt: Public Access and Choice*, (1998), 3.

The weekly sector has also seen some significant new publications come to light, such as *al-Fagr (Dawn)*, which, along with other more outspoken papers, has become a "vibrant and entertaining means of expressing common disaffection with government and authority."¹⁶⁶

Prior to the 2011 revolution, the Supreme Press Council approved a growing number of independent publications not connected to political parties. Applicants for these licenses had to be formally cleared by all Egypt's major security and intelligence agencies, which rendered them extremely difficult to obtain.

Two privately owned weeklies were published in English. The *Middle East Times*, which was based in Cyprus and targeted the large English-speaking expatriate community living and working in Egypt. The online version frequently publishes stories that are removed by Egyptian censors before the printed edition is distributed in Egypt. Papers holding licenses abroad may be distributed in Egypt without government permission. However, the department of censorship in the Ministry of Information has a specific foreign publications censor who has the authority to censor or halt distribution of foreign publications.¹⁶⁷ A prominent English-language newspaper is the *al-Ahram Weekly*, another publication by the al-Ahram house, which is available online.



Radio and Television

Until recently the Egyptian government, like many others in the Arab world, was able to control radio and television broadcasting and use it as an important tool for propaganda and news coverage. Today, "satellite television, especially in Egypt, is becoming a mass medium" and as such a "strategic medium" or a "new front in the fight for press freedom."¹⁶⁸

Broadcasting in Egypt goes back to the early 1920s when radio was introduced and stations were both private and government owned. In 1934, the Ministry of Telecommunications ordered the closure of private stations in favor of official ones, which were managed by the International Marconi Company. In 1947, the Egyptian government terminated British control over Egyptian radio, and radio played a central role in informing Egyptians about the 1952 revolution.

Television broadcasting began in 1960 when the government and the American RCA Company agreed to establish a television network in Egypt. All domestic broadcast media has since been run by the Egyptian Radio and Television Union (ERTU), a government-owned company affiliated with the Ministry of Information. A law enacted in the 1970s grants the ERTU a monopoly over broadcasting activity. As such, a request by the oppositional Wafd Party to establish an independent television station was rejected. Since 1960, the ERTU has been broadcasting on two national and six regional channels. Amendments to Law 159 of 1981, decided upon in 1998, authorized the prime minister to veto the creation of new media companies.¹⁶⁹ Egyptian terrestrial television (ETV) is government owned, but relies heavily on commercial revenue and sales in the Arab world. ERTU also controls radio broadcasting. In total, there are eight national radio networks, one of them dealing with local radio, another with overseas radio, a third with the Arab world, while a fourth is devoted to religious instruction. According to the authors of the Stanhope Report, radio enjoys more freedom than TV.¹⁷⁰

¹⁶⁶ Jeffrey Black, "Egypt's Press: More Free, Still Fettered"

¹⁶⁷ The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Egypt, (London: Stanhope House, 2003), 11.

¹⁶⁸ Joel Campagna, "Pre-empting the Satellite TV Revolution," Committee to Protect Journalists, February 10, 2009, <http://www.cpj.org/2009/02/satellite-tv-middle-east.php>.

¹⁶⁹ Center for Media Freedom Middle East and North Africa, The Media Environment in Egypt: Public Access and Choice, (1998), 9.

¹⁷⁰ The Stanhope Center for Communications Policy Research, Study of

In 1995, a government satellite network was established, including Satellite Channels 1 and 2, Nile TV International, as well as themed channels specialized in family programming, culture, higher education, and sports. The network is owned and funded by the ERTU. Channel 1 was the first Arab satellite channel. Plans for its launch began in 1989, following Egypt's return to the Arab League. It was set to begin broadcasting when Egyptian troops participated in the war against Iraq as part of an international coalition following the latter's invasion of Kuwait, and its establishment was sped up to counteract a propaganda campaign launched by the Iraqi media. Nile TV International began its service in 1993 and specifically targets foreign viewers by broadcasting in languages other than Arabic. It was intended as "Egypt's gateway to the West."¹⁷¹ It emphasized promoting Arab issues and the Arab and Egyptian point of view on international matters, promoting the Egyptian economy and culture, "correcting the image of Islam and emphasizing its great values and liberality that the West is currently distorting,"¹⁷² in a professional way.

In 1996, the ERTU approved the establishment of the Egyptian Satellite Company. With the launch of the first Egyptian satellite (Nilesat 101) in 1998, a new era in information technology began. In 2000, a second digital satellite was launched, Nilesat 102. Together, both reached the entire Arab region, parts of Africa and Europe, with more than 150 television and audio channels broadcasting Egyptian, Arabic and international programs.

A gigantic Egyptian Media Production City (EMPC), spanning some 35 million square meters, was inaugurated in 1995, not far from the pyramids of Giza; its creators envisioned it to become the "Hollywood of the East." After USD 400 million in investments, it failed to generate any income due to incomplete construction.¹⁷³

In search of new sources of investment, the cabinet decreed the creation of a free zone in the 6th of October City in 2000, which would encompass art, drama and other forms of media productions. In the zone, private satellite TV stations were to enjoy a number of benefits, which included no restrictions on investors' nationality, local and foreign imports, rent-leasing, product-pricing and profit-ceilings; free choice of projects' legal format; unrestricted transfer of profits, funds, and re-exportation; no subjection to ordinary host country import regulations; visa facilities for foreign investors and their employees, who would be allowed to stay for the duration of the project lifetime.¹⁷⁴ Moreover, projects based in the Media Free Zone were tax exempt. "Neither the projects, nor their profits will be subject to tax laws applied in Egypt throughout the projects' duration," officials there said.¹⁷⁵

The zone was set up as part of a larger effort to establish Egypt as a regional media leader.¹⁷⁶ Control over the zone is divided among the ERTU, EMPC, and Nilesat. EMPC is Media Free Zone's largest component covering a surface area of 3 million square meters.

Egypt has long striven to be a major player in the media world and has thus been averse to relinquishing control of local, regional, national or international media operating through its satellites; hence, its insistence on exerting influence over regulatory and oversight bodies.

Satellite broadcasting has posed a major challenge for governments seeking to control their population's exposure to content. In response, Egypt and Saudi Arabia introduced a pan-Arab regulatory framework for satellite channels at a meeting of Arab League information ministers in February 2008, which "clearly targets independent and privately owned stations that have been airing criticism of Arab governments."¹⁷⁷

Media Laws and Policies in the Middle East and Maghreb: Country Report Egypt, (London: Stanhope House, 2003), 14.

171 Hiba Ameen Shaheen, "The Development of New Media in Egypt and its Effects on Local Realities" (Paper presented at the conference New Media and Political Change in the Arab World, organized by Konrad Adenauer Foundation, Amman, Jordan, February-March 2002), 10.

172 Ibid., 10.

173 Heba Kandil, "The Media Free Zone: An Egyptian Media Production City Finesse," *Transnational Broadcasting Studies*

Journal, no.5, (Fall-Winter 2000), <http://www.tbsjournal.com/Archives/Fall00/Kandil.htm>.

174 "The Media Free Zone," Egyptian Media Production City, accessed May 29, 2012, <http://www.empc.com.eg/English/MediaFreeZone.html>.

175 Ibid.

176 The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Egypt, (London: Stanhope House, 2003), 16.

177 Joel Campagna, "Pre-empting the Satellite TV Revolution,"

The more rigid approach towards satellite broadcasters claimed its first victim on April 1, 2008, when Egypt's NileSat stopped broadcasting London-based al-Hiwar TV without prior notice or justification to the Egyptian owners' company. In a statement, the channel said the decision was "unexpected and unjustified."¹⁷⁸ Al-Hiwar was established in 2006 and was home to talk shows like "People's Rights," featuring human rights activists who were harassed or persecuted by various Arab governments, as well as prominent journalists such as Ibrahim Eissa.

The Arab Network for Human Rights information condemned NileSat's move, arguing that the decision "is against all professional values and standards, and indicates that the Egyptian government is keen on muzzling the freedoms of any honest media aiming at communication with the Arabs."¹⁷⁹

According to CPJ, the Egyptian government is mainly concerned about the extensive coverage satellite stations give to social unrest and "sensitive topics such as the rising cost of food, a lack of public services and drinking water, and the hundreds of strikes, sit-ins, and protests that have rocked the country over the last two years."¹⁸⁰ Wael al-Ibrashy, host of the Egyptian talk show "al-Haqiqah" ("the truth" in Arabic) on Dream 2, said satellite channels "have become the main source to raise awareness and to form a public opinion."¹⁸¹

The Internet

While the first computers appeared in Egypt in the mid-1960s, their usage only became widespread in the 1980s. In 1993, the Internet was introduced through a number of networks: the Egyptian Universities Network, which linked different faculties within a single university and across different universities; the National Network

for Scientific and Technological Information that aimed to assist Egyptian researchers; and the Information and Decision Support Center, which serviced the cabinet.¹⁸²

The number of Internet users in Egypt has increased exponentially over the past years, more than in other countries of the region. According to Internet World Stat, in June 2012 29,809,724 people or 35.6 percent of the population were using the Internet (compared to 450,000 in December 2000).¹⁸³

The Internet has also become one of the most important tools for human rights and media activists in Egypt to express and organize themselves. The blogosphere has flourished over the past years and active bloggers are growing in number, wielding an increasing influence over the political debate that far exceeds their numbers.¹⁸⁴

Shahinaz Abdel Salam who runs the blog *Wa7damasrya* (*An Egyptian Woman*) is convinced that "bloggers in Egypt have already brought about change. We have broken the barrier of fear. I sensed it myself when people walked up to me during protests and told me my postings were the reason they joined the protest."¹⁸⁵

In 2008, online activists backed a call for strike at a textile mill, urging nationwide civil disobedience to protest against rising commodity prices. Ahmed Maher and a friend launched the "April 6 Movement" on Facebook to promote the general strike and quickly recruited almost 70,000 members. The group grew influential enough to arouse the ire of Egypt's internal security forces, becoming "part of a new generation in the Middle East that, through blogs, YouTube, Flickr, Twitter, and now Facebook, is using virtual reality to

Committee to Protect Journalists, February 10, 2009, <http://www.cpj.org/2009/02/satellite-tv-middle-east.php>.

178 Abdul-Mon'em Mahmoud, "Government Halts Broadcast of al-Hiwar Satellite Channel," Ikhwanweb, April 2, 2008, <http://www.ikhwanweb.com/article.php?id=16538>.

179 Ibid.

180 Joel Campagna, "Pre-empting the Satellite TV Revolution," Committee to Protect Journalists, February 10, 2009, <http://www.cpj.org/2009/02/satellite-tv-middle-east.php>.

181 Ibid.

182 Hiba Ameen Shaheen, "The Development of New Media in Egypt and its Effects on Local Realities" (Paper presented at the Conference New Media and Political Change in the Arab World, organized by Konrad Adenauer Foundation, Amman, Jordan, February-March 2002), 43-44.

183 "Internet Usage Statistics for Africa," Internet Web Stats, accessed November 3, 2012, <http://www.internetworldstats.com/stats1.htm>.

184 Heba Saleh, "Egypt Bloggers Fear State Curbs," BBC News, February 22, 2007, http://news.bbc.co.uk/2/hi/middle_east/6386613.stm.

185 Interview aired on Al-Jazeera English, April 6, 2009.

combat corrupt and oppressive governments," according to the US *Wired* magazine.¹⁸⁶ The mobilization itself was considered a huge success. Under the heavy presence of riot police, some 27,000 workers occupied the Ghazl al-Mahalla textile plant north of Cairo.¹⁸⁷

Readership numbers of the most popular blogs are thought to surpass the most popular Egyptian newspapers. But the more their influence grows, the more bloggers become a target for extra-legal harassment by authorities.

The former ruling party defended its harsh crackdown on bloggers claiming that cyber activists posed threats to national security by publishing rumors or insults to individuals or religion. To tighten controls over anonymously posted comments, the government imposed a policy on August 9, 2008 requiring clients at Internet cafés to provide their names, email addresses and mobile phone numbers before accessing the Internet. Only when the information was verified via text message were users provided a PIN code to access the Internet, a move condemned by human rights groups. But the blogger community has remained undaunted.

The Legal Framework

Egypt was governed by a state of emergency for more than three decades until its abolishment in May 2012. While Egypt's 1971 constitution, amended in 1980, contains several articles upholding freedom of expression and prohibiting press censorship, Article 48 stipulates that a declared state of emergency abrogates constitutional protection and any other laws guaranteeing freedom of the press: "In a state of emergency or in time of war, a limited censorship maybe imposed on newspapers, publications and mass media in matters related to public safety or for purposes of national security, in accordance with the law."¹⁸⁸

The provisions of the emergency law, which may be declared by the president, invest the authorities tasked with its implementation with almost unfettered powers. Once an emergency has been declared, the president may take the "appropriate" measures to maintain security and public order, including ordering censorship on correspondence, publications, drawings, advertising and any other kind of expression prior to publication, as well as ordering their confiscation or suspension, and shutting down publishing houses. It permits the Ministry of Defense to ban publications suspected of involvement in security threats. It grants the public prosecutor the authority to issue a temporary ban on publishing news pertaining to national security. It allows the cabinet to ban publications it deems offensive to public morals, detrimental to religion, or likely to cause a breach of peace, and the minister of interior can prevent international newspapers from entering the country. Authorities also have the right to prosecute violations of the law and extract criminal penalties in state security courts and military-style tribunals where decisions are not subject to virtually any means of appeal.

The Egyptian media are also regulated by more than half a dozen different laws and codes, such as the Constitution, the Press and Publications Law, the Penal Code, the State Documents Law, the Civil Servants Law, the Political Parties Law and the Intelligence Law. Additionally, Law 313/1956 and Amendment 14/1967 banning the publication of any news regarding the armed forces adversely affect the media, as does Law 35/1960 regarding the publishing of demographic statistics.¹⁸⁹

Chapter II of the Egyptian Constitution, appended in 1980, deals with the press and defines it as "a popular, independent authority exercising its mission in accordance with the stipulations of the Constitution and the law."¹⁹⁰ The duties of the press as outlined in the constitution are ambiguous. On the one hand, the press "shall exercise its

186 David Wolman, "Cairo Activists Use Facebook to Rattle Regime," *Wired Magazine*, Issue 16.11, (November 2008), http://www.wired.com/techbiz/startups/magazine/16-11/ff_facebookegypt.

187 Anne Alexander, "Historic Victory for Egyptian Workers at Mahalla Textile Plant," *Socialist Worker Online*, no.2071, October 6, 2007, <http://www.socialistworker.co.uk/art.php?id=13132>.

188 The Egyptian Constitution of 1971, amended 1980, can be consulted on the World Intellectual Property Organization's website: http://www.wipo.int/wipolex/en/text.jsp?file_id=189854.

189 For an overview of the laws affecting the Egyptian media at that time, see "Laws and the Freedom of Expression in Egypt," *Openarab.net*, accessed May 29, 2012, <http://old.openarab.net/en/node/277>.

190 The Egyptian Constitution of 1971, amended 1980, can be consulted on the World Intellectual Property Organization's website: http://www.wipo.int/wipolex/en/text.jsp?file_id=189854.

true mission freely and independently in the service of society through all means of expression" (Article 207). On the other hand, it shall "express trends of public opinion, while contributing to its formation and orientation within the framework of the basic components of society." In other words, the press should play a role in educating the public according to reigning social customs. While article 208 explicitly forbids press censorship, the government can circumvent its own rules. Article 211 stipulates that the Supreme Press Council handles all matters concerning the press, and should "exercise its competencies with a view to consolidating the freedom and independence of the press" but also "uphold the basic foundations of society, and... guarantee soundness of national unity and social peace as stipulated in the constitution and defined by law."

In 1995, the Egyptian government amended the 1980 press law and introduced much harsher sentences for journalists, despite sweeping public discontent. Known as Law 93/1995, the changes were seen as putting an end to several years of relative press freedom.¹⁹¹ Whereas Article 13 of the 1980 Law No. 148 had clearly provided for the free issuing and ownership of newspapers by political parties and individuals and had ended the government's monopoly over print media, Law No. 93 amended the press and penal codes and expanded the government's control. The government justified its ratification as the need to protect privacy and state security. But to observers, the main target was the opposition press.

The legal grip on the press was further tightened under Law No. 96 in 1996, which restricted the right to issue licenses for newspapers to political parties and public legal persons. The Supreme Press Council was determined to restrict licenses to corporate entities that could deposit between USD 74,000 and USD 295,000 (depending on whether the paper was a daily or weekly) in an Egyptian bank, along with submitting a comprehensive plan for editorial policy and the outlet's administrative structure. The financial requirement was a major risk for would-be

publishers because the process was often delayed for months or years during which the deposit was frozen.¹⁹² The Council's right to allocate paper resources to publications and determine their price gave the government another powerful tool to control the media.¹⁹³

Law 96/1996 also prohibited individual ownership of television or radio stations. It stated that the government could temporarily ban publications without a court order, prohibit statements violating public morality, disturbing the public peace, containing inflammatory propaganda, or harming the national economy, and, that violations would be tried in military courts.

On July 10, 2006, the Egyptian parliament passed further controversial amendments to the 1996 press and publications law, with the passage of the Press Law of 2006. A clause threatening journalists with up to three years in prison for reporting on financial dealings of public figures was removed upon President Mubarak's suggestion, but other draconian punishments remained on the books, such as jail terms ranging between six months and five years, and fines ranging from USD 870 to USD 3,480 for criticizing public figures.¹⁹⁴ The law also stipulated that editors-in-chief would be held responsible for offenses committed by journalists working at their papers. In brief, the law "left the overall outlook for press freedoms depressing."¹⁹⁵ Hundreds of journalists protested against the amendment, and 25 Egyptian newspapers suspended publication for a day to protest against the government bill. President Mubarak was widely criticized for not keeping the promise he made in 2004 that no journalist would go to prison for his writings.¹⁹⁶

¹⁹² Also see Issandr al-Amrani, "A Quick Guide to Publishing in Egypt," *The Arabist* (blog), June 4, 2005, <http://arabist.net/archives/2005/06/04/a-quick-guide-to-publishing-in-egypt/>

¹⁹³ "Laws and the Freedom of Expression in Egypt," *Openarab.net*, accessed May 29, 2012, <http://old.openarab.net/en/node/277>.

¹⁹⁴ "Egypt: Controversial Press and Judiciary Laws, Arrests, US Aid Debate," *Arab Reform Bulletin*, vol.4 no.6, (July 2006): 8, http://www.carnegieendowment.org/files/fullissue_july062.pdf.

¹⁹⁵ Jeffrey Black, "Egypt's Press: More Free, Still Fettered," *Arab Media & Society*, no.4, (Winter 2008), <http://www.arabmediasociety.com/?article=572>.

¹⁹⁶ *Ibid.*

¹⁹¹ Joshua A. Stacher, "Parties Over: The Demise of Egypt's Opposition Parties," *British Journal of Middle Eastern Studies*, vol.31 no.2, (November 2004): 228.

Under Mubarak, three ministries employed censorship personnel: a department within the Ministry of Information censored local media, while another targeted foreign media; the Ministry of Culture had an artistic affairs censor; and, the Ministry of Interior deployed an artistic affairs police force.

The primary instrument of control was the Supreme Press Council - part of the Shura Council (the upper house of the Egyptian parliament) with rights "to issue, deny, or revoke licenses." Another effective means of censorship was simply the delay tactic. Two-thirds of Egyptian newspapers are printed by the government's al-Ahram Press, and newspapers were often not published because the files would allegedly arrive too late. In August 2008, an issue of *al-Badeel* was not printed. The issue, which carried a story entitled "Joy in Pakistan Following the President's Resignation...Egyptian Politicians: Wishing the Same for Us" was rejected by al-Ahram press under the pretext of "a delay in sending the PDF copies that were prepared for printing."¹⁹⁷

¹⁹⁷ "Egypt: Censorship Now Prevents Printing Newspaper," Arab Network for Human Rights Information, August 20, 2008, <http://anhri.net/en/reports/2008/pr0820.shtml>.



Iraq

The Recent Situation

By any measure, Iraq is one of the most dangerous places in the world for journalists to practice their profession. Under the iron-fisted rule of deposed president Saddam Hussein, journalists had two choices: either curry favor with the regime to save their neck, or oppose the system and risk life and limb. Even the first choice did not always guarantee a journalist safety, as internal feuds and a multi-layered system of informants and intelligence operatives turned every citizen into a bundle of nerves.

The Baath regime controlled all newspapers, radio and TV stations; satellite dishes were banned. Since the US invasion of Iraq in 2003 that overthrew Hussein, the media landscape has turned into a veritable modern-day Tower of Babel, with conflicting views aired by countless national, regional and local media all competing for attention - quite often, with deadly effect.

A wiki account citing Iraqi media expert Ibrahim al-Marashi posted on the website of the University of New South Wales identified four stages that had a significant impact on the post-Baathist media landscape: the pre-invasion preparation; the actual war and selection of targets; the initial post-war period; and the rise of the insurgency and hand-over to the Interim Iraqi Government of then prime minister Ayad Allawi: "During the pre-war stage, planning failed to effectively outline a post-war strategy, and in turn, many of the domestic transmitters were destroyed. Following the war, the process of 'de-Baathification' involved becoming less reliant on the US and abolishing the Ministry of Information, which would path [sic] the way for more diversity in the media. The widespread looting and destruction of Iraq that took place after the war also had a huge impact on the country's media infrastructure, much of it being damaged and destroyed."¹⁹⁸

A March 2011 report by the Center for International Media Assistance (CIMA), an arm of the National Endowment for Democracy in Washington, entitled "Iraq's News Media After Saddam: Liberation, Repression and Future Prospects" tracks the evolution from a repressive regime to what author and veteran journalist Sherry Ricchiardi saw as an unfettered press amid demands for uncensored information. She noted that Iraqi journalists who had spent years in exile returned in droves to set up shop back home. But, she noted, the euphoria over a "neutral free press" was short-lived:

"The reality on the ground today is a far cry from what Pentagon planners envisioned for Iraq's reconstituted press system. Despite massive infusions of cash from the US government for media development - more than half a billion dollars by most estimates - the future of the country's media does not look promising on several fronts," she wrote, adding that many of Iraq's media outlets had become mouthpieces for ethno-political factions with the potential to inflame sectarian divisions, which led the country to the brink of civil war. The Communications Media Commission (CMC) established by the Coalition Provisional Authority had used its authority to shut down media operations and restrict news coverage, Ricchiardi noted. "Deborah Amos, who covered Iraq for NPR (National Public Radio in the US), reported in June 2010 that Iraq's state television, part of IMN (the Iraqi Media Network), reflected the views of prime minister Nouri al-Maliki's government and had become known in Iraq as 'Maliki TV'."¹⁹⁹

In a segment of the report entitled "America's Flawed Approach," the author examined the serious disconnect between Pentagon planners and realities on the ground. Documents from a Pentagon briefing obtained by the National Security Archive - a non-governmental research institute at George Washington University - and posted on the latter's website noted that Department of Defense "planners envisioned a post-invasion Iraq where the US,

¹⁹⁸ Mika Makelainen, "Monitoring Iraq: War of the Airwaves," (Dxing, 2011), cited in Drew Wilson et al., 2011, "Iraqi Media 2011," UNSW Wikispaces, accessed June 25, 2011, <http://arts1091.unsw.wikispaces.net/Iraqi+Media+2011>.

¹⁹⁹ Sherry Ricchiardi, Iraq's New Media After Saddam: Liberation, Repression, and Future Prospects, Center for International Media Assistance, (March 2011), 5, http://www.humansecuritygateway.com/documents/CIMA_IraqsNewsMediaAfterSaddam_LiberationRepressionandFutureProspects.pdf.

in cooperation with a friendly Baghdad government, could monopolize information dissemination. They did not account for the independent media outlets, the Internet, and all the other alternative sources of information that are available in the modern world."

Since 2003, it has been a free-for-all and the Internet, once considered the purview of a limited Baath-controlled elite, has thrived with the proliferation of websites, blogs, and citizen journalists expressing themselves in cyberspace, while traditional media also post content online. In fact, it's hard to keep track of how many media outlets have emerged since the invasion. Hundreds of publications, countless radio and television outlets and unknown numbers of online forums have sprouted. In some cases, media initiatives have been short-lived due to financial difficulties, or because of threats by one group or another, and closures.

Menassat (Arabic for platforms), a Lebanon-based website focused on media issues across the Middle East and North Africa, said Iraq had over 100 mostly privately-owned daily and weekly publications, often related to political, ethnic and sectarian factions, which serve as propaganda outlets for groups vying for influence. As Iraq has suffered from instability since the invasion, the security situation has deeply affected the press' financial sustainability, as have a lack of resources, notably a reliable power supply, *Menassat* reported. "The most important newspapers are *al-Zaman*, formerly based in London, *al-Sabah*, run by the government-sponsored Iraqi Media Network, and *al-Mada* and *al-Manarab*. The Kurdish groups PUK and KDP also operate their own newspapers, *al-Ittibad* and *al-Taakhi* respectively," according to the website.²⁰⁰

The Coalition Provisional Authority (CPA) set up by the US post-invasion launched radio and TV stations. Today, they are funded by the Iraqi Public Broadcasting Service, which includes al-Iraqiya and al-Hurra. *Menassat* added that satellite TV was watched by some 70 percent of Iraqi viewers with pan-Arab news channels al-Arabiya and al-Jazeera having an almost equal share of viewership. Al-Jazeera, however, was banned from working inside

Iraq for "inciting sectarian violence." "Iran's al-Alam TV, which broadcasts in Arabic, can be received in Baghdad without a dish," the report noted. "In the northern autonomous Kurdish enclaves, rival factions operate their own media."

But the extensive range of media choices²⁰¹ has not prevented widespread attacks on the press, as documented by the New York-based Committee to Protect Journalists (CPJ), which listed five journalists and a media worker as having been killed in Iraq in 2011, ranking the country among the most dangerous in the world for journalists:

In August, the government adopted a law meant to offer journalists more protection, although its vague provisions did little initially to improve conditions. As demonstrations for economic and political reform spread with the Arab uprisings, journalists were consistently targeted for their coverage. Anti-riot police attacked, detained, and assaulted journalists covering protests. In their attempt to restrict coverage of the unrest, police raided news stations and press freedom groups, destroyed equipment, and arrested journalists. In Iraqi Kurdistan, authorities used aggression and intimidation to restrict journalists' coverage of violent clashes between security forces and protesters. Gunmen raided and destroyed equipment of an independent TV station and a radio station in Sulaymaniya. Three journalists were fired upon in separate episodes in March (2011), while two journalists were injured covering clashes in Sulaymaniya in April. Prominent Iraqi Kurdish journalist Asos Hardi was badly beaten by an unidentified assailant... [The] nation remains among [the] deadliest for journalists, with five killed in 2011. Central and Kurdish governments continue their crackdowns on critical journalists.²⁰²

200 "State of the Media," *Menassat*, accessed May 30, 2012, <http://www.menassat.com/?q=en/media-landscape/state-media-3>.

201 "Iraq Newspapers and News Media Guide," ABYZ News Links, accessed May 30, 2012, <http://www.abyznewslinks.com/iraq.htm>.

202 Committee to Protect Journalists, *Attacks on the Press 2011: A Worldwide Survey* by the Committee to Protect Journalists, (New

The 19-article media law, available on the Iraqi parliament's website²⁰³ defines "journalists" as anyone whose primary source of income is journalism and "media" as all organizations specialized in journalism and registered according to the law. The second article stipulates that the law aims to reinforce journalists' rights and protect them in Iraq.

But Articles 3 and 4 have been a bone of contention between the media and government since their application left a great deal to be desired. Article 3, for example, stipulates that the government and its agencies have an obligation to provide services and facilities to enable journalists to perform their duties in a way that guarantees the dignity of journalism. Article 4 asserts that journalists have a right to access unclassified information, documents and statistics from various sources, and that journalists have a right to maintain the secrecy of their sources. Articles 8 and 9 of the law are also contentious as they specify that journalists have a right to express their opinions - provided such views do not violate the law (a fuzzy interpretation at best,) and that all those who attack journalists while performing their duties will be punished.

But CPJ's Impunity Index for 2010 found that the murder of 88 journalists over the 10 previous years had remained unsolved, putting Iraq at the top of its index for the third year in a row. All but seven cases involved local journalists, most of whom had been targeted by insurgents. The CPJ said in January 2012 that Iraq's journalist protection law doesn't protect them, falls short of international standards of freedom of expression, and should immediately be repealed:

The law, which was passed in parliament in August after the government faced pressure for media reform in recent years, fails to offer any meaningful protection to journalists and imposes restrictions on who can be defined as a journalist and how one

can practice and access information, CPJ's review of the law found. The law, which took effect in November, is also being challenged in the Federal Supreme Court on Monday by a local press freedom group.

Previous laws in Iraq, including the 1969 Penal Code, which criminalizes defamation, and the 1968 Publications Law, which allows journalists to be imprisoned for up to seven years for insulting the government, are still applicable to journalists in addition to this law, CPJ research shows.²⁰⁴

Critics have expressed concerns about regulations stipulating that all media and journalists must seek permission from the authorities to operate in Iraq, submit lists of all staff and equipment, and pledge not to incite sectarianism or violence, according to a February 2010 Reuters report. Despite assurances that the Iraqi constitution guarantees free speech and a free press, the new regulations' implications worry free speech advocates and international media organizations, it said, particularly since it remains risky for Iraqis to be associated with foreign companies. Meanwhile, Western media fear that handing over staff lists places them at risk from militias, insurgents like al Qaeda, and kidnappers:

Many reporters working for foreign media do not tell their neighbors what they do (a former Iraqi *Washington Post* correspondent ran a business in Iraq as a cover for his journalistic work before deciding to leave for the US with his family when his children were threatened).

The regulations provide no clear guidelines on what is meant by inciting sectarianism or violence. They could therefore be used to muzzle media that publish death tolls from bombings that the government wishes to downplay before the March (2011) vote.

York: Committee to Protect Journalists, 2012), 259, http://cpj.org/attacks_on_the_press_2011.pdf.

203 Council of Representatives of Iraq, Law no.21/2011, "Qanun Huquq al-Sahafiyyin [Law on Journalists' Rights]," August 21, 2011, <http://www.parliament.iq/dirrased/law/2011/21.pdf>.

204 "Iraq's Journalist Protection Law Doesn't Protect Them," Committee to Protect Journalists, January 24, 2012, <http://cpj.org/2012/01/iraqs-journalist-protection-law-doesnt-protect-the.php>.

Reuters and other media are already routinely threatened by officials with lawsuits or expulsion because of disparities between the number of bomb victims reported by their police and interior ministry sources, and official death tolls.

Nor do the new regulations spell out the conditions under which a media organization might be refused permission to operate in Iraq. As such they provide no protection from arbitrary and politically motivated decisions, critics say.²⁰⁵

The seventh anniversary of the American invasion in 2010 marked the death of over 250 journalists covering events in Iraq and its "transition to democracy," according to a blog post by BBC World News editor Jon Williams. While expressing understanding for the role of the Iraqi Communications and Media Commission set up by the CPA in 2004 to regulate the media in Iraq, Williams sounded an alarm by pointing to new plans by Iraqi authorities to control and censor news media, rather than enshrine Iraq's constitutional right to free speech and a free press. He feared a return to Saddam Hussein-style regulation and censorship:

"The Iraqi authorities want the BBC and other news organizations to disclose full lists of staff, an act we believe might endanger those who work for us. The Iraqi authorities are demanding journalists reveal their sources in response to complaints, in violation of the journalist's age-old responsibility to protect those who come to us with stories. And they want to prevent the international media from reporting stories that might incite violence or sectarianism, but have failed to clarify what constitutes 'incitement' or 'sectarianism,'" he noted.²⁰⁶

Various media watchdogs have accused assorted groups of trying to stifle factions opposed to them and of failing to defend basic press freedom rights. *Democracy Digest*, which is published by the Washington DC-based private nonprofit foundation, the National Endowment for Democracy, said the United States had spent more than USD 500 million to support independent press, TV and radio in Iraq, and to train young Iraqi journalists through its ambitious media development program. But, it cautioned, media rights groups and independent analysts had complained that Prime Minister al-Maliki's government was growing increasingly intolerant of independent media and was curbing democratic rights: "While some observers attribute the government's illiberal tendencies to Iranian influence, others suggest that Maliki is concerned to pre-empt the emergence of an Arab Spring revolt," it said.²⁰⁷

On the regional front, *Elaph*, the first Arabic-language electronic newspaper, reported in November 2011 that the unfolding crisis in Syria had revealed interests and links between Iraqi media and the Syrian regime. Official Iraqi media support Syrian President Bashar al-Assad and his purported efforts to conduct reforms, whereas partisan media offer a different perspective, depending on their sources of financing and ties to the regime. It quoted Dr. Muhammad Bidiwi al-Shammari, a writer and university professor, as saying that the Syrian crisis had uncovered the extent of bias in the media's coverage. He cited pro-Iranian media that neglected news of massacres by the Syrian regime against protesters, while news outlets supporting the Arab League's position on the revolt had gone overboard in describing events in Syria.²⁰⁸ Fawzi al-Hindawi, managing editor of *Azzaman* newspaper, thinks Iraqi media coverage of events in Syria is couched in mystery, reflects confusion, and is shaped by contradictory directives and agendas.

205 Michael Christie, "New Iraqi Media Rules Raise Spectre of Muzzled Past," Reuters, February 4, 2010, <http://in.reuters.com/article/2010/02/04/idINIndia-45915120100204>.

206 Jon Williams, "Media Restrictions in Iraq," BBC – The Editors (blog), February 4, 2010, http://www.bbc.co.uk/blogs/theeditors/2010/02/media_restrictions_in_iraq.html.

207 "Attacks on Iraqi Media Reflect 'Foreign Ideological Agenda?'" *Democracy Digest*, November 14, 2011, <http://www.demdigest.net/blog/2011/11/attacks-on-iraqi-media-reflect-foreign-ideological-agenda>.

208 Abdel-Jabbar al-I'tabi, "Al-Azma al-Suriya Kashafat Masalih wa Irtibat al-I'lam al-'Iraqi [The Syrian Crisis Revealed Interests and Links of Iraqi Media]," *Elaph*, November 7, 2011, <http://www.elaph.com/Web/news/2011/11/694223.html>.



Another problem facing Iraqi media is a complaint by women who feel they have been sidelined because of prevailing male chauvinistic attitudes toward female journalists. The independent electronic journal *al-Bawaba al-Iraqiya* in the southern city of Basra said media had mushroomed across the country, providing women with job opportunities in newspapers, magazines, radio and TV stations, but that their numbers remained low due to men's dominance in the field. The women described Iraqi media as male-dominated, adding that news organizations tried to corner women into certain areas and barred them from capitalizing on their potential. They also said women were being harassed on the job, viewed only as decorative made-up objects and not judged based on their qualifications. Journalist Raghid al-Zubaydi said society as a whole was male-oriented and that media were not an exception, but that training workshops would help secure opportunities for women.²⁰⁹

209 "Sahafiyat min al-Basra Yasifna al-I'lam al-Iraqi Zukuriyan [Female Journalists from Basra describe Iraqi Media as Male-dominated]," *al-Bawaba al-Iraqiya*, June 2, 2012, <http://www.albawaba.net/woman/72573>.

The situation is even more complex in Iraqi Kurdistan, where the CPJ condemned score-settling attacks on journalists by partisans from various opposing factions.²¹⁰ Illustrating the point was an alert issued by Human Rights Watch/IFEX about a clampdown by uniformed security forces on demonstrations marking the February 2012 anniversaries of the start of weekly protests in Iraq.

"Security forces blocked access to protest sites in Baghdad; beat and arrested peaceful demonstrators in Sulaimaniyah, Kurdistan; and briefly detained, beat, or confiscated equipment from media workers and prevented others from covering the protests.

Human Rights Watch interviewed more than 15 demonstrators, bystanders, and journalists who were at the demonstrations on the February 17 and 25 anniversaries in Kurdistan and Baghdad, respectively. Activists said that in the build-up to the demonstrations, security forces threatened them with arrest and unidentified people threatened them with violence if they attended."²¹¹

Witnesses told Human Rights Watch that the local press freedom group Metro Center to Defend Journalists had documented numerous abuses against Kurdish journalists, including more than 200 cases of attacks and harassment during the protests in Sulaimaniyah, between February and May 2011.

This comes as no surprise as there have been countless accounts of the Kurdish media's failure to help reinforce and consolidate democracy. Writing in the pan-Arab daily *al-Sharq al-Ansat*, Muhammad Wani said the media's mission was not only to monitor the government's performance and help it better serve society, but included spreading the culture of democracy and solidifying its principles in a bid to rise to the level of modern democratic societies, i.e. media should be a real fourth estate, rather than a mouthpiece for a party or key official as is the case in Kurdistan, and Iraq in general:

210 "In Iraqi Kurdistan, Riots Lead to Press Freedom Abuses," Committee to Protect Journalists, December 6, 2011, <http://cpj.org/2011/12/in-iraqi-kurdistan-riots-lead-to-press-freedom-abu.php>.

211 "Security Forces Clamp Down on Demonstrations in Sulaimaniyah and Baghdad," IFEX, March 1, 2012, http://ifex.org/iraq/2012/03/01/clampdown_protests/

Among the tens of satellite channels and over 1,000 assorted newspapers and magazines published in Iraq (more than 15 stations and 450 publications in Kurdistan alone), few (to be counted on one hand) operated as independent media for a while in the face of the partisan and government's media behemoth and their repeated temptations, which drew the admiration of a large segment of the population. But with time, they caved in under political and economic pressures, so we should not be surprised if today there are no free media exercising their role in standing up to widespread corruption in government institutions and in dealing with crises gripping the country.²¹²

Wani bemoaned the state of affairs saying Kurdish media, which took their first steps towards democracy in 1992, far from the central authorities, could have influenced the rest of the country by setting an example of freedom and social justice since they are politically affiliated and not tied to the province's government. What's more dangerous, Wani wrote, is that Kurdish media succeeded in spreading the culture of political parties rather than national cohesion, thereby leading each party to claim that it is the true representative of the Kurdish cause.

Journalists in Kurdistan are frequently subjected to arbitrary arrests, threats, harassment, beatings, and the confiscation or destruction of their equipment, CPJ research shows, although the region purportedly enjoys more media freedom than anywhere else in Iraq. As many as 16 journalists were reportedly threatened or assaulted in December 2011 for covering unrest in Zakho near the Turkish border, and in Dohuk and Simel after outbreaks of riots involving the ruling Kurdistan Democratic Party (KDP) and opposition Kurdistan Islamic Union (KIU), which was accused of setting fire

to liquor stores - a charge its members denied. The retaliatory torching of KIU offices included six of its media outlets, including its Speda satellite channel, a website, its affiliate Union TV, and a KIU radio station. The statement also said that one of Speda's correspondents was injured in the attack.²¹³

Washington-based watchdog Freedom House said that while Iraq's 2005 constitution guarantees freedom of the press, courts continued to rely on the highly restrictive 1969 penal code to prosecute reporters and media outlets on charges including libel and defamation. It added:

Moreover, in July (2011), the Supreme Judicial Council announced plans to create a special court to address offenses committed by the media, and the new entity heard its first case in September. Press freedom groups objected to the move, noting that Article 95 of the constitution bans the establishment of special or extraordinary courts. The National Communications and Media Commission (NCMC), meanwhile, forced media organizations to agree to regulations giving it the authority to halt broadcasts, confiscate equipment, and withdraw licenses, among other powers.

Orders issued by the Coalition Provisional Authority shortly after the 2003 US-led invasion - including Order 14, which bans media incitement to violence - remain in effect. Iraqi law restricts reporters from defaming public officials, and self-censorship is widespread. In April 2010, a municipality in Dhi Qar province filed a lawsuit against a news website that published a citizen's complaint about poor public services. The Dhi Qar provincial council reportedly shut down a local office of the

212 Mohamad Wani, "Do'f al-I'lam al-Kurdi fi Tarsikh al-Dimocrattiya [Weakness of Kurdish Media in Consolidating Democracy]," *al-Sharq al-Awsat*, no.12108, January 22, 2012, <http://www.aawsat.com/print.asp?did=659985&issueno=12108>.

213 K.A., "KIU Contacts Consulates on Bahdinan Riots," *Kurdiu*, December 3, 2011, <http://www.kurdiu.org/en/hawal/?pageid=91237>.

Cairo-based satellite television station Baghdadiya in February for "promoting the dissolved Baath Party," and in November the NCMC shut down the Baghdad office of Baghdadiya after it reported terrorist hostage-takers' demands on the air. At the end of 2009, a group of journalists and academics drafted a law designed to safeguard access to information. In May 2010 they published an open letter urging the Iraqi parliament to pass the freedom of information law, but it was unclear when the legislature might vote on the issue.²¹⁴

Freedom House also said journalists faced harassment, especially in the run-up to the March 2011 national elections, and that reporters deemed critical of the government were denied media accreditation, while several were beaten, intimidated, and detained by police and rival political forces. These regular attacks have led journalists, legislators, civil society groups and activists to call for amendments to media laws and restrictions on access to information.²¹⁵

In March 2011, the Institute for War and Peace Reporting and US NGO IREX organized a conference in Erbil during which delegates criticized outdated draft legislation that would restrict access to information given the advent of citizen journalists and bloggers. Despite the seemingly insurmountable obstacles and dangers facing Iraqi media, Sherry Ricchiardi sees a bright spot thanks to a new generation of journalists that has taken the lead in championing and defending press freedom. These new journalists hold public protests and lobby government for press law reform. They team up with NGOs to plan strategy, work on professional development, and publish reports that thrust the government's draconian practices into a global spotlight, she said.²¹⁶

Background

The media in Iraq and the conditions under which they operate have probably undergone the most dramatic changes in the entire region. Under Saddam Hussein, the media was under total government control, "fully instrumentalized for the purpose of supporting the regime and glorifying the president. As a primary tool of official power, the media were under the authority of his widely feared son Uday, and thoroughly infiltrated by the security services."²¹⁷ The picture changed after Saddam Hussein was toppled on April 9, 2003. At first, censorship and tight government control of the media seemed to have fallen along with the dictator's statues. But new risks and dangers quickly emerged. Sectarianism and violence turned Iraq into one of the most dangerous countries in the world for journalists. In the first three years of the conflict, more journalists were killed than during the entire war in Vietnam. "That Iraqi journalists are continuing to work at all is a testament to their courage, because every one of them is marked for death," wrote George Packer, reporter-at-large for the *New Yorker*, in a tribute to journalists in Iraq.²¹⁸ For a consecutive six years, from 2003 to 2008, Iraq was named the deadliest country in the world for journalists. It ranked the third deadliest in 2009, and the second deadliest in 2010 and 2011, according to the Committee to Protect Journalists (CPJ).²¹⁹

The transformation of the Iraqi media scene after Saddam Hussein's fall adds another chapter to a history full of turmoil. Under Ottoman rule, Iraqis used the press to promote the idea of a constitutional state that would absorb both Arab and Western civilization, advocate social justice, and struggle against tribalism and tyranny.²²⁰

214 "Iraq: Freedom of the Press 2011," Freedom House, September 23, 2011, <http://www.freedomhouse.org/report/freedom-press/2011/iraq>.

215 Tiare Rath, "Iraq Event Hears Calls for Media Law Amendment," Institute for War & Peace Reporting, March 11, 2011, <http://iwpr.net/report-news/iraq-event-hears-calls-media-law-amendment>.

216 Sherry Ricchiardi, *Iraq's New Media After Saddam: Liberation, Repression, and Future Prospects*, Center for International Media Assistance, (March 2011), 37-40.

217 Baltic Media Center et al., *A New Voice in the Middle East: A Provisional Needs Assessment for the Iraqi Media*, (May-June 2003), 4, http://www.globalsecurity.org/military/library/congress/2003_hr/bordentestimony030723.pdf.

218 George Packer, "Our Debt to Iraqi Journalists," *Dangerous Assignments*, (Spring-Summer 2007), 4, http://www.cpj.org/Briefings/2007/DA_spring_07/DA_spring_07.pdf.

219 Dahr Jamail, "No Free Press in Iraq," *Al-Jazeera English*, January 10, 2012, <http://www.aljazeera.com/indepth/features/2012/01/20121981753957139.html>.

220 Séverine Cazes, *The Iraqi Media: 25 Years of Relentless Repression*, *Reporters Sans Frontières*, (February 2003), 4, <http://www.rsf.org/IMG/pdf/doc-1919.pdf>.

In 1925, Iraq experienced the birth of its first constitution, which borrowed heavily from the British model and was not favored by the majority of the Iraqi people. During that period, the Iraqi press suffered from a climate of political unrest. The executive power was unnerved by the challenges posed by a free press and imposed restrictions on it.²²¹ At the end of Ottoman rule and under the Iraqi monarchy, which was overthrown in 1958, the Iraqi press and radio were among the most vibrant in the Middle East. They played a crucial role in promoting Arab nationalism.

A pioneering Iraqi newspaper called *al-Zaoura* (one of the names for Baghdad) began publishing at the end of the nineteenth century. In the 1920s, the press began to flourish. A satirical periodical was especially popular for its cartoons. The Iraqi population also had access to most publications produced in other Arab countries. As the saying goes: "What is written in Cairo is printed in Beirut but read in Baghdad."²²²

An era of censorship began with the revolution in 1958. The series of governments that had come and gone by that time had mostly aired pro-western attitudes and policies. Therefore, by 1958, "press freedom was considered a Western value that could happily be sacrificed at the altar of social revolution. A whole generation of leftist and nationalist journalists believed that freedom of the press was unwanted liberal baggage that could be jettisoned without any feelings of remorse. That was the reason they did not shed a single tear when 'reactionary, pro-colonialist, liberal and corrupt' newspapers, owned and run by the 'enemies of the revolution' were confiscated and smothered."²²³

Some 15 dailies emerged that were sympathetic to different parties, including the leftists, Islamists, Democrats, Kurds, Baathists, and Communists. These political allegiances were a factor that contributed to a decrease in press freedoms, as each successive regime was overthrown. From 1958 to 1963, the year the Baath

Party assumed power, sanctions against the media included the temporary withdrawal of licenses. *Al-Thawra* (*The Revolution*) was spared by the Baathists and became the party's official press organ in 1968. Former deputy prime minister Tariq Aziz was editor-in-chief of *al-Thawra* for many years. After the communist daily *Ittihad al-Sha'b* (*Union of the People*) was suspended, the Baath Party approached the communists and permitted them to print their publication, so their official newspaper reappeared under the title *Tariq al-Sha'b* (*The People's Path*). After the communists complained about restrictions imposed in 1976, *Tariq al-Sha'b* and the Kurdish Democratic Party's organ *al-Taakhi* (*The Brotherhood*) were shut down in 1979, leaving only pro-Baathist newspapers.²²⁴

In 1968, the Publications Law was passed, which abrogated previous legislation No. 53 of 1964 and abolished all licenses for national and foreign epublications: "The independent press had thus been wiped out and freedom of the press was trampled underfoot. From that point on, the state and the media became Siamese twins that could only live or die together."²²⁵

In 1970, a new constitution was announced. Article 26 guaranteed freedom of opinion, publishing, association, demonstration and the formation of political parties, trade unions and other organizations, within the limits specified by law. The state was obligated to safeguard these freedoms, which were to serve the "progressive nationalist line of the revolution." But there were two constraints on "freedom of the press": the journalistic message was supposed to be in congruence with the progressive nationalist line of the revolution, as expressed in the ideology of the constitution; and, all media had to adhere to the orders and decrees issued by the Revolutionary Command Council (RCC), which had the status and power of the constitution itself.²²⁶

²²¹ Arab Press Freedom Watch, Working with Iraqi Journalists: Towards a Free and Independent Media, (Arab Press Freedom Watch, 2003), 16, <http://www.mict-international.org/pdf/apfw.pdf>.

²²² Séverine Cazes, The Iraqi Media: 25 Years of Relentless Repression, Reporters Sans Frontières.

²²³ Arab Press Freedom Watch, Working with Iraqi Journalists.

²²⁴ Séverine Cazes, The Iraqi Media: 25 Years of Relentless Repression, Reporters Sans Frontières.

²²⁵ Arab Press Freedom Watch, Working with Iraqi Journalists.

For a detailed analysis of existing Iraqi law affecting the media and recommendations for changes, see Article 19, Freedom of Expression Essential to Iraq's Future: Iraq Media Law Analysis (London: Article 19, 2003), <http://www.article19.org/data/files/pdfs/analysis/iraq-media-law-analysis.pdf>.

²²⁶ Ibid., 17.

By 1979, the era of censorship turned into a brutal crackdown on journalists, and any remnant of media freedom was wiped out. The beginning of the 1980s witnessed detentions, torture, and executions of media professionals. The mysterious disappearances of some contributed to a climate of fear and forced journalists into extreme servility.²²⁷ In 1981, the Ministry of Information and Culture was effectively turned into a branch of the Baath Party. According to Séverine Cazes of Reporters Without Borders, the 1980-1988 war with Iran served as a pretext for the Iraqi regime to assume complete control of the media.²²⁸ In 1986, RCC passed Order No. 840, signed by Saddam Hussein himself, who had become the moving force behind the party since 1969. It imposed the death penalty on anyone insulting or criticizing the government or the Baath Party, in general, and the president in particular. According to the International Alliance for Justice, over 500 journalists, writers, artists, and poets were murdered, and hundreds forced into exile upon orders of the Baathist regime. Dozens more disappeared, even abroad.²²⁹ Exiled journalists or Iraqis who picked up journalism in exile often assumed senior positions in leading Arab media, such as in the London-based *al-Hayat*.²³⁰

After having been "unanimously" chosen to head the Iraqi Journalists' Union in 1992, Saddam Hussein's son Uday assumed a dominant role in media control, media production, and propaganda. He won the elections by default because all other candidates withdrew their bid, fearing for their lives.²³¹ Already president of the Olympic Committee, he had access to an interrogation chamber on the committee's premises, which was also used to torture and execute journalists. Membership in the union was not compulsory, yet "strongly recommended," and refusal was punished with fines. The

union performed the double function of observing journalists and awarding them with prizes and privileges. According to Cazes, it was even more effective in controlling media content than the Ministry of Information itself.²³²

After a series of violent outbursts and other misconduct, Uday killed his father's food taster in 1998 whilst drunk during an official ceremony attended by then Egyptian president Hosni Mubarak and his wife. Saddam Hussein gave in to public anger by first locking up his son and then exiling him to Europe for four months, which was fully covered by the Iraqi media. Later, Uday was allowed to return and granted a presidential pardon. These incidents did not deter Uday from becoming a media magnate in addition to holding official posts. He managed a radio station, a TV station and several newspapers, including the influential *Babil*. Saddam Hussein used it to convey messages that he could not issue in his name or officially for diplomatic reasons. If he wanted to criticize Arab leaders, he would do so via *Babil*. He also imposed limits on Uday's power: at the end of 2002, the cabinet decided to ban *Babil* for a month. Observers noted it was either because the paper went too far in criticizing the Jordanian government, while Jordan was promoting Iraq's case before the United Nations, or because it attacked Iraq's Shiite majority, while Saddam Hussein was trying to appease the Shiites to avoid a repeat of their 1991 rebellion.²³³

In an index assembled by RSF in 2002, Iraq was ranked as one of the top 10 countries in terms of repression of media freedoms and mistreatment of journalists. Ownership of satellite dishes was punished with their confiscation or destruction, high fines and six months in prison. Today, satellite dishes dot the horizon of Iraq's cities.

Under his rule, political propaganda was based on an extreme glorification of Saddam Hussein and the identification of the state and its population with his person. A popular joke tells the story of a man who instead of fixing his broken television simply pasted a poster of Saddam Hussein over the screen. Saad

227 Séverine Cazes, *The Iraqi Media: 25 Years of Relentless Repression*, Reporters Sans Frontières, (February 2003), 13, <http://www.rsf.org/IMG/pdf/doc-1919.pdf>.

228 Ibid., 5.

229 Ibid., 5.

230 Baltic Media Center et al., *A New Voice in the Middle East: A Provisional Needs Assessment for the Iraqi Media*, (May-June 2003), 5, http://www.globalsecurity.org/military/library/congress/2003_hr/bordentestimony030723.pdf.

231 Arab Press Freedom Watch, *Working with Iraqi Journalists: Towards a Free and Independent Media*, (Arab Press Freedom Watch, 2003), 17, <http://www.mict-international.org/pdf/apfw.pdf>.

232 Séverine Cazes, *The Iraqi Media: 25 Years of Relentless Repression*, Reporters Sans Frontières.

233 Ibid., 9.

al-Bazzaz, former head of the state-owned television network and chief editor of the state-owned *al-Jumhuriyya* (*The Republic*) before he went into exile in 1992, described the official propaganda as follows: "Saddam and Iraq are one and the same. The president is the only one who can understand the Iraqi people and who can speak for them." In the 1990s, a religious component was added, so that the already unifying propaganda became an even more encompassing amalgam of "Arab, nationalist, Baathist and religious values."²³⁴

According to Cazes, persecution for wrongdoing in the media did not only target individuals but their families and entire communities.²³⁵ Weeks after Faiq Shaykh Ali, an Iraqi lawyer and journalist living in London, denounced Iraqi human rights violations on the al-Jazeera program "al-Ittijah al-Muakiss" (*The Opposite Direction*) in January 2002, the state Iraqi Satellite Television Channel broadcast images of the terrified faces of his sister, brothers and parents who were arrested immediately after his public appearance. The show's host Faysal al-Qasim reportedly received death threats and warnings to desist from giving airtime to Iraqi opposition figures.

The Internet under Saddam Hussein was among the most restricted in the region. Access to it first became available in Iraq in late 1999, and remained accessible only through the government's server or at three-dozen Internet cafés in the country, which were constantly monitored to censor information. Access to sites such as Hotmail were outlawed and users attempting to connect to their mailboxes were subject to fines. Administrative red tape and prohibitive costs made it virtually impossible for most Iraqis to access the Internet from home.²³⁶

An international embargo on the country added to the sense of isolation. According to Human Rights Watch, the hardships of daily survival made Internet access a luxury. While access in most parts of Iraq was scarce, opposition movements and parties in exile, as well as Kurdish political parties in the north, maintained websites and regularly posted comments and stories long before Saddam Hussein was toppled.

Media in Northern Iraq before April 2003

After the establishment of a safe haven for Iraqi Kurds and a no-fly zone, north of the thirty-third parallel following the First Gulf War in 1991, media in Iraqi Kurdistan took on a life of its own, freed from the restrictions governing the rest of the country. Various TV channels, radio stations and newspapers appeared offering on-the-ground reportage from Kurdish, Arab and international experts. Each political party had at least one publication.

An assessment team that visited the country after the 2003 US invasion found 344 media outlets registered in Iraqi Kurdistan alone. However, meaningful independent journalism failed to emerge in the 1990s, as Kurdish media were highly politicized and affected by the political divide between the two main parties, the KDP and PUK, centered around Erbil and Sulaymaniya, respectively. The experts noted a lack of resources, training and clarity of legal framework.²³⁷

Media in Iraqi Kurdistan before 2003 were dominated by political interests, and most journalists saw themselves as campaigners and agents for change. In Sulaymaniya, a council was established to support independent media, but these efforts were crippled as the council was dominated by the Patriotic Union of Kurdistan (PUK). In addition to political financing of stations, affiliations were often more direct. Hero Ibrahim Ahmed, wife of PUK chief and Iraqi President Jalal Talabani, holds management positions in several media outlets - the satellite channel KurdSat, the terrestrial Khak TV, and three newspapers.²³⁸ In recent years, less partisan newspapers have emerged, while broadcasting remained politically dominated.²³⁹

²³⁴ Ibid., 3.

²³⁵ Ibid., 6.

²³⁶ Ibid., 9.

²³⁷ Baltic Media Center et al., *A New Voice in the Middle East: A Provisional Needs Assessment for the Iraqi Media*, (May-June 2003), 10-11, http://www.globalsecurity.org/military/library/congress/2003_hr/bordentestimony030723.pdf.

²³⁸ Ibid., 10.

²³⁹ Ibid.

The Post-Baathist Era: Official Media Policies under the Coalition Provisional Authority (CPA)

Leading up to the 2003 invasion of Iraq, the US was already making plans for a post-Baathist media and broadcasting system. A report by the NGO "International Media Support" on media development in Iraq from 2003 to 2005 said "planning for the post-war media environment in Iraq was ongoing for at least a year prior to the invasion and contained several elements - from overt media development initiatives, preparations for broadcast ventures and the like - to 'black psy-ops,' the use of manipulated information for military purposes and so on."²⁴⁰ Millions of dollars, mainly from the US Department of Defense, were spent towards this end.

The original plan was to establish a public broadcasting system similar to that of the BBC in the UK, independently governed and committed by charter to public service. "We were all in agreement that a pre-requisite for any kind of emerging democracy would be a professional and trusted media, and we thought the best way to set this up would be to form a public broadcasting entity of Iraq, sort of a PBS of Iraq. And that was the plan, and it was a good plan. It was written by various people at the State Department, Defense Department, with the help of many Iraqi ex-pat journalists," said Don North, a



²⁴⁰ Martin Breum, "Media Development in Iraq. An Overview of International Support 2003 – 2005," (Copenhagen: International Media Support, 2005), 7, <http://www.i-m-s.dk/files/publications/Iraq%20Media%20Development%202003-05%20pdf.pdf>.

former senior TV advisor to the Iraqi Media Network (IMN).²⁴¹ An ambitious plan, it did not succeed for a variety of reasons.

In February 2003, the IMN was founded with a budget of USD15 million provided by the US government. Former Voice of America director Bob Reilly headed the venture together with Mike Furlong, a Defense Department contractor who had experience with broadcasting initiatives in post-war Kosovo. They assembled a team of Iraqi consultants to serve as an editorial group, policy unit, and to advise on media strategy. Westerners were recruited to provide journalism and technical know-how. The money was also to be used to establish a new TV station (*al-Iraqiya*), a radio station and a newspaper (*al-Sabah*). The IMN began broadcasting the first programs from the southern Iraqi city Um Qasr by mid-March 2003. On May 13, the IMN-backed TV station *al-Iraqiya* went on the air.²⁴²

That month two new newspapers, *al-Sabah (The Morning)* and *Sumer*, both sponsored by the CPA and the IMN, were launched. At first *al-Sabah* was considered lackluster, while *Sumer* attracted leading Iraqi and Arab journalists for its striking, wide-ranging analysis.²⁴³

The Iraqi Ministry of Information was abolished in late May 2003 by order of the CPA and its assets handed over to the IMN. More than 6,000 employees were dismissed overnight, including journalists, writers, technicians, accountants and administrative staff, along with the staff of the five daily papers, the Iraqi news agency and state radio and television.

In June 2003, CPA governor L. Paul Bremer imposed restrictions on the media, which were widely criticized. "The new ruler of Iraq, Paul Bremer III," wrote *Guardian*

²⁴¹ Don North, interview by Brooke Gladstone, On The Media, October 17, 2003, <http://www.onthemediamedia.org/2003/oct/17/network-not-work/transcript/>

²⁴² Susanne Fischer, "Todesmutig für die Wahrheit [Undaunted for the Truth]," Zeit Online, March 2, 2006, http://www.zeit.de/2006/10/Irak_Presse.

²⁴³ Baltic Media Center et al., A New Voice in the Middle East: A Provisional Needs Assessment for the Iraqi Media, (May-June 2003), 6-8, http://www.globalsecurity.org/military/library/congress/2003_hr/bordentestimony030723.pdf.

journalist Brian Whitaker, "has already shown a disturbing inclination to follow the traditional route of Arab leaders where newspapers are concerned."²⁴⁴

In June 2003, Bremer introduced an "orderly" process of registering print media. But, as Whitaker remarked, there was no need to register newspapers, since in many countries the only legal requirement was for them to include the names and addresses of the publishers and printers. Bremer subsequently issued CPA Order No. 14. The executive order was effective immediately and did not go through any consulting procedure. It contained a list of nine "prohibited media activities," including incitement to racial, ethnic or religious hatred, advocating support for the banned pre-war Baath party, and publishing material that "is patently false and is calculated to provoke opposition to the CPA or undermine legitimate processes towards self-government."²⁴⁵ Accordingly, all Iraqi media had to be registered, and licenses would be revoked and equipment confiscated from media that broke the rules. Individual offenders "may be detained, arrested, prosecuted and, if convicted, sentenced by relevant authorities to up to one year in prison and a USD1,000 fine." Appeals could be made to Bremer only, and his decision was final.²⁴⁶

This gave US authorities far-reaching powers to interfere with the media and close or suspend newspapers. The first action under the new edict was to arrest members of a political party, who had written articles praising attacks on American troops. With this, Bremer was walking a thin line regarding press freedom, since lobbying for resistance to foreign occupation is actually permitted by international law.²⁴⁷ Journalists subsequently complained to the Arab Press Freedom Watch (APFW) that they had received warnings about using the word "occupation." The media watchdog worried that politically motivated constraints on the nascent freedom

of expression in Iraq might result in a situation where "the deeds would give lie to the words, and talk about democratization would feel as hollow as a drum."²⁴⁸ In its report about the "Current State of Media in Iraq," the BBC World Trust Service noted: "A central question needs answering: is the IMN the mouthpiece of the CPA or is it Iraq's independent national broadcaster in its infancy?"²⁴⁹

In September 2003, the US-appointed Iraqi Governing Council (IGC) issued a decree barring two of the most popular satellite news channels, al-Jazeera and al-Arabiya, from government buildings and press conferences for two weeks. The ban was punishment for broadcasting images of two masked men who threatened to kill IGC members. The IGC suspected both channels knew of attacks on American troops before they occurred, incited violence against US-led coalition forces and Iraqi officials, and promoted sectarian tensions.

The spokesman for then ICG President Ahmad Chalabi said that the decision was a "positive step to protect the Iraqi people from the poisons being broadcast by the channels."²⁵⁰ Given both channels' popularity regionally and internationally, it was seen as a step to discourage critical reporting in post-Baathist Iraq. Earlier that year al-Jazeera's Iraq correspondent Tareq Ayyoub had been killed by a US air strike in Baghdad that hit the building where the channel was housed. As Iraqi journalist Mariwan Hama-Saeed pointed out, "Some believed that the US was taking revenge on the channel for its anti-war position, especially because the channel's bureau was also attacked in Afghanistan in 2001 by US forces. The US said its forces were fired on from the building where al-Jazeera was housed."²⁵¹ In 2004, the Iraqi government closed al-Jazeera's bureau although al-Jazeera English remained operational there.

244 Brian Whitaker, "Getting a Bad Press," *The Guardian*, June 23, 2003, <http://www.guardian.co.uk/world/2003/jun/23/worlddispatch.iraq>.

245 For the wording of the order, see Coalition Provisional Authority, Order no.14, "Prohibited Media Activity," June 10, 2003, http://www.iraqcoalition.org/regulations/20030610_CPAORD_14_Prohibited_Media_Activity.pdf.

246 Rohan Jayasekera, "Gives with One Hand, Takes Away with the Other," *Index on Censorship*, June 11, 2003, <http://www.casi.org.uk/discuss/2003/msg02984.html>.

247 Brian Whitaker, "Getting a Bad Press," *The Guardian*, June 23, 2003.

248 Arab Press Freedom Watch, *Working with Iraqi Journalists: Towards a Free and Independent Media*, (Arab Press Freedom Watch, 2003), 19, <http://www.mict-international.org/pdf/apfw.pdf>.

249 Stephen King et al., *Iraqi Media Audit Eight-City Report: The Current State of the Broadcast Media in Iraq* (London: BBC World Service Trust, 2003), 12, <http://reliefweb.int/sites/reliefweb.int/files/resources/827537491B1EC929C1256D740047586F-bbc-irq-31jul.pdf>.

250 Ibid.

251 Mariwan Hama-Saeed, "Under Fire: Media in Iraq at Risk," *Kurdish Aspect*, March 26, 2007, <http://www.kurdishaspect.com/doc0326MHS.html>.

The same day, Reuters veteran Taras Protsyuk and Spanish cameraman José Couso of Telecinco died by US fire at the Palestine Hotel, to the quarters for more than 100 journalists in Baghdad. The journalists had been covering the intensifying fights between US and Iraqi troops on the Tigris River Bank from their balcony on the fifteenth floor when a US M1A1 Abrams tank positioned on the nearby al-Jumhuriya Bridge fired a single round at them. Reuters Gulf bureau chief Samia Nakhoul was seriously wounded when shrapnel ripped through her skull, but she survived after initial hospitalization in Iraq, and eventual evacuation to the UK.

The US military claimed they had come under fire from the hotel, but journalists who were staying and reporting from there denied it. International press freedom groups protested the incident. In a letter to then US Secretary of Defense Donald Rumsfeld, the Committee to Protect Journalists noted that "sources in Baghdad have expressed deep skepticism about reports that US forces were fired upon from the Palestine Hotel" and that "even if that were the case, the evidence suggests that the response of US forces was disproportionate and therefore violated international humanitarian law [the Geneva Conventions]." The letter called on the Pentagon "to launch an immediate and thorough investigation into these incidents and to make the findings public."²⁵²

With time, the CPA shaped the Iraqi media scene according to its ideas and wishes. On March 20, 2004, it appointed the IMN per Order No. 65 as "solely responsible for licensing and regulating telecommunications, broadcasting, information services and other media in Iraq,"²⁵³ granting the American-founded and -funded regulatory body almost exclusive authority to shape the future media landscape of Iraq.

One of the commission's tasks was to turn Iraq's Pentagon-funded national radio and TV network into a BBC-style public service broadcaster. The commission was also responsible for mobile phone licenses, frequency spectrum management and broadcast licensing.

In July 2004, the commission adopted a temporary code of practice for broadcast media that provided rules and editorial standards for program content of all local and foreign broadcasters in Iraq. The code allowed the commission to regulate speech that may incite, represent or portray violence or ethnic, national or religious intolerance. The commission was authorized to impose financial penalties and withdraw licenses, and according to its chief executive officer, the code would help confront the "immoral practices and principles of some television stations."²⁵⁴

The IMN's setup was criticized from the outset. Problems included chaotic decision-making, ad-hoc hiring, poor planning for equipment purchases, lack of program planning and fierce internal rivalries. More critical still was the impression that the CPA used the IMN and its outlets as mouthpiece for its own policies.

"Critics say the network's mission is weakened by its contradictory goals. IMN was touted as both the voice of an occupying military force and an inspiration for Iraqis to produce fair and balanced news coverage. But many Iraqis have already dubbed the network a propaganda organ," wrote journalist Cynthia Cotts.²⁵⁵

In an interview with WNYC's "On the Media," former IMN advisor North called the IMN "a conduit for information from CPA, from Ambassador Bremer," and described how the CPA increasingly interfered in the daily work of journalists at the IMN who wanted "to put out on the street five or six reporters and crews each day, to find what was happening with electricity, medical supplies, security problems. And yes, confrontations between Americans and Iraqis demonstrating in the street. Then what happened was that we got orders to

²⁵² CPJ provides a very detailed report about the incident on its website. Joel Campagna and Rhonda Roumani, "Permission to Fire?" Committee to Protect Journalists, May 27, 2003, <http://cpj.org/reports/2003/05/palestine-hotel.php>.

²⁵³ Coalition Provisional Authority, Order no.65, "Iraqi Communications and Media Commission," March 20, 2004, http://www.iraqcoalition.org/regulations/20040320_CPAORD65.pdf.

²⁵⁴ "Codes of Conduct for Arab Media", Arab Reform Bulletin, vol.2 no.8, (September 2004): 13, http://www.carnegieendowment.org/files/2004_September_ARB.pdf.

²⁵⁵ Cynthia Cotts, "US 'News': Is Anyone Watching The Iraqi Media Network?" The Village Voice, November 11, 2003, <http://www.villagevoice.com/2003-11-11/news/u-s-news/1/>

continually and constantly be covering news conferences and events arranged by CPA. Why [LAUGHS] we, we had no facilities or camera crews, reporters left to go out and do the other stories that were probably in the end more important to our Iraqi listeners."²⁵⁶

The IMN was the opposite of what people had hoped for: "Iraqis had looked forward to getting fair and balanced news from the US, but now view the network with 'the same distrustful eye they regarded it with during the Saddam Hussein era - same TV, different autocratic rulers.'"²⁵⁷ As a result, experts concluded, "the authorities lost a critical opportunity to present a fresh and dynamic face for a new Iraq, and failed in its duty to provide basic information to a frightened and traumatized population."²⁵⁸

Another harsh assessment came from the international media NGO Index on Censorship. It criticized the massive growth in Iraq's media, which was not accompanied by independent investment, resources and capacity building. In fact, heavy investment in media development in Iraq under the US-led occupation was misdirected and misused. It did almost nothing to support Iraq's booming semi-independent print and broadcast sector, while an ambitious attempt to introduce an advanced media regulation system ran awry.²⁵⁹

Post-Baathist Media

In the immediate post-Baath period, Iraq witnessed a veritable media boom. By the first post-Baathist summer of 2003, about 150 newspapers and several radio stations had sprung up in central and southern Iraq. In Karrada, the main shopping district in downtown Baghdad, busy dealers sold hundreds of satellite dishes and TV sets

every day. Makeshift newsstands on sidewalks sold a variety of papers previously unknown to Iraqis. From the sensational yellow press to small, ambitious weeklies, everything seemed available. It was a brief summer of media freedom and experiments.²⁶⁰

With many publications, journalistic standards and quality of content however were low and the provision of balanced reporting about local issues and humanitarian concerns remained scant.²⁶¹ The need to train a new generation of Iraqi journalists not embossed by decades of state- and self-censorship became apparent. "Seeing so many conflicting opinions in print may be a welcome novelty after decades of suppression, but it's no substitute for real journalism. Democracy, if it ever takes root in Iraq, will need an independent press that can call governments to account by digging out uncomfortable facts," wrote the *Guardian's* Brian Whitaker.²⁶² Over the next five years, millions of dollars of grant money were allocated to various non-governmental organizations and US contractors to conduct training seminars for Iraqi journalists.²⁶³

A study conducted by IWPR about foreign assistance spent on Iraqi media and journalists between 2003 and 2006 listed a minimum of USD 226 million in international support. Major donors included the US government (USD 207 million), the British government (USD 12 million), UNESCO and UNDP (USD 4 million). Other governments and foundations contributed an additional USD 3 million.²⁶⁴ Of this money, USD 198 million went

²⁵⁶ Interview with Brooke Gladstone, by Susanne Fischer, October 17, 2003.

²⁵⁷ Cynthia Cotts, "US 'News': Is Anyone Watching The Iraqi Media Network?"

²⁵⁸ Baltic Media Center et al., A New Voice in the Middle East: A Provisional Needs Assessment for the Iraqi Media, (May-June 2003), 6-7, http://www.globalsecurity.org/military/library/congress/2003_hr/bordentestimony030723.pdf.

²⁵⁹ Martin Breum, "Media Development in Iraq. An Overview of International Support 2003 – 2005," (Copenhagen: International Media Support, 2005), 11, <http://www.i-m-s.dk/files/publications/Iraq%20Media%20Development%202003-05%20pdf.pdf>.

²⁶⁰ Co-author of this study Susanne Fischer personally witnessed this period in Baghdad.

²⁶¹ Baltic Media Center et al., A New Voice in the Middle East: A Provisional Needs Assessment for the Iraqi Media, (May-June 2003), 6-7, http://www.globalsecurity.org/military/library/congress/2003_hr/bordentestimony030723.pdf.

²⁶² Brian Whitaker, "Getting a Bad Press," *The Guardian*, June 23, 2003, <http://www.guardian.co.uk/world/2003/jun/23/worlddispatch.iraq>.

²⁶³ Among the organizations conducting training for Iraqi journalists were IREX, Index on Censorship, ADF, and Niqash. When the security situation deteriorated, most organizations stopped working in Iraq and conducted trainings outside the country. The only group that continuously trained Iraqi journalists in Iraq was the British-American Institute for War and Peace Reporting. It began with grants from the British DFID and continued with grants from the Open Society Institute, US State Department, National Endowment for Democracy, and others.

²⁶⁴ Tony Borden, "Iraq Media Assistance Map" (powerpoint

to the Iraqi Media Network. Additional non-Western funding came from political parties, religious groups, businessmen, Iraqi and regional governments, as well as regional broadcasters.²⁶⁵

The Press²⁶⁶

The number of newspapers (daily, weekly, biweekly monthly, national, regional and local), as well as magazines in Iraq is dizzying. Many small papers are published locally with a circulation of a few hundred copies. Several papers launched in 2003, however, vanished soon thereafter. Only few papers are distributed nationwide, and even those have small circulations. The media database of one of the NGOs conducting journalism workshops for Iraqi media listed almost 200 newspapers and magazines in 2006 but only deemed a handful independent, including *Azzaman* (*The Time*), *al-Dustour* (*The Constitution*) and *al-Mada* (*The Extent*) in Baghdad; the Kurdish *Hawlati* (*Citizen*) in Erbil; and *al-Manara* (*The Lighthouse*) in Basra.²⁶⁷ In 2008, Iraqi President Jalal Talabani's media office listed 26 print outlets, 16 TV stations and nine radio stations registered under its auspices.

APFW divided the newly emerged Iraqi print media into six categories: 1) newspapers based outside Iraq, mainly in London or Kuwait, (such as *al-Zaman* and *Sumer*); 2) newspapers published by the IMN, which were financed and managed by the CPA (such as *al-Sabah* and *Sumer*); 3) outlets connected to political parties or factions (including old publications like the Communists Party's *Tariq al-Sha'b*, the Kurdistan Democratic Party's *al-Taakhy*, and the Islamic Dawa Party's *al-Dawa*; papers published in the 1990s, mainly in autonomous Kurdistan and overseas, such as *Baghdad* published in Amman and *al-Ittijah al-Akbar* (*The Other Direction*) published in Damascus; papers published right after the fall of the Baath, such as *al-Jarida* (*The Journal*) and *al-Sa'a* (*The Hour*);

prepared by the Institute for War & Peace Reporting, 2006), accessed June 1, 2012, http://portal.unesco.org/ci/fr/files/24850/11831235331/Tony_Borden.pdf/Tony%2BBorden.pdf.

²⁶⁵ Ibid.

²⁶⁶ For Iraqi newspapers available online, see "Iraqi Media After Saddam," al-Bab, accessed May 30, 2012, <http://www.al-bab.com/arab/countries/iraq/media.htm>.

²⁶⁷ IREX, Iraq: Media Sustainability Index, (2006), <http://unesdoc.unesco.org/images/0015/001518/151833e.pdf>.



4) papers directed toward an ethnic minority audience, such as *al-Taakhy* and *al-Ittihad* (*The Union*), which appear in Arabic and Kurdish; 5) independent newspapers that appeared after the fall of the Baathist regime, published by groups or individuals, covering different areas such as politics, art, literature, sports and religion, including some by former Baath officials and press veterans; 6) and temporary productions by local printers with a circulation of up to 5,000 copies per issue.²⁶⁸

Following Saddam Hussein's fall, papers with clear political affiliations were established or reemerged from exile or the underground. *Al-Dawa* (*The Call*) returned as the mouthpiece of the Dawa Party, one of the first opposition groups, and soon established itself as an influential Islamic paper. *Sadr* (named after the prominent Shiite family) was the organ of the more radical Shiites who had close ties to Iran. The CPA shut down another Sadrist paper, *al-Hawza*, for 60 days in March 2004, after it allegedly violated regulations that banned incitement to violence. As reported by the *Guardian*, the closure "intended to reduce [Muqtada] Sadr's influence. At the same time the Americans published an arrest warrant for the cleric for alleged involvement in murder. Both moves led to street demonstrations by hundreds of Shia Muslims in central Baghdad... Armed clashes erupted, which led to a full-fledged uprising that lasted for two months and spread to Najaf, Karbala, Kut and other

²⁶⁸ Arab Press Freedom Watch, Working with Iraqi Journalists: Towards a Free and Independent Media, (Arab Press Freedom Watch, 2003), 21-22, <http://www.mict-international.org/pdf/apfw.pdf>.

southern cities. Hundreds died but the cleric's support went up in every public opinion poll, as he was seen as a champion of independence."²⁶⁹

One of the first and most successful national post-Baathist papers in Baghdad was *Azzaman* (*The Time*),²⁷⁰ partly produced in London and owned by Saad al-Bazzaz.²⁷¹ Al-Bazzaz was editor-in-chief of the infamous Iraqi government newspaper, *al-Jumhuriya* (*The Republic*), until he fled to England in 1992. In 1997, he established Azzaman Press & Publication Company in London. The newspaper was internationally distributed from London, and after the war al-Bazzaz launched a Baghdad edition. His company also runs the popular Dubai-based Iraqi satellite channel al-Sharqiya (The Eastern).

Al-Bazzaz does not disguise the fact that his ambitions transcend journalism and lie in politics, and his paper's articles sometimes reflect an anti-Shiite tone. "To spend all this money, to make all this investment, to take all this risk, it is because I am a politician," he told the *New York Times*, "and to be a politician, you have to use the media as a channel."²⁷²

Nevertheless, *Azzaman* is one of the most popular and professionally produced papers in Iraq. Another paper with a secular approach is *al-Mada* published by Fakhri Karim, a former leader in the Iraqi Communist Party. His Dar al-Mada publishing house specializes in books and periodicals, and his *al-Mada Foundation* has initiated various cultural activities in the Arab World, including the Erbil Cultural Festival. Karim gathered a number of experienced Iraqi journalists who had been in exile for his new daily in Baghdad. The paper gained prominence, but Karim's position as senior advisor to Iraqi president Jalal Talabani also raised doubts about his independence.

New private newspapers meant competition for the CPA-initiated daily *al-Sabah*, which suffered from a major conflict of interest from the outset: It was part of the state-funded IMN and was run by Harris Inc., a Florida-based communications company that won a USD96 million Pentagon contract to develop the media.²⁷³

In May 2004, *al-Sabah* editor-in-chief Ismail Zayer left the paper and days later started launched *Sabah al-Jadid* (*The New Morning*) in a bid to establish his independence from the Americans. Zayer, an Iraqi with Dutch citizenship, had planned to break *al-Sabah* away from the IMN, complaining about American interference in the daily business of the paper. When Harris Inc. rejected his idea, Zayer and most of the staff resigned to establish *al-Sabah al-Jadid*, first in Baghdad before moving to Erbil in Northern Iraq for security reasons. Zayer temporarily left Iraq after he survived a kidnapping attempt in 2004 in which his bodyguard and driver were killed.²⁷⁴ "In most of the cases we can't say what we know," he said. "We're afraid that if we publish what we know we'll be threatened. Of course you can write a beautiful, brilliant piece, but it might be the last piece you write."²⁷⁵

An important addition to the Iraqi media scene was the newly founded Iraqi news agency *Aswat al-Iraq* (Voices of Iraq), funded by the United Nations Development Program and set up with training assistance from the Thomson-Reuters Foundation.²⁷⁶ The agency began publishing in Arabic in November 2004.

The agency was established "in the belief that Iraq cannot develop democratic politics or an efficient economy without an independent, reliable source of national news."²⁷⁷ *Aswat al-Iraq* has an extensive network of correspondents throughout the country and provides services in Arabic, Kurdish and English.²⁷⁸

269 Jonathan Steele, "Pro-Sadr Weekly Reopens in Iraq," *The Guardian*, July 19, 2004, <http://www.guardian.co.uk/media/2004/jul/19/iraqandthemedialiraq>.

270 Azzaman, <http://www.azzaman.com>.

271 For a list of publications in Baghdad specifying the publisher, editor-in-chief, frequency and classification, see "Appendix no.1: A List of Publications in Baghdad," in Arab Press Freedom Watch, Working with Iraqi Journalists: Towards a Free and Independent Media, (Arab Press Freedom Watch, 2003), 34-4, <http://www.mict-international.org/pdf/apfw.pdf>.

272 Neela Banerjee, "Iraqis Race to Fill Void in Journalism," *The New York Times*, May 13, 2003, <http://www.nytimes.com/2003/05/13/international/worldspecial/13NEWS.html>.

273 Lee Keath, "Editor-in-chief of US-funded Iraqi Newspaper Quits, Complaining of American Control," *Associated Press*, May 3, 2004.

274 Tiare Rath, "A Dangerous Occupation," *Institute for War & Peace Reporting*, ICR no.175, May 4, 2006, <http://iwpr.net/report-news/dangerous-occupation>.

275 Ibid.

276 "Independent News Agency Set to Launch in Iraq," UNDP, August 8, 2005, http://content.undp.org/go/newsroom/independent-news-iraq080805.en?sessionid=ah8oB5RAid7_?categoryID=349429.

277 UNDP Media Constitution, Narrative Reptot (C9-10), (2007), 1, <http://mdtf.undp.org/document/download/707>.

278 "About Us," *aswat al-Iraq*, accessed May 30, 2012, <http://>

As vibrant as the 2003 media spring in Iraq was, it did not bear fruit for long. Soon, political parties and religious groups started to reclaim control over large shares of the media. Small independent publications ran out of money, and since there was no developed advertising market yet in Iraq, money from parties and national or regional governments was often the only available source of income for publishers.

Sectarian violence began engulfing the country in the summer of 2004 and did not spare journalists. A young journalist who had fled to southern Iraq when Shia militiamen of Muqtada Sadr's *Jeish al-Mahdi* took control of his neighborhood in Baghdad expressed fear that it was becoming impossible for reporters to operate in the country. "Militias kill and detain people because [they're either] Shia or Sunni. If I showed them my press ID, they would accuse me of being a collaborator and kill me on the spot."²⁷⁹

Soon, threats to journalists became a common occurrence, and many started to take precautions such as changing their route to work, not revealing their real profession, and making appointments for interviews at the last minute. "Call me back later, I cannot speak English right now," fixers would text message their international employers when walking in the streets of Baghdad, afraid of being discovered as someone working for foreign media outlets.²⁸⁰

Journalists were abducted, tortured and even shot in broad daylight, like IWPR reporter Sahar al-Haidari from Mosul. Her case exemplifies how militias and armed groups deal with unwanted journalists whom they brand as spies and collaborators.

Haidari, who wrote repeatedly about the growing influence of extremists in Mosul and their regime of terror, received as many as 13 death threats. One day, she found a hit list pinned to her door; her name was ranked fourth among those wanted by the "Emir of the Islamic Country in Mosul."²⁸¹

"Our psychological state is unbalanced because we live and think in fear and worry and always think about our destiny and that of our family," she wrote in March 2007 for a British newspaper,²⁸² expressing what many Iraqi journalists felt at that time. Al-Haidari was shot in front of her house in Mosul on June 7, 2007. The militant group Ansar al-Sunna later claimed responsibility for her death, accusing Haidari of collaborating with the "apostate" Iraqi police and government. "After sophisticated monitoring, we concluded that... Haidari was writing false reports about the *mujahideen* in order to distort the truth," read the group's statement.²⁸³

The message her death delivered was clear - journalists must die because they are allies of the government, the security forces and the "infidels."



Sahar al-Haidari

Radio and Television

Compared with television and radio under Saddam Hussein's rule, Iraqis were catapulted into an era of veritable media diversity and exposure after his fall. After decades of state-controlled propaganda, which mainly presented the daily trifles of Saddam Hussein, people could choose from hundreds of satellite channels from

en.aswataliraq.info/%28S%28kagqpqyhmtuktrfsgxsswx55%29%29/Default1.aspx?page=page&c=whoare.

279 Nesim Kadhim, "Iraq: Shooting the Messenger," Institute for War & Peace Reporting, ICR no.193, September 13, 2006, <http://iwpr.net/report-news/iraq-shooting-messenger>.

280 Interviews with Iraqi journalists, by Susanne Fischer, 2005-2008.

281 Interviews with Sahar Al-Haidari, by Susanne Fischer, 2006-2007.

282 Sahar al-Hayderi, "Who Protects Journalists? We are Targets for Doing our Job," UK Press Gazette, March 30, 2007, <http://www.pressgazette.co.uk/story.asp?storyCode=37121§ioncode=1>.

283 Susanne Fischer, "Requiem for a Brave Woman," Institute for War & Peace Reporting, ICR no.223, June 26, 2007, <http://iwpr.net/report-news/requiem-brave-woman>.

around the world. They also had an array of new Iraqi channels from which to pick. Iraqis ended up watching a lot of television during the peak times of sectarian violence in 2006 and 2007, when people dared not go out or were housebound due to lengthy curfews.

The "elephant in the room"²⁸⁴ among Iraqi broadcasters is the state-run al-Iraqiya with its subsidiaries Iraqiya TV, Iraqiya TV 2 and Iraqiya Sports, as well as the radio channels Radio al-Iraq and Qoraan Radio - all part of the Iraqi Media Net that was set up by the CPA.

Al-Iraqiya, once described as "one of the chief US weapons in the battle to win Iraqi hearts and minds,"²⁸⁵ is increasingly considered a mouthpiece for the Shi'ite-dominated Iraqi government, after the channel was handed over to Iraqi authorities. This was particularly the case during prime minister Ibrahim al-Jaafari's term in office. "It's supposed to be a public service broadcaster... they should be providing a service for all the people, but they are providing a service only for certain people in government," Hiwa Osman, media advisor to Iraqi President Jalal Talabani complained in 2006.²⁸⁶ The question of who controlled al-Iraqiya became more relevant when polls indicated it had become Iraq's most watched network.²⁸⁷ Controlling al-Iraqiya meant a direct line to the Iraqi people, since its terrestrial coverage reached 93 percent of the country.²⁸⁸

The IMN's board of governors even complained about interference in editorial decisions from top government officials. They accused Jaafari of aiming "to turn the IMN's various media outlets into mouthpieces for his policies and Dawa Party allies, hiring and firing editors, and directing editorial policy."²⁸⁹

The British also tried to set up a professional TV channel in the southern city of Basra, which was under their control. Al-Mirbad TV and radio were launched in August 2005 by the BBC World Service Trust with an initial grant of USD11.81 million for two years.²⁹⁰ Some 150 staffers were trained, most of them new to broadcasting. The programs included news, current affairs, sports, arts and children's programs. Ninety percent of the content was locally produced.²⁹¹ The BBC proudly claimed: "In an Iraqi media environment of growing sectarianism, al-Mirbad stands out as an independent, non-partisan broadcaster concentrating on locally-made programs for southern Iraq."²⁹²

In popularity polls, a cluster of channels repeatedly come first. In 2008, the Iraqi Journalists Union honored al-Sumaria as the best Iraqi TV channel of the year, praising its neutrality and integrity. It was established by a group of businessmen as an independent Iraqi satellite TV network in 2004, transmitting on NileSat and Hotbird from Lebanon with a staff of 300 in Iraq and 150 in Lebanon.

Al-Baghdadiya, owned by the Iraqi businessman and engineer Aoun Hussein Tashlouk, began broadcasting in September 2005 from offices in Baghdad and Cairo. The channel describes itself as equidistant from all political parties within and outside the political process, and calls for respect for all religions and holy sites, as well as the free exercise of religious rites and rituals to promote civil peace and coexistence.²⁹³ Al-Baghdadiya gained international notoriety in December 2008 when its reporter Munthadar al-Zaidi tossed his shoes at former US president George W. Bush during a Baghdad press conference.

284 Tony Borden, "Iraq Media Assistance Map" (powerpoint prepared by the Institute for War & Peace Reporting, 2006), accessed June 1, 2012, http://portal.unesco.org/ci/fr/files/24850/11831235331Tony_Borden.pdf/Tony%2BBorden.pdf.

285 Jim Krane, "Pentagon Funds Pro-US Network in Iraq," Associated Press, November 28, 2003.

286 Charles Levinson, "Iraq's 'PBS' Accused of Sectarian Slant," The Christian Science Monitor, January 10, 2006, <http://www.csmonitor.com/2006/0110/p06s01-woiq.html>.

287 Ibid.

288 Paul Cochrane, "The 'Lebanonization' of the Iraqi Media: An Overview of Iraq's Television Landscape," Transnational Broadcasting Studies Journal, no.16, (2006), <http://www.tbsjournal.com/Cochrane.html>.

289 Charles Levinson, "Iraq's 'PBS' Accused of Sectarian Slant," The Christian Science Monitor, January 10, 2006, <http://www.csmonitor.com/2006/0110/p06s01-woiq.html>.

290 Paul Cochrane, "The 'Lebanonization' of the Iraqi Media: An Overview of Iraq's Television Landscape," Transnational Broadcasting Studies Journal, no.16, (2006), <http://www.tbsjournal.com/Cochrane.html>.

291 "Iraqi TV Booms in Wake of War," China Daily, April 12, 2006, http://english.peopledaily.com.cn/200604/12/eng20060412_257702.html.

292 "The BBC in the Arab World," BBC Press Office, March 3, 2008, http://www.bbc.co.uk/pressoffice/pressreleases/stories/2008/03_march/03/arabic_news.shtml.

293 "Man Nahn [Who We Are]," al-Baghdadiya, accessed May 31, 2012, <http://www.albaghdadia.com/aboutus.html>.

The privately owned al-Diyar (The Homeland) was the only television station that fully aired the trial of former Iraqi president Saddam Hussein.

Al-Fayhaa (The Vastness, one of the Arabic names for the city of Basra) is an Iraqi satellite channel that started broadcasting from Dubai Media City in the UAE in July 2004. As a private channel, it did not receive large sums of public funding and foreign aid and its general manager complained publicly about the fact at a UNESCO conference in Paris in January 2007.

Al-Hurra Iraq, the Iraqi offshoot of the US-government-funded Al-Hurra (The Free One), initially faced criticism from viewers and even eventually from its benefactor the US Congress, which questioned its validity, its impact, and its financial burden to American taxpayers. But today it has undoubtedly earned much popularity with Iraq, also among civil society activists, who are granted more airtime by al-Hurra than by other channels.²⁹⁴

A crucial incident in the post-Saddam Hussein era was the bombing of the holy Shiite shrine in Samarra in February 2006. The attack sparked fights across the country and was seen as a major cause for the country's slide into civil strife. In the attack's aftermath, the sectarian character of numerous Iraqi broadcasters became evident: "Sunni-orientated channels such as the Iraqi Islamic Party's Baghdad TV, which has no correspondents in either of the Shiite holy cities of Najaf and Karbala, focused on Sunnis attacked in retaliation for the bombing, while Shiite-run channels al-Furat and al-Iraqiya devoted coverage to the damage to the shrine and the plight of Shiites under Saddam Hussein's regime. Al-Furat reportedly aired slogans telling Shiites to stand up for their rights."²⁹⁵

Many of the newly established channels were local or regional stations and often strongly interwoven with local politics. Regional TV stations with a strong Shiite agenda broadcast in Karbala, Najaf and Kut. Najaf TV, limited in its reach to the city of Najaf and its environs, was directed by the son of a prominent clerical family. Its

programs reflected a strongly Islamist tone and its content consisted of a mixture of Islamic lectures, often by Iran-based clerics, children's cartoons and pirated news from al-Jazeera and Lebanon's Hezbollah-run al-Manar TV.²⁹⁶

The Iraqi radio landscape was also totally overhauled in 2003, evolving from central government-controlled state radio to a colorful, chaotic landscape of private, semi-private, and government or party stations. In addition to the IMN's government-backed radio, dozens of regional and local stations emerged. Many received initial or sustained foreign aid, such as Radio Nawa, established by Kurdish businessman Kurda Hassan in January 2005 with US government support. It broadcasts from Sulaymaniyah in Arabic and Kurdish. Nawa is one of the few radio stations that focuses mainly on news and politics.

Another example is Radio al-Mirbad in Basra, set up by the BBC World Trust Service together with al-Mirbad TV mentioned above. According to the Trust: "An audience survey conducted in 2008 shows that nearly a third of 15 to 65-year-olds in the three southern provinces listen to Radio al-Mirbad every week - one in ten listen every day."²⁹⁷

Radio Dijla, broadcasting from Baghdad, identifies itself as "the first independent Iraqi radio."²⁹⁸ It was founded by Ahmed al-Rikabi, a former London bureau chief of the US-funded "Radio Free Iraq," who had worked for the Iraqi Media Network in 2003. Media reports said the station started to broadcast in 2004 from "a modest family house somewhere in a western Baghdad suburb."²⁹⁹ Set up as a talk radio with call-in shows, the radio was a new addition for Iraqis who made good use of the opportunity to express themselves, the BBC reported.³⁰⁰

294 Interview with prominent Iraqi activist Hanaa Edwar in April 2012 by Layla Al-Zubaidi.

295 Paul Cochrane, "The 'Lebanonization' of the Iraqi Media: An Overview of Iraq's Television Landscape," *Transnational Broadcasting Studies Journal*, no.16, (2006), <http://www.tbsjournal.com/Cochrane.html>.

296 Baltic Media Center et al., *A New Voice in the Middle East: A Provisional Needs Assessment for the Iraqi Media*, (May-June 2003), 9, http://www.globalsecurity.org/military/library/congress/2003_hr/bordentestimony030723.pdf.

297 kdevries, "Al-Mirbad Radio," *Democracy and Governance*, August 11, 2011, <http://www.comminit.com/democracy-governance/content/al-mirbad-radio>.

298 Radio Dijla, <http://www.radiodijla.com>

299 "Talk Radio Comes to Baghdad," *BBC News*, June 19, 2004, http://news.bbc.co.uk/2/hi/middle_east/3821307.stm.

300 Ibid.

Post-Baathist Media in Northern Iraq

The post-Baathist media spring was not limited to Baghdad. In northern Iraq several new papers and broadcasters sprung up. Among them, the bi-weekly *Hawlati* (*Citizen*) and the weekly *Awene* (*The Mirror*) gained the strongest reputation for their independence from the ruling PUK and KDP Kurdish parties.

Hawlati was established in the PUK-dominated city of Sulaymaniyah in 2000, while Saddam Hussein was still ruling the rest of Iraq, as "the voice of those who have been marginalized," Asos Hardi, the paper's first editor-in-chief wrote in the pilot issue's editorial. With a handful of staffers and only a USD 3,000 investment, a group of intellectuals founded the publication, which "quickly became the region's most popular newspaper by casting for the first time in the local press a critical eye on the governing practices of the ruling parties."³⁰¹

Hardi, who comes from a well-known Kurdish family of writers and intellectuals, left *Hawlati* in late 2005 to found the weekly *Awene*, which he launched in March 2006 with a circulation of 17,000 copies and 40 staffers. Its board includes lawyers, doctors and intellectuals who are all shareholders.

In 2007, the Kurdish politician Nashirwan Mustafa, a former member of the PUK political bureau and close ally of Jalal Talabani, launched the daily *Rozhnama*, published through his Wisha Company for Media. The media house also runs Sbey website, the TV station Kurdish News Network, and Zargarta Press and received a USD 10 million stipend, a government building, and a hill, the organization's website said.

Kurds are very active on the Internet. Kurdish journalists throughout the region run several news websites that, in addition to their own reporting, pick up almost anything around the globe that has to do with Kurdish issues. They include Kurdishmedia.com and Kurdishaspect.com. Several Kurdish parties also run websites of their own, such as Pukmedia.com.

*Kurdish Globe*³⁰² is an English-language weekly that has been published in Erbil by al-Bawaba Group³⁰³ since April 2005 and is distributed in most major Kurdish cities in Iraq, including Dohuk, Sulaymaniyah, Kirkuk, Erbil and a number of smaller localities. In Sulaymaniyah, the English-language bi-weekly *Soma* (*Perspective*), launched in February 2006 by the KHAK Press & Media Center, which enjoys close ties to the PUK. In Baghdad, *Soma* is published and distributed by al-Mada Publishing House.³⁰⁴

The parties also are heavily involved in the Kurdish-language print business and run most Kurdish newspapers in the region.

Kurdistan Nwe is the official PUK daily in Kurdish; *al-Ittihad* is its Arabic-language publication. The daily *Aso* and the weekly *Chawder* are also funded by the PUK. The Kurdistan Islamic Union publishes the weekly *Yekgirtu*. The KDP had published the daily *Brayati* (*Fraternity*) in Erbil since 1993 and puts out the quarterly magazine *Khabat* (*Cadre*) which is a more academic publication that deals with party issues.

The Legal Framework

Iraq's entire journalistic legal framework came into question following the US invasion in 2003. A conference organized by US-based NGO Internews in Athens in June 2003 produced a 72-page blueprint for regulation and legislation for democratic media to flourish, but fell short of expectations and was abandoned after it proved too complicated and incompatible with realities on the ground.

That month, the CPA issued orders aimed at regulating media activities in Iraq with titles like "Prohibited Media Activities" (Order No. 14), "Towards a Responsible Iraqi Media" (Public note on June 10, 2003), and "Iraqi Communication and Media Commission" (Order No. 65). However, no coherent media law was drafted. Many Baath-era media laws remained in effect after 2003. An

³⁰¹ Joel Campagna, "The Other Iraq," Committee to Protect Journalists, May 5, 2008, <http://cpj.org/reports/2008/05/the-other-iraq.php>.

³⁰² *Kurdish Globe*, <http://kurdishglobe.net>.

³⁰³ Al-Bawaba, <http://www.albawaba.com>.

³⁰⁴ "About Soma Digest," *Soma Digest*, accessed May 31, 2012, <http://soma-digest.com/Zanyari.aspx?jimore=1>.

analysis provided by the British NGO Article 19 summarized some of the highly problematic laws still in force in February 2004: "Under the Baath party regime, the internationally recognized right to access information held by public bodies was not protected and the concept of the 'public's right to know' was unheard of. Official information was closely guarded and a number of criminal law provisions were enacted to penalize the disclosure of official information."³⁰⁵

Meanwhile, Iraqis' expectations regarding freedom of expression ran high despite setbacks and slow processes: A November 2003 Gallup poll showed that Baghdad residents regarded freedom of expression as the most important right to be guaranteed by Iraq's new constitution.³⁰⁶

In June 2004, the CPA was dissolved and sovereignty handed to the first Iraqi Interim Government, following 15 months of occupation. By then the CPA had "become a symbol of American failure in the eyes of most Iraqis," the *Washington Post* alleged.³⁰⁷ Nevertheless, many of the orders issued by L. Paul Bremer remained unchanged.

In July 2004, the interim government under prime minister Iyad Allawi established a Higher Media Commission charged with regulating print and broadcast media. It was also granted the power to impose sanctions, including closure, against outlets that crossed "red lines" in their coverage. Commission head Ibrahim Janabi raised eyebrows after his appointment by referring to a list of prohibitions on news coverage and the possibility of banning channels for airing "unwarranted criticism of the prime minister."³⁰⁸

Allawi's government was replaced in May 2005 by the Iraqi transitional government, formed as a result of national elections held in January 2005. One of its main functions was to draw up a new constitution that was later approved in a referendum in October 2005.

As with most constitutions, the Iraqi version set the general framework for the media's rights, and left the details to specific legislation.

The Legal Framework in Northern Iraq

For Kurdish media, the legal grey zone that existed before the fall of Saddam Hussein persisted after the US-led invasion. After the establishment of self-rule, Kurdish authorities developed separate legislation, parts of which covered the media sector. However, some legislation from the Baath era remained in place. Despite official commitments to freedom of expression, the Kurdish media also operated in a social environment unaccustomed to public criticism of leaders and the judiciary proved inclined to support political parties in disputes involving media.

The process of drafting a new Kurdish media law began in 2006. It was not until September 2008 that the final law was approved by the Kurdish Regional Parliament.

Independent media have grown in Iraqi Kurdistan in recent years, but editors and reporters have clashed with officials who have accused media of biased and careless reporting, while journalists have warned that politicians and party leaders do not respect independent media.

Media watch organizations like the Committee to Protect Journalists have repeatedly criticized Kurdish authorities for harassing journalists. In a May 2008 report on the press in Kurdistan, the CPJ warned that "the increasing assertiveness of the independent press has triggered a spike in repression over the last three years, with the most forceful attacks targeting those who have reported critically on Barzani, [Iraqi President Jalal] Talabani, and other high-level officials."³⁰⁹

305 "Tunisia: New Decree on Access to Administrative Documents Roll Back Culture of Secrecy," Article 19, July 11, 2011, 6, <http://www.article19.org/resources.php/resource/2207/en/tunisia-new-decree-on-access-to-administrative-documents-rolls-back-culture-of-secrecy>.

306 Ibid., 1.

307 Rajiv Chandrasekaran, "Mistakes Loom Large as Handover Nears: Missed Opportunities Turned High Ideals to Harsh Realities," *The Washington Post*, June 20, 2004, <http://www.washingtonpost.com/wp-dyn/articles/A54294-2004Jun19.html>.

308 Nicolas Pelham, "Iraq Sets Up Committee to Impose Restrictions on News Reporting," *Financial Times*, July 27, 2004, <http://www.stanhopecentre.org/research/26.shtml#5>.

309 Wrya Hama-Tahir, "KRG Press Law Proposals Cause Concern,"

The authorities have repeatedly sued independent papers like *Hawlati* or *Awene* for allegedly publishing false information - a misdemeanor ordinarily sanctioned in democratic states with the obligation to run a correction or, if repeated, a fine. Not so in Iraqi Kurdistan. In May 2006, Asos Hardi and Twana Osman were sentenced to six months in prison for allegedly "publishing a false story," a sentence that was later "commuted with the stipulation that the editors not publish errors for the next three years."³¹⁰ An even more draconian case that made international headlines was the nocturnal arrest of Kamal Sayid Qadir in Erbil, who was subsequently sentenced to 30 years for publishing an inflammatory and critical article against Kurdistan Regional President Masood Barzani. Pressure from international and local journalism organizations led to a reduction of his sentence to 18 months, and eventually to his release.

The Kurdish press law passed in 2008 eliminated prison terms for journalists but has taken a long time to trickle down to the political and judiciary system.

Institute for War & Peace Reporting, ICR no.259, May 23, 2008, <http://iwpr.net/report-news/kgp-press-law-proposals-cause-concern>.

310 Mariwan Hama-Saeed, "Under Fire: Media in Iraq at Risk," Kurdish Aspect, March 26, 2007, <http://www.kurdishaspect.com/doc0326MHS.html>.

Jordan

The Recent Situation

A Palestinian-Jordanian journalist who chose to leave the country, but remains on good terms with the ruling family while trying to push for greater press freedoms, described the kingdom as a benign dictatorship. As time passed, the journalist had realized he could only go so far and decided to pursue his career elsewhere, notably after the death of King Hussein and the accession of his son Abdallah to the throne, who maintains a symbiotic relationship with the local media.

Corruption, nepotism and economic hardship coupled with general malaise have plagued Jordan for years, but have become ever more pressing in 2011 and 2012 leading to massive protests in the capital Amman and across the country. Demonstrators have, uncharacteristically for Jordan, aimed their accusations at the king, the queen and their entourage, rather than the successive governments, which have ordinarily taken the blame for popular grievances.

Jordanian tribes have been known for their loyalty to the king. But according to Hassan Barari, a professor of international relations at the University of Jordan, the economic downturn in recent years has meant the



government can no longer afford to subsidize the tribes, who contribute large numbers of recruits to the army, to secure their support. Barari said that in the past decade economic liberalization and privatization, in addition to a shrinking public sector, have failed to satisfy the tribes' demands and exacerbated corruption: "Jordanian society has undergone radical changes in which the tribes' loyalty to the regime is no longer unconditional. And yet decision-makers, particularly those in the office of King Abdullah, are not qualified to address the situation by introducing genuine reform. At the very least, Jordanians need to see the state punish individuals guilty of corruption."³¹¹

Anger was further fuelled when the *Jordan Times* and other media reported that public lands had been registered in the king's name in what was said to be an attempt to speed up development projects, particularly outside Amman. The paper quoted royal court sources as saying the registration was not intended for material or personal gain. A *Jordan Times* editorial on December 6, 2011 said the royal court's clarification "reinforces the principle of transparency and right to information by the media," adding that the king had even donated family-owned land to build public facilities and that all transactions had been on the books and approved by the cabinet. Moreover, it said the king should remain above suspicion and that journalists must understand that they have a role to play in shedding light on the truth, using their right to information: "Officials also have to cooperate with journalists because in the absence of truth, the rumor mill is fed, and rumors might become facts in the minds of the public, and can turn into a destructive weapon in the hands of those who want to abuse them," it concluded.³¹²

A dissenting view was expressed by Naseem Tarawnah on the blog site Mideastposts.com, implying that the royal explanation was an excuse to cover up a scheme, after tribal leaders issued a letter in February 2011

accusing the king of giving public land to his wife, Queen Rania and her family - viewed by many Jordanians as extravagant, and reviled by the have-nots. She questioned why such a royal news conference would be held to explain the registration of lands that had taken place from 2000 to 2003: "And thus, eight years later, in the name of 'transparency and openness,' the public is informed that these lands were registered in the King's name, in order to bypass the conventional (bureaucratic) system, in a manner that is far from transparent or open. The irony is self-evident."³¹³

Writing in *al-Hayat*, Rana Sabbagh noted that the ways in which officials shared information with editors and columnists left them with more questions than answers, which, in turn, led to more demands for clarity from readers, following the outbreak of revolts in the region.³¹⁴

These reports were published during the same week that two conferences on press freedom were held in Jordan: one organized by Arab Reporters for Investigative Journalism (ARIJ) and another by the Center for Defending the Freedom of Journalists (CDFJ). At the conclusion of the 4th ARIJ conference, Chairman Daoud Kuttub said that despite obvious challenges, his organization remained undeterred: "We will continue to train journalists, but we also need to change the mentalities within media institutions into believing that supporting investigative reporting is in their best interest."³¹⁵

That could be a tall order because of existing legislation on the books. A CDFJ document states that Jordanian laws and media organizations' policies have made investigative reporting in the country almost impossible given restrictions on access to information (despite a law

311 Hassan Barari, "Only True Reform Will Mollify Jordan's Wary Tribes," *The Daily Star Lebanon*, February 24, 2012, <http://www.dailystar.com.lb/Opinion/Commentary/2012/Feb-24/164443-only-true-reform-will-mollify-jordans-wary-tribes.ashx#axzz1oQJPPfRi>.

312 "Setting the Record Straight," *The Jordan Times*, December 6, 2011.

313 Naseem Tarawnah, "The King & Public Lands: Taboo Issue in Jordan," *MidEastPosts.Com*, December 8, 2011, <http://mideastposts.com/2011/12/08/the-king-public-lands-taboo-issue-in-jordan>.

314 Rana Sabbagh, "Al-Urdun: P'an al-Malik Tasjil Ard bi-Ismihi Yaftah Bab Mousaalat Masulin Haliyin wa Sabiqin [Jordan: King's Declaration Land Registration in his Name Opens Door to Quizzing Current and Former Officials]," *al-Hayat*, December 13, 2011.

315 Rand Dalgamouni, "Challenges Remain for Investigative Reporting in Region, Fourth ARIJ Conference Concludes," *The Jordan Times*, December 6, 2011.

passed in 2007 ostensibly facilitating media access), and the absence of a requisite environment in which journalists can conduct investigations, as well as news organizations' neglect in providing regular training to staffers. Additionally, Jordanian newspaper editorial boards have proven quite averse to rocking the boat, and are more interested in providing news that is obtained quickly at the lowest price, whereas investigations are usually time consuming and may run up costs, the CDFJ report said.

During the CDFJ-hosted Media Freedom Defenders in the Arab World Forum in December 2011, speaker Yehia Choucair also shed light on Jordan's cyber crimes law, which he said was unfair and punished violators with jail terms. The cabinet's backlash against websites, according to *Sakeb News*, came days after the site *Ammon News*³¹⁶ published results of what it said was an "unscientific survey" showing that 95 percent of Jordanians were dissatisfied with the government's performance.³¹⁷

"Despite the government's tight control on official and private media - justifying failure and glorifying puny deeds - it has failed to convince the street of its ability to face internal and external challenges, and has lost credibility; as a result, any statement from a government source is considered unreliable and part of a game of one-upmanship, particularly on the topics of nationalism, loyalty and belonging," *Sakeb News* reported.

Blogging on the *Guardian* site, veteran Tunisian journalist and activist, Kamel Labidi, who spent years in exile because of harassment by the government, asked whether Jordan was the latest enemy of online press freedom:

"Jordan's provisional law on cyber crimes, deviously adopted earlier this month, has brought the Hashemite kingdom a step closer to Iran, Syria, Saudi Arabia,

Tunisia and Egypt, which are considered by international freedom of expression groups among the most notorious online oppressors worldwide."³¹⁸

This development led a number of Jordanian sites to move their operations to Beirut to avoid harassment.³¹⁹ Publishers of those sites had reviewed Lebanese laws, which provide a wider margin of freedom in addition to a more reliable implementation of media laws, in comparison with Jordan where these are often subject to the whims of individual prime ministers.

"Whereas (King) Abdullah made affordable Internet access a priority - and Queen Rania has more than a million followers on Twitter - Jordan passed a provisional cyberspace law this month that Paris-based Reporters Without Borders said creates a 'legislative arsenal that can be used to punish those whose posts upset the authorities.' Penalties range from fines to forced labor," reported Janine Zacharia in the *Washington Post*.³²⁰

In August 2010, the New York-based Committee to Protect Journalists sent the Jordanian monarch a letter arguing that the law contained several repressive aspects, which could be used to harass online media:

While the provisional 2010 Information Systems Cyber Crimes Law addresses important issues of electronic crimes like hacking or illegally obtaining information for financial transactions, it also includes a number of broadly written provisions that could hinder online expression and restrict the ability of journalists to report the news.

316 Ammon News, <http://www.ammonnews.net>.

317 "Tarakom al-Azamat fi al-Urdun: Azmat Hukuma am Azmat Balad? [Accumulating Crisis in Jordan: A Crisis of a Government or of a Country?]," *Sakeb News Agency*, accessed May 28, 2012, http://sakebnews.blogspot.com/2011/10/blog-post_6879.html.

318 Kamel Labidi, "Is Jordan the Latest Enemy of Press Freedom Online?" *The Guardian*, August 21, 2010, <http://www.guardian.co.uk/commentisfree/2010/aug/21/jordan-cyber-law-press-freedom-online>.

319 "Mawaqi' Ikhbariya Urduniya Tantaqil ila Beirut Ihtijajan 'ala al-Mudayaqat [Jordanian News Sites Moved to Beirut in Protest against Barriers]," *Noon News*, August 21, 2010, <http://www.noonnews.com/?articles=topic&topic=7742>.

320 Janine Zacharia, "New Restrictions Provoke Unusually Strong Wave of Criticism among Jordanians," *The Washington Post*, August 20, 2010, <http://www.washingtonpost.com/wp-dyn/content/article/2010/08/19/AR2010081902955.html>.

In all, the law provides authorities with sweeping powers to restrict the flow of information and limit public debate. Article 8 penalizes "sending or posting data or information via the Internet or any information system that involves defamation or contempt or slander," without defining what constitutes those crimes. Article 12 penalizes obtaining "data or information not available to the public, concerning national security or foreign relations of the kingdom, public safety or the national economy" from a website without a permit. Article 13 allows for law enforcement officers to search the offices of websites and access their computers without prior approval from public prosecutors.

The letter signed by CPJ executive director Joel Simon also asked to lift a ban imposed earlier in the month on public-sector workers from accessing 48 local news websites at work. It expressed concern that the ban mainly targeted local news agencies at a crucial time when citizens especially relied on local news for information as the country prepared for parliamentary elections.³²¹

In September 2011, CPJ research associate Rima Marrouch blogged about Jordanian journalists' success in turning back the most repressive aspects of that law, which included broad restrictions on material deemed defamatory by the state or involving national security. She said it originally permitted law enforcement officials to conduct warrantless searches of online media outlets. Faced with domestic protests and international pressure from CPJ and others, the cabinet revised the measure. Accordingly, "the government said it had deleted one of the most contentious provisions, Article 8, which vaguely barred the 'sending or posting [of] data or information via the Internet or any information system that involves defamation or contempt or slander.' Online journalists

saw the article as an invitation to harass journalists who post critical articles," Marrouch wrote. The cabinet deleted a worrisome clause in Article 12 that banned "spreading ideas affecting national security or foreign relations of the Kingdom, as well as public safety or the national economy." The revised measure still imposes restrictions on national security reporting online, although it sets more precise boundaries: Websites may not publish "data or information not available to the public, concerning national security or foreign relations of the kingdom, public safety or the national economy." The cabinet also watered down the clause on warrantless searches: the revised version requires law enforcement officials to obtain a warrant from a public prosecutor or court in order to search an online outlet and requires police to provide evidence of a crime, she added.

With this and other obstacles in mind, participants at the CDFJ forum recommended setting up an Arab network to monitor and document press freedom violations in the region and have the CDFJ submit a planned mechanism to implement the work, as well as to coordinate action between various organizations with the aim of institutionalizing the network.

Three months earlier, the Jordanian Journalists Union's board threatened to resign to protest restrictions on press freedom and attempts to uncover corruption. Union president Tarek Moumneh told reporters his board had decided to resign en masse over legislation passed in parliament and awaiting approval by the Senate. The legislation would level a fine of JD 30,000-60,000 (USD 42,300 – USD 84,620) against anyone accusing others of corruption, adversely affecting their reputation, injuring their pride or leading to character assassination. Moumneh argued that parliament's move would deal a fatal blow to media freedom and was an attempt to undermine professional journalism.

Legislators split into two groups during the heated parliamentary session: one group supported imposing fines and maintaining the clause in the law, since it would protect citizens from character assassination and unjustified corruption charges; a second group considered it an attack on press freedom aimed at protecting corrupt officials, arguing that the existing penal code already covered such issues.

³²¹ Joel Simon to King Abdullah II, 17 August 2010, in Committee to Protect Journalists, "CPJ Asks Jordanian King to Toss Out Cyber Law," August 17, 2010, <http://cpj.org/2010/08/cpj-asks-jordanian-king-to-toss-out-cyber-law.php>.

"Member of Parliament Abdel Fattah al-Nsour went so far as to consider the new clause 'protection for corrupt people and would bar anyone from discussing corruption without documents in hand' and, that it would silence journalists, including legislators, and bar them from even mentioning corruption," the *al-Sharq al-Awsat* daily reported, quoting al-Nsour as having urged parliament to reject the clause because it would mean "swimming against the current." Another MP, Mamdouh al-Abadi, expressed surprise at why the government was so rushed to pass the law just two days before the end of the legislative session, when 23 other preceding pieces of legislation were already on the table for discussion.³²²

Writing in *al-Hayat* again, Rana Sabbagh explained that the government had decided to jail key figures in an attempt to restore credibility with the public, after being subjected to a barrage of criticism for not adequately confronting corruption. She quoted former information minister Taher al-Adwan as saying the country was on the wrong course in its reform scheme.

In March 2010, the security court banned the press from covering a corruption and bribery case alleging the involvement of senior officials at the Jordan Petroleum Refinery Company, a ranking government figure, and a leading businessman. The Committee to Protect Journalists condemned the gag order and quoted a government spokesman as saying that a particular court was charged with handling the matter because it involved the country's "economic security."³²³

Aside from government fat cats, an investigation was also launched when the journalists' union filed a suit, after a website published the first initials of 51 media personalities and journalists purportedly on the payroll

of former intelligence chief Muhammad al-Dahabi. But three days later the site retracted its bombshell and apologized for the "unintended error," as if nothing had happened.

The CDFJ issued a harsh statement asserting the following:

Attempts by successive governments and their security apparatuses to infiltrate the media and corral journalists is not new, has been ongoing in different forms, did not begin with former intelligence chief Dahabi, nor will it end with his departure. Unfortunately, the media did not stand up to the practice and disavow such actions, and, in fact, some journalists boasted of their closeness to centers of power. The government's direct or indirect control and/or ownership of the media through the Social Security Administration provided it with the requisite cover to undermine the media's independence and turn it into a mouthpiece for it, leading to increased self-censorship by journalists seeking benefits and fearing retribution. Media organizations did nothing to halt the practice of bribing journalists with gifts, money or personal benefits and did not establish codes of ethics to prevent and penalize such practices, but, in some cases, condoned it. Our rejection and condemnation of this practice that is dangerous for the media and society prompts us to warn of using it to damage some journalists' credibility by involving them in a campaign of score settling because of their positions. We also fear that the campaign and finger-pointing is aimed at distracting people with marginal issues and secondary battles so that journalists in particular are distanced from their role in support of reforms in Jordan.³²⁴

322 Mohamad al-Da'meh, "Majlis Naqabat al-Sahafiyyin al-Urduniyyin Yastaqil Ihtijajan ala 'Taqiyd al-Hurriyat fi Kashf al-Fasad [Council of Jordan Press Association Resigned in Protest against Restrictions of Freedom in Unveiling Corruption]," *al-Sharq al-Awsat*, no. 11993, September 29, 2011, <http://www.aawsat.com/details.asp?section=4&article=642638&issueno=11993>.

323 "Jordan's Security Court Bans Coverage of Corruption Case," Committee to Protect Journalists, March 15, 2010, <http://cpj.org/2010/03/jordans-security-court-bans-coverage-of-corruption.php>.

324 <http://www.annahar.com/article.php?t=albalad&p=2&d=24644>. At the time of printing the link was not available anymore.

"What's worse are the dangers of blurring facts emanating from various websites (180 news sites in Jordan) that lack professional standards and in light of regional divisions," Sabbagh said, adding that these sites undermined judicial procedures by publishing information that did not meet basic standards of accuracy and objectivity. To minimize the damage, the government was bent on passing a law to regulate websites and was reviewing the examples of Sweden, Turkey, and other countries that placed restrictions on the Internet, which have been criticized by international organizations active on political and media freedoms. Attorney Ayman Abou Sharkh said the main burden to ensure accountability in the coming stage will fall on the judiciary and the media. He said that the attorney general has a right to halt the publication of any information related to a case if it disrupts the course of the investigation and does not truthfully reflect the nature of the probe, as had occurred on various occasions.³²⁵

The 94-page book entitled "Introduction to News Media Law and Policy in Jordan: A Primer Compiled as Part of the Jordan Media Strengthening Program" provides a useful resource, which painstakingly examines the constitution, the national charter, international agreements and treaties, and the press and publication laws, the Jordanian Press Association Law and journalists' code of ethics, the penal code, state security laws, laws indirectly governing news media work, news organizations and regulators.³²⁶

Journalists have long accused security forces in Jordan of pressuring the media, with newspapers in early 2012 claiming they had been asked by officers not to cover news of increasingly vocal Islamist protests. According to a report in *al-Hayat* newspaper, officers also launched a campaign to squash the Islamists' influence by spreading fear among the silent majority and warnings about what lay ahead, amid the rising influence of political Islam in neighboring countries experiencing upheaval and revolts.

In parallel to this fear-mongering, there has been a move to issue systematic *fatwas* (religious edicts) to counter any manifestations related to the "Arab Spring, such as self-immolation that sparked the Jasmine Revolution in Tunisia, as that has been replicated by desperate youths in Jordan," wrote Maher al-Shawabka in *al-Hayat*: "In addition to previous fatwas that have made vandalism and destruction of public property anathema, there is a focus on decreeing that opposing the ruler is sinful and warning against stirring factionalism, as is occurring with the Arab revolts."³²⁷

Many Jordanians, particularly those of Palestinian origin, are ill at ease with restrictions on media freedom and do not trust local press reports. "They're not reliable and there are many agendas at play, so one relies more on the rumor mill," a resident of Amman who declined to be identified told Magda Abu-Fadil, co-author of this report.

"Perhaps the clearest sign that the reform paradox has become untenable is the increasing sensationalism that Western journalists have begun using to describe Jordan," wrote Sean L. Yom in the December 2011 edition of *Jordan Business* magazine.³²⁸ One need only peruse recent issues of leading American publications to find stories that invoke the violence of Black September (in reference to the late King Hussein's war against the Palestine Liberation Organization) and predict doomsday for the East Bank, Yom wrote.

The *New York Review of Books* headlined its December 8, 2011 feature "Jordan Starts to Shake." The article claimed that protests were growing in intensity and geographic reach, and were degrading the royal stature with every chant: "Last season's innuendo against his courtiers and queen has become this season's naked repudiation of the King. In September, demonstrators chanted S-S-S, a deliberately ambiguous call for both the

325 Rana Sabbagh, "Sa'at al-Hisab Daqqat... wa al-Qaddaa Ya'mal tahta Wataat al-Mawaqi' al-Iktroniya [Jordan: the Judgement Hour has Come... and the Judiciary is Operating under the Pressure of Websites]," *al-Hayat*, February 17, 2012.

326 Douglas Griffin and Libby Morgan, ed., *Introduction to News Media Law and Policy in Jordan* (Primer Compiled for the Jordan Media Strengthening Program), accessed May 28, 2012, http://cgcs.asc.upenn.edu/fileLibrary/PDFs/JMSPprimer_eng.pdf.

327 Maher al-Shawabka, "al-Urdun: Raf' Muwazanat al-Iftaa wa Hirman al-Ta'lim [Jordan: Raising the Religious Endowments Budget and Depriving Education]," *al-Hayat*, February 6, 2012.

328 Sean Yom, "Resolving the Reform Paradox," *Jordan Business*, (December 2011), <http://www.jordan-business.net/images/stories/dec2011/Cover%20Story.pdf>.

regime's *islah*, Arabic for reform, and *isqat*, overthrow." The article went on to say that in the past the Hashemites bought the East Bankers' acquiescence by doling out titles and stipends in the security forces and political establishment, and that East Bankers received 85 percent of the parliamentary seats in the 2010 elections, as well as 22 of the 28 posts in the previous government. That may no longer be viable given the financial burden on the kingdom, the bloated bureaucracy, security presence, and rising birth rate, it concluded.³²⁹

A policy briefing published in November 2011 by the Brookings Doha Center entitled "How Stable is Jordan? King Abdullah's Half-Hearted Reforms & the Challenge of the Arab Spring" questioned whether the king really holds a grip on the country, and whether he would initiate much-needed reforms, given his warnings about the media:

Abdullah has also warned of "the deterioration of political and media discourse" in a way that could "trigger hatred." Indeed, the government has become increasingly intolerant of a critical media.

In 2011 alone, the Committee to Protect Journalists has reported numerous abuses, including the assault of journalists covering protests, threats against al-Jazeera reporters, and the hacking of websites critical of the government.

In addition, the king's latest "media strategy" calls for a national "code of conduct." This strategy would require the imposition of new laws, creating higher penalties for publishing "unsubstantiated" accusations of corruption both in print and online at a time when corruption has become the top political issue. These changes prompted the resignation of Taher Adwan, who called

the proposed laws "a real blow to the reform process." it added, "It's clear the forces resisting reform and supporters of corruption have a [loud] voice and are able to abort any true national effort for reform."³³⁰

An article in *Jordan Business*, however, dismissed such reports as stereotypical and sensationalist, like much of Western analysis. Meanwhile, Agence France-Presse (AFP) ran with the headline "As Arab Spring Burns, Jordan's King Feels the Heat," underlining the need for genuine reform if Abdallah wanted to successfully appease a restive population: "With openness and democracy becoming regional catchphrases, the Paris-based Reporters Without Borders, in its annual freedom of the press ranking, knocked Jordan down eight points to the 128th place," it noted. It also highlighted the case of an 18-year-old political activist who was sentenced by a military court to two years in prison for "undermining the king's dignity," after he set alight a picture of the monarch.³³¹ This has translated into attacks on the media, which officials have regularly accused of fomenting trouble.

Ironically, King Abdullah had announced the establishment of a fund to train journalists and improve their skills only three years earlier, in July 2008, claiming that he supported press freedom but wanted it to be accompanied by competence and professionalism. An unidentified reader posted a comment on the *Elaph* website where the report appeared: "I wish [King Abdullah had] saved that fund's money to support the poor people who can't afford to eat... Sure, journalists need training and workshops on how to write news praising the king and members of the government."³³²

329 Nicolas Pelham, "Jordan Starts to Shake," *The New York Review of Books*, November 10, 2011, <http://www.nybooks.com/articles/archives/2011/dec/08/jordan-starts-shake>.

330 Shadi Hamid and Courtney Freer, *How Stable is Jordan? King Abdullah's Half-Hearted Reforms & the Challenge of the Arab Spring* (policy briefing for the Brookings Doha Center, November 2011), 6, accessed May 29, 2012, http://www.brookings.edu/~media/research/files/papers/2011/11/jordan%20hamid%20freer/10_jordan_hamid_freer.pdf.

331 "As Arab Spring Burns, Jordan's King Feels the Heat," *The Daily Star Lebanon*, January 30, 2012, <http://www.dailystar.com.lb/News/Middle-East/2012/Jan-30/161491-as-arab-spring-burns-jordans-king-feels-the-heat.ashx#ixzz1oQKI2LNY>.

332 "Al-'Ahel al-Urduni Yo'lin 'an Inshaa Sunduq li-Da'm al-Sahafiyyin [Jordanian King Announces the Establishment of a Fund to

In March 2011, information minister Taher al-Adwan announced that the red lines that had restricted the work of journalists had been removed, and that the government's handling of the media as a tool to market official pronouncements had ceased, due to the proliferation of online and social media. On media freedom he said: "Concern with the media is the basis for political reform and one cannot create democratic institutions without creating free media as it is the cornerstone of comprehensive development," noting that the Internet and social media had placed greater responsibility on traditional media.³³³

The statement may sound like a far cry from the crisis that erupted in 2009 between parliament and the journalists' union when editors of the four largest papers - *al-Doustour*, *al-Rai*, *al-Arab al-Yaum* and *al-Ghad* - decided to boycott the chamber of deputies, following an attack by legislators on the media over polls that showed a drop in the people's trust in their representatives. The papers had published reports that most MPs received grants from the government.³³⁴ The story, as told by the pan-Arab daily *al-Sharq al-Awsat* alleged that 56 MPs, endorsed by the speaker, had requested the government submit revised draft legislation abolishing a tax on culture, but 51 other parliamentarians had vetoed it, effectively halting its passage. The tax benefiting a culture fund is imposed on all print and broadcast advertisements and resulted in a flap between the two parties.

As if internal problems were not a sufficient burden on the media scene, the Jordanian government also tangled on more than one occasion with the Qatar-based satellite channel al-Jazeera and threatened to sue or shut down its bureau, on the grounds that its reporting about Jordan amounted to propaganda.³³⁵



Background

The Press

The press landscape in Jordan is characterized by the concentration of financial and human resources in only a few media outlets. Most small independent publications have to make do with meager funds. A March 2009 study by the al-Quds Center for Political Studies on "Freedom of Journalism and Independence of the Media in Jordan" found that of the 1,474 journalists in Jordan, 81 percent work for one of six media institutions. Another figure cited in the study illustrates the intrusive role of the state: a third of journalists work for a state-owned enterprise, and a further third are employed with institutions of mixed ownership, which are dominated by

Support Journalists]," Elaph, July 6, 2008, <http://www.elaph.com/ElaphWeb/Politics/2008/7/346110.htm>.

333 "Wazeer al-I'lam al-Urduni: Saqatat al-Khutut al-Homr al-Mussalatta 'ala al-I'lam [Jordanian Minister of Information: Red Lines Hanging over the Media Have Fallen]," SKeyes Media, March 22, 2011, <http://SKeyes.wordpress.com/2011/03/22/321321324165465456>.

334 Mohamad al-Da'meh, "Azma bayn Majlis al-Nuwab wa Naqabat al-Sahafiyyin fi al-Urdun 'ala Khalfiyat Daribat al-Thaqafa [Crisis Between the Parliament and Press Association in Jordan regarding the Tax on Culture]," *al-Sharq al-Awsat*, no.11163, June 21, 2009, <http://www.aawsat.com/details.asp?section=4&article=524246&issueno=11163>.

335 Mohamad al-Da'meh, "Al-Urdun Yuhadid al-Jazeera Bil-Loujou ila

al-Qadaa 'ma lam Tuqif Hamalatiha al-Di'aiya'" [Jordan Threatens al-Jazeera with Court "if it Does Not Stop its Propaganda Campaign"], *al-Sharq al-Awsat*, no.11633, October 4, 2010, <http://www.aawsat.com/details.asp?issueno=11700&article=589458>.

the government. Twenty-eight percent of journalists work in the private sector, 1 percent for partisan media, and 6 percent for foreign outlets.³³⁶

Traditionally, the Jordanian government and media have had a close relationship. In fact, a number of journalists have become cabinet ministers. A number of editors-in-chief have become ministers, or returned to their editorial positions after leaving government.

Regionally, the Jordanian press is regarded as more liberal than in Syria, but less innovative than in Egypt or Lebanon.³³⁷ Jordanian weeklies are generally perceived as more progressive and independent than the country's dailies, which tend to speak on behalf of, or agree with, the government.³³⁸ English-language publications enjoy more freedom than Arabic-language publications as they are aimed at the more educated middle and upper classes. Most of these newspapers have a complex ownership structure, in which private investors hold shares alongside the government through the Social Security Fund.

The daily *al-Doustour* was founded in 1967 in East Jerusalem, as a result of a merger between *Palestine* and *al-Manar* newspapers (founded in 1911 and 1960, respectively). Like *al-Rai*, *al-Doustour* is considered close to the government. The English-language *Jordan Times* was launched in 1976, mainly aimed at the expatriate community in Amman who are largely employed with embassies, foreign companies or international organizations. Both *al-Rai* and *Jordan Times* are published by the Jordan Press Foundation, 56 percent of which is owned by the government's Social Security Fund.

Al-Arab al-Youm, *al-Diyar* and *al-Ghad* are privately-owned dailies. *Al-Ghad* was established in 2004 and belongs to media entrepreneur Mohammed al-Ayyan. The paper's launch raised high hopes because of its modern layout and professional staff. But it, too, is considered to have fallen into the routine of publishing news that is sanctioned by the government. Circulation is said to be about 50,000 copies.³³⁹

In general, newspapers in Jordan don't enjoy a very high circulation. They range between 2,000 (*al-Diyar*) to 50,000-70,000 (*al-Rai*, *al-Ghad*, *al-Doustour*). The state-owned news agency PETRA was founded in 1969 and is linked to the Jordanian Ministry of Information.

The weekly press in Jordan is divided between English-speaking glossy magazines, which mainly deal with business and entertainment, such as *Jordan Business*, *Living Well* and *Venture*, and the generally more strictly controlled Arab weeklies like *al-Majid*, *al-Sigil* and *al-Hadath* as well as the sometimes sensational, tabloid-style *Shiban*, *al-Bilad* and *al-Mihar*. The editors-in-chief of *Shiban* and *al-Mihar* were fired and arrested in 2006 after they reprinted controversial cartoons about the Prophet Muhammad, which had appeared in European newspapers.

Radio and Television

Jordan Radio, the Hashemite Jordan Broadcasting Service, began broadcasting in 1959 with a variety of programs, including news, talk shows, music, religious readings, as well as historical and military programs. Jordanian law has long forbidden private ownership of radio or television stations. However, three foreign private radio stations have been permitted to broadcast from Jordan since 1998: MBC, Radio Monte Carlo and the BBC Arabic Service. The government-owned Jordan TV has been broadcasting since 1968. Access to satellite broadcasting, however, saw national television's audience shares decline. Both radio and television are subsumed

336 Al-Quds Center for Political Studies, Impact of Soft Containment On Freedom of Journalism and Independence of the Media in Jordan, (Amman, 2009), 1, accessed May 29, 2012, <http://alqudscenter.org/uploads/SoftContainment2009.En.pdf>.

337 "Country Report: New Media and Change in Jordan" (Paper presented at the conference "New Media and Political Change in the Arab World," organized by Konrad Adenauer Foundation, Amman, Jordan, February-March 2002), 5.

338 The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Jordan, (London: Stanhope House, 2003), 2.

339 "Making a Name for itself: A Greater Focus on Quality and Technology Should Serve the Sector Well Going Forward," Oxford Business Group, accessed September 7, 2012, <http://www.oxfordbusinessgroup.com/news/making-name-itself-greater-focus-quality-and-technology-should-serve-sector-well-going->

under the Jordan Radio and Television Corporation (JRTVC). In 2000, the cabinet authorized additional stations to operate. The Jordanian News Agency, PETRA, is under government control. Neither radio nor television has to fear press and publication laws, since all material undergoes internal censorship prior to broadcast to ensure compatibility with government policies:

"Government personnel are appointed to sensitive positions in media management to directly supervise the information purveyed. They are not required to have any professional experience in the media as long as they have the necessary experience in censorship. Therefore, radio and television never exceed their limits, and do not go near the three taboos: political opposition, religion, and sex."³⁴⁰

Two factors contributed to a dramatic increase in satellite TV viewership in the 1990s: Jordan has no law banning or limiting satellite reception, and the price of dishes is relatively low.

In October 1999, the king issued directives to create a media free zone in Jordan. However, the government stressed that the Jordan Media City's products were intended for non-local organizations, so the freedoms extended to foreign agencies and publications would not apply to local media. As critics foresaw, journalists complained about the government's "double standards," and analysts said the decision had more to do with creating "tax-free zones" for investments, rather than hubs where media could thrive. Decisions were postponed and private investors such as Orbit steered clear. Despite the controversy, an agreement was finally signed in February 2001 between the Jordanian government and the private Dallah Production Company owned by the Saudi billionaire Sheikh Salah Kamal, establishing the Jordan Media City (JMC).³⁴¹ According to the media city's website: "It was set up with a capital of ten million JDs (USD 15 million) and the mission is to "become the leading media hub in the region, to be able to play out

and uplink television channels to cover the whole world, and to have state-of-the-art studios and production facilities."³⁴² Companies operating in the JMC are exempt from corporate taxation, personal taxation and customs duty.

In 2007, an attempt to launch Jordan's first private TV channel floundered under rather unusual circumstances, demonstrating the Jordanian government's reluctance to open up the media market. ATV (al-Ghad TV) was scheduled to begin broadcasting on August 1, 2007, but permission was refused at the last minute "for technical reasons."³⁴³ The decision was signed by Faisal Shboul, the acting head of the Audio Visual Commission and head of Jordan TV, ATV's main competitor.³⁴⁴

ATV is owned by Mohammed al-Ayyan, a Jordanian businessman who also publishes the newspaper *al-Ghad*. By the summer of 2008, the channel had still not gone on the air and some 200 employees were left in limbo.³⁴⁵

Al-Ayyan entered the media industry in 1998, when he established *al-Waseet* weekly, a classified newspaper in Jordan. The publication's weekly circulation was said to exceed 200,000 copies. Al-Ayyan also founded al-Faridah Specialized Printing, which publishes *Layalina*, *JO*, *Ablan*, *Viva*, *U* and *Venture* magazines.³⁴⁶ After months of quarreling with the government about the permission to go on the air, managing director Mohannad al-Khatib resigned and the station was sold to Wonders Investment Company. In his resignation letter, which was circulated on the Internet, al-Khatib wrote that at first he was "not convinced our dear country is ready yet for such a project: an independent TV station that has a large space

³⁴⁰ "Country Report: New Media and Change in Jordan" (Paper presented at the conference "New Media and Political Change in the Arab World," organized by Konrad Adenauer Foundation, Amman, Jordan, February-March 2002), 10

³⁴¹ Chris Forrester, "Mid-East's Other TV Hot-Spot," *theibcdaily*, September 13, 2008, http://www.jordanmediacity.com/pdf/The_ibc_daily.pdf.

³⁴² Self-description, "About JMC," Jordan Media City, accessed May 29, 2012, http://www.jordanmediacity.com/about_us.shtm.

³⁴³ "ATV to Resort to Legal Channels if Efforts to Launch Broadcast Fail," *The Jordan Times*, August 23, 2007, <http://jordantimes.com/atv-to-resort-to-legal-channels-if-efforts-to-launch-broadcast-fail>.

³⁴⁴ Samah Hijawi, "Cultural Policy in Jordan" (research commissioned by al-Mawred al-Thaqafi, 2009), 10, accessed May 29, 2012, http://www.samah-hijawi.com/images_text/articles/Cultural%20Policy%20in%20Jordan.pdf.

³⁴⁵ Oula Farawati, "Waiting for ATV," *Menassat*, July 8, 2008, <http://www.menassat.com/?q=ar/news-articles/4099-waiting-atv>.

³⁴⁶ Biography of Mohamad K. Alayyan as published on the website of WAN-IFRA, accessed May 29, 2012, <http://www.wan-ifra.org/events/64th-world-newspaper-congress-19th-world-editors-forum/mohamad-k-alayyan>.

of freedom that enables it to work in a professional manner... in a market dominated for long decades by official state television."³⁴⁷ He blamed numerous entities for keeping the channel off the air: the Audio Visual Commission, the Telecom Regulatory Commission, the Higher Media Council, and the Media City. He described how he had demanded that the Audio Visual Commission take the case to court, "a request ignored by the commission which shows disrespect to the Jordanian judicial system." He concluded that "what happened to our dear TV station is a shameful moment in the history of Jordanian media, and its repercussion will last for a long time."

On his blog *Jordan Watch*, Jordanian columnist Batir Wardam speculated that "all this nonsense is a cover-up for the fact that ATV is being forced to accept to lower the quality of its programs and divert the content away from tackling controversial social, economic and political issues that are not allowed to be discussed on JRTV and other official media outlets."³⁴⁸

An important step towards greater variety on the Jordanian broadcast scene was made in November 2000, with the introduction of the first Internet-based radio, AmmanNet. Funded by UNESCO, the US-based Open Society Institute and Amman municipality, AmmanNet set out to "cover the most important topics of interest to Jordanians" and to take "an in depth look at the most important local issues."³⁴⁹ In the summer of 2005, it began broadcasting terrestrially on 92.4 FM across the Amman metropolitan area. AmmanNet also established itself as a training center for journalists from the region.

There are also a number of smaller radio stations in Jordan which mainly broadcast music and entertainment programs, such as Mazaj FM, Beat FM and Mood FM. Another station is the (originally Lebanese) station Sawtelghad FM, which specializes in contemporary music and also airs in Syria.

The Internet

The company "Global One Communications" was the first to launch Internet services in Jordan in April 1996. In the ensuing years, multiple providers entered the market, and users could choose between dial-up and high-speed DSL connections. According to the Jordanian Telecommunications Regulatory Commission, the number of Internet users in the kingdom had reached 1.2 million or 20.5 percent of the population by mid-2008. To promote Internet access and make it more affordable, the government decreased a sales tax on Internet-related services from 16 to 8 percent to bolster its national strategy for the telecommunications sector, which aims to achieve Internet penetration rates of 50 percent by the end of 2011.³⁵⁰

According to official figures from the Jordan Telecom Group, Jordan had 119,700 ADSL lines by the end of September 2008, which equaled 8.97 percent of households. But, as another survey revealed, many households shared their ADSL line with neighbors, so the total ADSL penetration in private households was actually 11.7 percent by the end of 2008.³⁵¹

Internet access is still largely dependent on income, but prices have dropped since the service was introduced in the country. In 2012, households could get free installation of ADSL devices and pay JD 33 (USD 46.46) for an 8 megabits connection speed and a download capacity of 20 gigabytes (GB), with an extra charge of JD 2 (USD 2.82) for each additional GB.

According to the authors of a Stanhope report,³⁵² a liberalized environment facilitated the creation of the Arab Media Internet Network in 1997, providing a platform for the country's most daring journalists. The nonprofit organization covered a range of critical issues,

347 Lina Ejeilat, "ATV Managing Director Resigns," *7iber Dot Com*, September 23, 2007, <http://www.7iber.com/blog/2007/09/23/atv-managing-director-resigns>.

348 Oula Farawati, "Waiting for ATV," *Menassat*, July 8, 2008, <http://www.menassat.com/?q=ar/news-articles/4099-waiting-atv>.

349 Self-description, "About Us," *Ammanet*, accessed May 29, 2012, http://en.ammannet.net/?page_id=111.

350 "21% min al-Urduniyin Yastakhdimun al-Internet [21 Percent of Jordanians Use the Internet]," *ArabianBusiness.com*, September 24, 2008, <http://www.arabianbusiness.com/arabic/532162>.

351 Faten Bader, "Jordan Internet Users and E-commerce Survey 2008," (report by the Arab Advisors Group, November 2008).

352 The Stanhope Center for Communications Policy Research, *Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Jordan*, (London: Stanhope House, 2003), 4.

including human rights and in 1998 infuriated the then-director of the government's Press and Publications Department, who, in turn, intimidated staff members, but never succeeded in completely closing down the establishment.

For Jordanian journalists, the Internet offers slightly more freedom than the traditional press. In addition to AmmanNet, the popular website www.ammonnews.net³⁵³, established in 2006, has attracted a large readership. Calling itself "the sound of the silent majority," the site strives to cover local news that often do not make it into the mainstream media, such as honor killings, corruption and environmental disasters. Reporters from other media outlets reportedly call the site's journalists and offer stories they cannot publish in their own official outlets. As with all media, the site is monitored by the country's security services, has been blocked on several occasions, and its journalists have been summoned by authorities and threatened with arrest.

Indeed, the press watchdog RSF has expressed skepticism about the freedoms of Internet media operating in Jordan. In its 2008 report, RSF stated that the "Internet is just as closely watched as the traditional media and the government extended control of news websites in September 2007 by making online publications subject to the press law."³⁵⁴

The Legal Framework

Jordanian media are governed by the Press and Publications Law, the Jordan Press Association Law, the Penal Code, the Contempt of Court Law, and the Protection of State Secrets and Documents law. All five laws impose restrictions on the work of journalists.

At the beginning of the 1990s, journalism in Jordan was characterized by relative freedom, which resulted in a flourishing press landscape.³⁵⁵ New weeklies emerged

and competition between government- and privately-owned newspapers arose. Privately owned newspapers used this margin of freedom to tackle sensitive issues such as the involvement of officials in corruption cases, and religious and traditional issues, including polygamy and tribalism. They also publicized independent voices and statements by opposition and human rights activists. This period of greater freedom was, however, short-lived.

Tensions between the Jordanian government and the independent press rose - particularly with the small-circulation weeklies - after Jordan signed a peace treaty with Israel in 1994. Even before the harsh laws were passed in 1997, journalists and editors were arrested, detained and prosecuted for violations of the penal code and provisions of the press and publications law, which was enacted in May 1993. Jordanian authorities signaled growing intolerance toward individual critics and the press, which reflected public opposition to normalization of ties with Israel, disappointment about the implementation of the Oslo Accords between Israel and the Palestinian Authority, and frustration with the state of the economy and high unemployment.³⁵⁶

In 1996, the government's decision to double the price of bread led to violent unrest in southern Jordan and subsequently in Amman. The authorities charged four journalists, a publisher and an editor with inciting sedition. In the protests' aftermath, King Hussein accused the media of "eating at the foundations of the national edifice and accomplishments of the homeland" and announced that the "degeneration reached by some in the name of freedom of expression may be checked."³⁵⁷

The government launched campaigns against the private sector press, accusing it of damaging Jordan's image, of printing fabricated and inaccurate information, and violating ethics and national security. The press witnessed its first major setback on May 17, 1997, when

³⁵³ Ammun is the old ammonite name for Amman (12th-13th century BC).

³⁵⁴ "Jordan," Reporters Sans Frontières, February 7, 2008, updated April 16, 2009, http://en.rsf.org/article.php?id_article=25435.

³⁵⁵ Sa'eda Kilani, *Press Freedoms in Jordan*, (Copenhagen: Euro-Mediterranean Human Rights Network, 2002), 16-17.

³⁵⁶ Virginia N. Sherry, *Jordan - A Death Knell for Free Expression? The New Amendments to the Press and Publications Law*, (Human Rights Watch, 1997), <http://www.unhcr.org/refworld/docid/3ae6a7d00.html>.

³⁵⁷ Ibid.

the government of Abdul Salam Majali endorsed a temporary press law that enforced sweeping censorship with a list of taboo subjects. Three months later, 13 private newspapers were suspended on the grounds that they had not increased their minimum capital from JD 15,000 (approximately USD 21,000) to JD 300,000 (approximately USD 426,000) as required by the law.³⁵⁸ Jordan's sole satirical newspaper disappeared from the scene. Except for daily newspapers, particularly *al-Rai* and *al-Doustour*, which are partly owned by the government and generate noticeable profits, the press was adversely affected by the law.

After several weeklies filed lawsuits and following lobbying efforts by media rights advocates, the Supreme Court found the law unconstitutional and revoked it in January 1998, only a year after its passage. According to the constitution, under special circumstances - such as war or internal strife - the government can issue temporary laws by sidestepping parliament. The court issued its ruling on the basis that there was no state of emergency to justify altering the 1993 press law. The ruling took the Jordanian public and government by surprise, including King Hussein, who warned the court in a public address against similar future undertakings. After massive protests, the government accepted the ruling.

However, it submitted a second draft to parliament - similar to the temporary one rejected by the court but containing even harsher provisions. Six weeks later, the law was endorsed by parliament, and despite a public outcry, then-crown prince and regent Hassan ratified it by a royal decree in September 1998. The law restricted any published news, news analysis, commentaries or cartoons that denigrated the royal family, national unity, general ethics, religion, the security apparatus, national responsibility, the values of the Arab and Muslim nation, and heads of Arab and friendly states. The law set exorbitant minimum capitals for publications - JD 500,000 (about USD 700,000) for dailies and JD 100,000 (about USD 140,000) for weeklies. It stipulated that editors-in-chief needed to have 10 consecutive years of experience in journalism and to have been members of

the Jordan Press Association for at least three years. It barred the publicizing of "rumors" and anything that instigated public protest, and banned reporting on court cases unless authorized by the courts. It restored its institutional power to suspend newspapers and imposed heavy fines on "violators." While fines in the 1993 law had not exceeded JD 1,000 (around USD 1,400), the temporary 1997 law set minimum fines at JD 15,000 (about USD 21,000) and maximum fines at JD 50,000 (about USD 70,500).

The price for violating this law was too high, and many journalists resorted to self-censorship after being intimidated. Journalists are closely monitored by the country's intelligence services, and it is not unusual for journalists working in Jordan to be *invited* for a chat by the intelligence authorities.³⁵⁹ Small demonstrations in front of the prime ministry ended in clashes between journalists and the police. Police forces threatened, injured and arrested demonstrators and journalists, and destroyed their equipment.

After King Abdullah II's accession to the throne in February 1999, the Jordanian government placed an emphasis on economic reforms and promised liberalization. A new law governing the media introduced in September 1999, however, fell short of expectations. Except for cosmetic changes, the press law remained essentially the same.

In October 1999, the Jordan Press Association's disciplinary committee decided to expel three leading Jordanian journalists for visiting Israel, a violation of the association's ban on "normalized" relations with the state. Jordan's press and publications law makes JPA membership mandatory for anyone working as a journalist in Jordan. The disciplinary committee's decision to expel the three journalists, if endorsed by the JPA leadership, would have prevented them from practicing their profession. Human Rights Watch criticized the provision requiring all journalists to join a press association. "This case is a perfect illustration of why the press law needs to be amended," said Hany Megally,

358 Sa'eda Kilani, *Press Freedoms in Jordan*, (Copenhagen: Euro-Mediterranean Human Rights Network, 2002), 17-18.

359 Interviews conducted for this study with journalists in Amman in July 2008, by Susanne Fischer.

executive director of the Middle East and North Africa Division of Human Rights Watch at the time. "Journalists should be free to travel, seek information, and express their opinions. They should not be required to join a specific association, particularly one that has the power to interfere with these freedoms and threaten the loss of one's job."³⁶⁰

For decades, the Jordan Radio and Television Corporation (JRTVC) held a monopoly over the audio-visual media sector. In 2000, parliament endorsed a new JRTVC law, allowing the cabinet to issue permits for new stations. However, its regulations did not specify who would decide what is allowed to air, what is considered harmful to traditions and morals and who will set guidelines and limits.³⁶¹ The law allowed the JRTVC to become an independent entity by appointing private sector representatives to its board. However, the law also appointed the minister of information as chairman.

The events of September 11, 2001, provided the government with a justification to curtail media freedoms even more rigorously.³⁶² After the Abu Ragheb government imposed the 2001 Public Assembly Law banning demonstrations, dissolved parliament and postponed parliamentary elections for a year, new restrictive measures were adopted against the press, "as part of the anti-terrorist campaign." Prime minister Ali Abu Ragheb announced that "our penal code does not cover all the current needs, and amendments will be introduced in order to deal with these issues, meaning how to deal with terrorist acts and punish them." The attacks by suicide bombers on three luxury hotels in Amman in November 2005 in which 57 people were killed provided the government with yet another pretext for tighter controls.

The amendments to the Penal Code introduced on October 8, 2001, were passed without prior public debate. They permitted the banning of publications, introduced harsher penalties for violations, including fines up to JD 5, 000 (around USD 7,000), and prison sentences ranging from three months to three years. Article 150a was amended to permit authorities to detain persons who print, write or broadcast news that "harms national unity," "incites the perpetration of crimes," "sows the seeds of hatred, spite and dissension among individuals," "incites racial discrimination," "harms the dignity of individuals, their reputation and their personal freedoms," "shakes society's political standing through promoting delinquency or immorality through spreading false or libelous information," "incites demonstrations and sit-ins or public meetings in a way that is contradictory to effective legislation," or "any action that infringes on the country's dignity and standing, its reputation and its dignity." Sentences for "insulting the royal couple" and "the crown prince" were also bolstered.

Previously, the penalty had been limited to a fine; following the passage of the legislation, such offenses became punishable by prison sentences ranging from one to three years. Journalists prosecuted for producing material deemed unacceptable faced trial in a state security court instead of civil courts. Article 195 was amended to detain any person found guilty of sending letters to the king - whether written, painted, oral, or electronic - in a way that infringes on the dignity of his Highness and other members of the royal family. This was significant, since it showed the amendment criminalized not only critical media, but also critical individuals. These new regulations, together with the earlier "temporary law" banning unauthorized demonstrations, served to widen the gap between the government and public.

In November 2001, the king announced that he would replace the Information Ministry with a Higher Media Council and that the media should serve the nation, rather than be a mouthpiece for the government. Journalists were hoping they could lobby against the harsh amendments to the penal code, which had passed a month earlier. The council was formed by royal decree in December. It included four former ministers, three

360 "Jordan's Banned Journalists," Human Rights Watch, October 29, 1999, <http://www.hrw.org/news/1999/10/28/jordans-banned-journalists>.

361 Alia Hamzeh, "New Jordan Radio and Television Corporation Law Is a Step in the Right Direction, Yet More Is Required," *The Jordan Times*, September 5, 2000.

362 Sa'eda Kilani, *Press Freedoms in Jordan*, (Copenhagen: Euro-Mediterranean Human Rights Network, 2002), 34-38.

journalists, a poet, the president of the Jordanian Press Association, a representative of the Public Security Department, and a university president. Its composition was disappointing insofar as it included persons loyal to the government and excluded representatives of the private or satellite media, as well as female journalists.³⁶³

Publications could also be banned on the basis of the new Fostering Culture Law passed in 2006 which granted the Ministry of Culture the right to "delineate the artistic policy and ensure it is in harmony with the general Jordanian policies and national interest and stipulates that art that is in line with Islamic and Arab values will be fostered, encouraged and enjoyed."³⁶⁴

Vague terms like "general morals" or "values of the Arab and Islamic nation" provide the government with a flexible and arbitrary definition of what is fit to print. Publications can be banned under the pretext of preserving the nation's morale and integrity. According to journalists working in Jordan, red lines include the royal family, economic stories related to bread prices, the value and stability of the Jordanian dinar, and the army.³⁶⁵

Article 195, which prohibits *lèse-majesté* (insult to the dignity of the king), remains inscribed in the legal code and carries a sentence of up to three years in prison. While it was harshly employed during the reign of King Hussein and his son King Abdullah has - by comparison - used the code only sparingly, he nevertheless maintains the right to invoke it.

In 2006, at the height of the controversy surrounding the Prophet Muhammad cartoons, it became clear what these legal provisions could mean in practice. Two Jordanian editors-in-chief were arrested after republishing the disputed caricatures. Jihad Moumneh, editor-in-chief of the tabloid *Shihan* reprinted three of the cartoons.

The edition of the paper remained in circulation for only a few hours, before it was seized by the authorities.³⁶⁶ Moumneh was fired. His explanation that he merely wanted to raise self-critical questions about how the Muslim world dealt with the topic did not help him. In a comment published along with the cartoons, he wrote: "Muslims of the world, be reasonable. What brings more prejudice against Islam, these caricatures, or pictures of a hostage-taker slashing the throat of his victim in front of the cameras, or a suicide bomber who blows himself up during a wedding ceremony?"³⁶⁷

Hisham Khalidi, editor-in-chief of *al-Mehwar* newspaper, was also arrested for republishing some of the cartoons. Amman Public Prosecutor Saber Rawashdeh charged the two with blasphemy in violation of Article 278 of the penal code. Both editors spent a night in jail before being released on bail. Two days later, they were re-arrested and charged on the basis of Articles 5 and 7 of the Press and Publication Law. Article 5 prohibits "publishing anything that conflicts with the... values of the Arab and Islamic nation," while Article 7 prohibits "publishing anything that may instigate violence, prejudice, bigotry or of anything which invites racism, sectarianism or provincialism."³⁶⁸

They were detained for more than a week before being released on bail again, and then forced into hiding, fearing for their lives amid public anger at the cartoons. These legal changes set Jordan back from rank 109 in 2006 to 122 in 2007 in the ranking of the RSF's annual World Press Freedom Index.

363 Ibid., 54-55.

364 Sara Richani, "Speech on Art Censorship in the Middle East" (paper presented at the symposium How Free Is Art?, at Goethe-Institut, Beirut, Lebanon, November 11, 2007), 4, accessed May 29, 2012, <http://www.article19.org/data/files/pdfs/publications/middle-east-speech-on-art-censorship.pdf>.

365 Interviews with journalists in Amman in July 2008, by Susanne Fisscher.

366 Yassin Mousharbash, "Jordanischer Chefredakteur wagt Abdruck der Karikaturen - und fliegt [Jordanian Editor-in-chief Dares to Print the Cartoons, is Fired]," Spiegel Online, February 3, 2006, <http://www.spiegel.de/politik/ausland/0,1518,398885,00.html>.

367 Michael Slackman and Hassan Fattah, "Furor over Cartoons Pits Muslims against Muslims," The New York Times, February 22, 2006, <http://www.nytimes.com/2006/02/22/international/middleeast/22cartoons.html>.

368 International Press Institute, World Press Freedom Review: Jordan, (2006), accessed May 31, 2012, http://service.cms.apa.at/cms/ipi/freedom_detail.html?country=/KW0001/KW0004/KW0095/&year=2006.

In May 2007, an amended press law took effect, increasing fines tenfold, to a maximum of JD 20,000 (USD 28,000), for "defaming any religion protected under the constitution," "offending the prophets," causing "insult to religious sentiments and beliefs, fueling sectarian strife or racism," or committing "slander or libel." Parliament considered implementing, but did not act on, harsher use of prison penalties. But journalists can still be imprisoned under Jordan's penal code.³⁶⁹

³⁶⁹ "Attacks on the Press in 2007: Middle East and North Africa Snapshots," Committee to Protect Journalists, February 5, 2008, <http://cpj.org/2008/02/attacks-on-the-press-2007.php>.



Lebanon

The Recent Situation

While Lebanon has had more than its share of upheaval, it has - at the time of writing - found itself at the sideline of the wave of revolts and uprisings that have spread to several Arab countries since December 2010.

This phenomenon begged the question posed by the British *New Statesman* in January 2012: "Is Lebanon immune to the Arab Spring?" The article explained that while officially neutral regarding the bloodletting in neighboring Syria, the Lebanese government was nervous about the potential consequences of either a protracted civil war or the collapse of the Assad regime. Author Lana Asfour highlighted the impact this jittery state has had on the country's media:

Politically, the climate of uncertainty is expressed in the Lebanese press. Newspapers supporting the "March 14" alliance (Sunni, Druze and Christian parties) fear that civil strife in Syria might spill over into Lebanon. They predict more strained Sunni-Shia relations, with Christians and Druze caught somewhere in the middle, and worry that a Hezbollah weakened by the loss of its Syrian backer may feel pushed towards an aggressive move. Media that favor the "March 8" bloc (Hezbollah and its Christian allies) follow the official Syrian line, blaming the uprisings on foreign intervention and Salafist extremists.

To some, the Arab Spring brings back memories of the 2005 Cedar Revolution: following the assassination of the former prime minister Rafiq Hariri, a quarter of the Lebanese population took to the streets to demand an investigation into his death, with Syria as the main suspect. This massive movement led to the creation of the March 14 alliance.

However, rather than unifying the country against its powerful neighbor, Hariri's assassination polarized it more starkly. The March 8 alliance demonstrated in support of Syria, and the 2006 war between Hezbollah and Israel further divided the country, as Hezbollah was blamed for provoking Israel's disproportionate attacks on the whole country.³⁷⁰

The divisiveness of Lebanon's internal and external conflicts has always been reflected in the media. The country's existing print and broadcast laws are dated and have been under revision by members of parliament, NGOs, activists, journalists and lawyers for some time.³⁷¹ As reforms have stalled, disputes have raged over the role of the Internet and how to deal with it as a communications platform. Lebanon has been a bastion of (relative) press freedom in a region ruled by dictators, and the press has enjoyed a substantial margin for maneuvering compared to its cohorts in other Arab countries.

Historically, dissidents from other Arab countries have resorted to airing their views and criticism through Lebanese media. When the Civil War of 1975-90 was raging and several Lebanese media that serve as mouthpieces for warring regional parties relocated to European cities, these Arab dissidents continued to use Lebanese newspapers and magazines as their platforms. So when officials recently began to tamper with already flawed media laws and tried to clamp down on the modicum of freedom that was (and remains) Lebanon's hallmark, it was no surprise that various stakeholders rallied in defense of cyber liberty.

370 Lana Asfour, "Is Lebanon Immune to the Arab Spring?" *New Statesman*, January 6, 2012, <http://www.newstatesman.com/blogs/the-staggers/2012/01/syria-lebanon-lebanese>.

371 For a comprehensive overview of censorship the media and arts in Lebanon, see: Nizar Saghih, Rana Saghih and Nayla Geagea, *Censorship in Lebanon: Law and Practice* (Beirut: Heinrich Böll Foundation, 2011), http://www.lb.boell.org/downloads/Censorship_web.pdf.

In March 2012, minister of information Walid al-Daouk submitted draft legislation for discussion to the cabinet on how to regulate and control online media, which flew in the face of freedom of expression and the press, and threatened interference with other proposed laws under discussion by the parliamentary Communications and Media Committee. Interestingly, the committee is composed of men, mostly well past middle aged, with little understanding of how online media function and how best to improve quality or performance.

Press freedom activists, bloggers, and journalists condemned al-Daouk's move as an attempt to clamp down on the only medium in Lebanon that was entirely free of governmental interference, and as a way of circumventing the legitimate procedures of presenting proposals for review and discussion to the parliamentary committee in charge of such matters, before going before the full chamber for a vote.

It is not the first time government officials or legislators with little or no knowledge of media issues have tried to legislate on matters that run contrary to the Lebanese constitution and its guarantee of free expression. The NGO Maharat Foundation was the first to "cry wolf," alarmed by the specter of government heavy-handedness in dealing with Internet users, notably bloggers, activists and press freedom advocates. It raised the following concerns in a news release, warning against the rush to submit the legislation to the cabinet without consulting those involved in conceptualizing media laws, or experts with knowledge of the issues.

It also saw the proposed law's terminology as loose, stilted, unprofessional, inconsistent, and likely to sow confusion, as well as place electronic media freedom at the whim and interpretation of law enforcement. Moreover, the draft law subjects websites to absolute disclosure and declarations, which would constrain electronic communication, be extraneous, and require excessive control, Maharat warned.

Maharat further pointed to a problematic clause, which said the details would be decided by cabinet decrees upon the recommendation of the information minister, knowing full well that no group had the right to restrict public liberties except through a constitutional decree

from parliament, and, that implementation of such a law cannot be left to the cabinet's interpretation: "Maharat fears the law's aim is to control electronic media to subjugate them to government control more than to just regulate the sector for the public good."³⁷²

Aims to muzzle Lebanese Internet users' freedom prompted activists to launch a campaign on Twitter with the hashtag #StopLIRA - the Lebanese Internet Regulation Act - calling for a halt to the legislation's implementation and urging all those concerned to sign an online petition. Joseph Choufani, a computer engineer and occasional blogger, went so far as to post pictures of bloggers depicted behind bars for airing their views online. "We should refuse media dictatorship. That's why we are protesting #StopLIRA," he tweeted. Choufani's blogpost shows a picture of the information minister under the headline "U Won't Kill Our Internet" and a caption reading: Minister Walid "Internet Killer" Daouk.³⁷³

Lebanese blogger Imad Bazzi, also known as Trella, posted a series of disparaging comments and a picture of five red fingers against a black background with the words, "Hands Off My Freedom. Stop LIRA." Bazzi said social media had undoubtedly contributed to the wave of Arab revolts by creating legions of citizen journalists who reported what was happening on the ground, since despotic Arab governments had stifled and monopolized traditional media.

Since Lebanese media are highly politicized and sectarian in nature, Bazzi argued, there are no real platforms for political freedom, but rather a political bounty-sharing that has brainwashed Lebanese citizens along sectarian lines. He concluded that social media has become the sole refuge for Lebanese youth seeking to

372 "Maharat Tatakawaf min an Yushakel Mashru' Qanun al-I'lam al-Iliktroni al-Muqaddam min Wazeer al-I'lam Qaydan 'ala Hurriyat al-Ta'bir [Maharat Fears that the Bill on Electronic Media Submitted by the Minister of Information Will Restrict Freedom of Expression]," Maharat Foundation, March 7, 2011, <http://maharatfoundation.org/?p=855&lang=ar>.

373 Joseph Choufani, "Stop LIRA: The Lebanese Internet Regulation Act," @Joseph's (blog), March 11, 2012, <http://www.josephchoufani.blogspot.com/2012/03/stop-daouka-lebanese-internet.html>.

escape sectarian and political bickering, through blogging, open chats, and demands for social justice from a corrupt political elite. Bazzi warned that the draft law would require websites of international news organizations like CNN or the BBC to register with the Lebanese Information Ministry, or face blockage by denial of access to Lebanese browsers.³⁷⁴ Even more injurious would be handing implementation and registration procedures to government employees and tying these to existing laws that date back decades and are considered antiquated by any measure.

A blogger known as Funky Ozzi posted a complaint about the draft law, insisting activists would not take it lying down, alongside a picture of a grinning information minister and a caption reading, "Big Browser is Watching You."³⁷⁵

In a twist on a TV commercial by a local bank promoting the use of its local currency credit card ending with the words "khalli el lira tehki" (let the Lebanese Lira speak), activists posted a picture of an old man holding up Lebanese bank notes with a caption reading "ma tkhalli el LIRA tehki (don't let the LIRA, or Lebanese Internet Regulation Act, speak). Twitter user Pia Francis wrote: "Arab countries are longing for the Arab Spring to obtain freedom of speech, and #Lebanon wants to restrain it for some reason #StopLIRA."

In a post entitled, "What's The Motivation Behind The Proposed Internet Law?" the *Beirut Spring* blog warned that there was a fine line between ignorance and malice. Blog author Mustapha Hamoui, a Lebanese expatriate living in Ghana, quoted an article in the daily *al-Akhbar* by Khodr Salameh,³⁷⁶ which argued that the legislation

was malicious since ignorance was just a natural by-product of Lebanese officialdom meddling with anything that has to do with the Internet. He insisted that it was not a clumsy attempt by the Lebanese government to regulate something it did not understand, but rather a frontal assault on the free Internet using the Lebanese government as a tool.

Hamoui explained:

There's something very fishy, very SOPA-like, about the way the government is trying to sneak that law in without recourse to the usual discussions with stakeholders. We have to be very aware that a fast, unbridled Internet has a lot of enemies in Lebanon, from old media losing advertising revenue (anyone who knows how to advertise on Facebook would be crazy to advertise on, say, *al-Dijar*), to sectarian media barons losing hold on political messages. These are powerful interest groups. They are the real forces behind the push. Demonizing Minister Daouk's person or even his political party, is therefore a mistake.

The new law is not really a way to "organize" the Internet or "protect" us online blabbermouths. This is a stick that the government wants to raise whenever it needs to punish "law-breaking" troublemakers. The intention of the law is simply to have a chilling effect. Of course we are planning to fight this. There is now a movement afoot to protect the free Internet in Lebanon. We are gathering ourselves and organizing because we are realizing that we can no longer take our Internet freedom for granted.³⁷⁷

374 Imad Bazzi, "Awqifu al-Ta'adi 'ala al-Hurriyat fi Lubnan! La li-Mashru' Tanzim al-T'lam al-Iliktroni [Stop Infringements on Freedom in Lebanon! No to the Bill Regulating Electronic Media]," Mudawanat Trella (blog), March 13, 2012, <http://trella.org/3519>.

375 Funky Ozzi, "We Won't Stand Still While Another Stupid Law Passes – Stop LIRA," .:From Beirut With Funk.: (blog), March 13, 2012, <http://blog.funkyozzi.com/2012/03/we-wont-stand-still-while-another.html>.

376 Khodr Salameh, "Lebanese Internet Law Attacks Last Free Space of Expression," al-Akhbar English, March 9, 2012, <http://english.al-akhbar.com/content/lebanese-internet-law-attacks-last-free-space-expression>.

377 Mustapha Hamoui, "What is the Motivation Behind the Proposed Internet Law?" Beirut Spring (blog), March 12, 2012, <http://beirutspring.com/blog/2012/03/12/whats-the-motivation-behind-the-proposed-internet-law>.

Salameh, for his part said the law, if passed, would prohibit the publication of "anything that offends public morals and ethics" and that like most laws in Lebanon, it fails to specify what is moral and what is ethical, creating ambiguity that could give judges the right to arbitrarily decide how to define a defendant's offense based on their political leanings or confessional background:

"Making things worse and compounding the impending calamity is that al-Daouk's law harkens back to an obsolete legacy of Ottoman times, the Audio Visual Media Law, and applies it wholesale to the electronic media. Whatever applies to the sectarian media (television, radio, and others) will be applied to websites and blogs. With one law, therefore, al-Daouk negates the uniqueness of the Internet, subjecting it to a law whose reform and modernization have long been demanded by those to whom it already applies," he wrote.

In June 2010, activists, journalists and bloggers successfully halted passage of a 185-clause draft law to regulate Lebanon's IT sector, which they feared would stifle expression, but that proponents at the time argued would regulate illegal online transactions and money laundering. Opponents were totally unconvinced and expected the worst if the law were applied.

Among activists' major misgivings with the IT draft law was Article 92, which would have legislated that anyone providing online services must apply for a license; Article 82, which allows for warrantless search and seizure of financial, managerial and electronic files, including hard drives and computers; and Article 70, which establishes the Electronic Signature and Services Authority (ESSA) as a new regulatory and licensing body with almost unchecked powers.³⁷⁸

In August 2011, Minister al-Daouk said he wanted the media to exercise self-censorship to promote stability in a highly sectarian and politicized country, despite his government's claims of protecting freedom of expression, and, while much-needed press law reforms still languished in parliament.

Lebanon's current print media law dates back to 1962. Its six chapters cover definitions of publications, printing presses, licenses for Lebanese publications, foreign publications, definitions of various print media-related crimes, controls over publications' funds, sales, as well as Lebanon's two press unions - the Higher Press Council and the press' disciplinary council. Lebanese laws in general draw heavily on the Napoleonic Code and Ottoman-era edicts - a throwback to colonial times and foreign rule.³⁷⁹

The press law authorizes the licensing of newspapers that are divided into political and non-political publications, with a proviso that dailies can only publish six days a week, so those wishing to come out on Sundays must have a second license. Worst of all, there is a ceiling on the number of available licenses in Lebanon, the prices for which have skyrocketed since the law went into effect in the last century, forcing would-be publishers to purchase existing licenses to meet legal requirements. Foreign publications are subjected to inspection by the Directorate of General Security, which can also censor foreign books and movies it deems a threat to national security, leaving that term wide open for interpretation.

The Beirut-based Samir Kassir Eyes (SKeyes) media monitoring and press freedom NGO³⁸⁰ has been active in defending rights in Lebanon, Syria, Palestine and Jordan, as well as tracking violations, attacks on journalists, and calling for action in support of press and cultural liberties. SKeyes issues regular monthly reports on violations in the four countries and defends print, broadcast and online media, and cultural output in books, movies, and the theater, as well as academic freedom and scientific research freedom. The organization was established in 2007 and named after Samir Kassir, a journalist who had long campaigned for freedom in his work and life, and who was assassinated in 2005. The center also works with civil society groups and acts as a lobby for press and cultural freedom.

378 Magda Abu-Fadil, "Journos, Press Freedom Activists Decry Lebanon's Draft ICT Law," The Huffington Post, June 18, 2010, http://www.huffingtonpost.com/magda-abufadil/journos-press-freedom-act_b_616998.html.

379 Magda Abu-Fadil, "Lebanese Information Minister Urges Self-Censorship as Draft Media Law Languishes in Parliament," The Huffington Post, August 1, 2011, http://www.huffingtonpost.com/magda-abufadil/lebanese-information-mini_b_914432.html.

380 SKeyes Media, <http://www.SKeyesmedia.org>.

"The Electronic Media Draft Law is... Full of Gaps," headlined a January 2012 article by Rima Awad on the site. She acknowledged the need to protect media freedoms, intellectual property and the rights of minors from negative Internet influences, but said that legislators should distinguish between various forms of communication and not lump them into nonsensical categories. Article 8 stipulates that "the Publications Court shall look into all matters related to violations and legal disputes resulting from websites," so that violators of that Internet law would face the same penalties as those befalling publishers of print media. At best, the court in question follows archaic procedures and regulations.³⁸¹

"Regulating electronic media by law is not a good idea," said Tony Mikhaël, legal expert at the Maharat Foundation, in an interview with SKeyes. "Information technology evolves faster than legislation, and the latter is often unable to catch up with new trends."

There's also confusion between what Mikhaël called "professional media, personal blogs and social networking sites. What's worse is that Lebanon's print media law dates back to 1962 and defines who journalists are, recognizing only those affiliated with the Journalists Union, which is limited to newspaper editors and reporters and is headed by a Christian. Membership in that body is exclusionary, arbitrary, politicized, sectarian in nature, and had been run by the same person for over four decades until his death in 2010. A replacement at the time of writing had not been named. Most online media journalists are not members of the Union, so questions have been raised as to how they could be covered by the publications law.³⁸² Another union, the Press Syndicate, which groups newspaper publishers, has also been headed by the same person for decades - a Muslim to maintain the sectarian balance, which is

completely out of touch with the twenty-first century. Countless journalists have decried the existence and makeup of both unions and their restricted membership.

Audio-visual media workers had no union representing them until March 2012 when it was authorized by the Labor Ministry, following a two-year delay from the date its founding members submitted their application.³⁸³ The members represent a cross-section of broadcast media. But according to a report on the new syndicate, membership is not compulsory and the union will face challenges similar to those the Journalists Union has been up against in recent years.

Successive governments have attempted to reform and update Lebanon's media laws. Efforts have included extensive work by the Maharat Foundation, in collaboration with Member of Parliament Ghassan Moukheiber, who submitted the most comprehensive and realistic scenario on how to improve the media landscape. Maharat director Roula Mikhael, who writes for the daily *an-Nahar*, published a scathing article in November 2011 criticizing the absence of journalists and media experts from parliamentary deliberations on the issue. She referred to ongoing discussions in the parliamentary Media and Communications Committee about the need to renew existing legislation and Moukheiber's draft that called for the elimination of a clause requiring any publication to obtain a license to publish:

"The committee approved the principle but faced rejection from the Press Federation (representing owners and publishers) since those who own licenses today (and monopolize the market, to the detriment of others), have a given right, and would then be demanding compensation for losses," she wrote. "So who would determine it, what is its value and how would such funds be collected?"³⁸⁴

381 Rima Awad, "The Electronic Media Draft Law is ... Full of Gaps," SKeyes Media, March 13, 2012, <http://www.SKeyesmedia.org/en/a/Articles/The-Electronic-Media-Draft-Law-is-Full-of-Gaps>.

382 Magda Abu-Fadil, "Tug of War over Lebanese Journalists Union Leadership," The Huffington Post, October 3, 2010, http://www.huffingtonpost.com/magda-abufadil/tug-of-war-over-lebanese_b_748349.html.

383 Milana Al-Murr, "Hal Taftot al-Naqaba min Fakh al-Inqisam? [Will the Union escapes the Division 'Trap?]," al-Akhbar, no.1712, May 21, 2012, <http://www.al-akhbar.com/node/88960>.

384 Roula Mikhael, "Legislators Discuss Media Laws in the Absence of Journalists," *an-Nahar*, November 16, 2011, <http://www.alre7ab.com/index.php?s=18&id=6353>.

Former information ministers have often spoken about the need to move with the times, but even Tarek Mitri - a particularly active cabinet member in that post - was too slow in building adequate consensus for legislation to be handed down to parliament for approval. Before he got to that stage, the government collapsed and Mitri was replaced with the minister who has been accused of trying to muzzle the media. In January 2011, analyst Marwan Kraidy wrote that the government in which Mitri was a minister had been debating the need for reform, given the lack of a framework to regulate media following massive layoffs in the sector precipitated by the international financial crisis and the withdrawal of Gulf petrodollars from Lebanese organizations.

He said the new digital environment also required the establishment of new laws and regulations for media and telecommunications, after Lebanese authorities dismantled Israeli spy rings that had penetrated the country's telecommunications infrastructure, notably its private mobile phone companies, and feuding factions were lobbing accusations at each other over domestic phone tapping by security agencies:

"The detention of four Lebanese for criticizing President Michel Suleiman on Facebook in June/July 2010 and the interrogation of a local blogger by military intelligence for posts critical of the armed forces and the president during the same time period have added fuel to the debate. Political electioneering on the Internet and social networks and overall concerns about the implications of the migration of Lebanese media to the digital sphere have led to the inclusion of social media, blogs, and other electronic publications in legal drafts under discussion."³⁸⁵

With the 1994 Audio Visual Media Law, Lebanon became the first Arab country to regulate private broadcasting, Kraidy says. But the law's implementation in 1996 raised concerns about the sectarian distribution of radio and television stations and the excessive power

it granted the minister of information, as well as over the law's stipulations that ignored the economic considerations of broadcasting and volatile advertising market. Advertising is an important source of revenue for Lebanese media, so the slightest fluctuations in the money markets can adversely affect advertisers, with a resultant trickle down impact on media organizations.

Television stations and newspapers have been hard hit by the economic slump. One-time trailblazer Lebanese Broadcasting Corporation (LBC) has been undergoing massive changes, upheavals, layoffs, and has faced serious money problems since 2009.³⁸⁶ It has also been facing litigation from its founder Samir Geagea, a former militia head who led the once-outlawed Lebanese Forces (today a political party) in trying to wrest ownership from the company's CEO, Pierre al-Daher. Geagea was accused of political assassinations and jailed for eleven years before being pardoned, so he handed administrative power to Daher, who subsequently transformed the channel into a multi-company organization with a large production arm, PAC, and proceeded to sell the largest chunk of it to Saudi billionaire investor Prince Alwaleed bin Talal. After Geagea was released from jail in 2005, he sued Daher for ownership of the station; the case has been dragging on in court for years.

Meanwhile, Daher and the prince disagreed on key issues, not the least of which were dropping advertising revenues and declining ratings. The network's affairs have been in free-fall for months, despite an attempt to revamp its entire news operation, eliminate its satellite newscast, and reorganize its programs grid. The prince, who partnered with international media mogul Rupert Murdoch on various enterprises, has suffered his own financial setbacks and has sought to recoup losses incurred to his Rotana network, which also had ties to LBC. Finally, in March 2012 the LBC satellite station owned by Prince Alwaleed split from its terrestrial counterpart LBCI and moved its operations to Cairo, Egypt, leading to the cancelation of several joint programs, while the fate of others still hangs in the balance.

385 Marwan M. Kraidy, "Media Reform in Lebanon: New Media, New Politics?" Sada, January 26, 2011, <http://carnegieendowment.org/2011/01/26/media-reform-in-lebanon-new-media-new-politics/6bhn>.

386 Magda Abu-Fadil, "Lebanon's LBC TV Rides Layoffs Wave Ahead of Murdoch Buy-in, Arab Media Market Expansion," The Huffington Post, November 1, 2009, http://www.huffingtonpost.com/magda-abufadil/lebanons-lbc-tv-rides-lay_b_341335.html.

Morale at the Lebanon-based station has hit rock bottom with fears of mass layoffs since staffers are technically employees of PAC, not LBC or LBCI. The newsroom has seen extensive budget cuts, reassignment of reporters and editors, and neglect of an antiquated computer and online system, although officials spent an untold fortune on a news studio and new equipment that failed to stimulate viewership.

Other stations are not faring any better. Future TV and the Future News TV, two terrestrial stations (with satellite arms) owned by the family of slain former prime minister Rafik Hariri - whose son Saad later also became premier - have had to merge, realign the programs grid, and lay off staff in a bid to cut costs.³⁸⁷

The two Future channels (blue for general programming and red for all-news) began broadcasting some of the same shows in March 2012 during a transitional period that was set to end in summer when the final programs grid was put in place. That month many presenters, staffers and technical employees were paid handsome compensation packages, but laid off nonetheless, in order to avoid lawsuits, media sources reported.

The all-news channel had also been subjected to attacks and its reporters were repeatedly threatened and attacked by groups opposed to its owner's politics.³⁸⁸

Television and radio stations aligned with political parties, former militias, or noted politicians have dominated the broadcast scene since the Civil War, when they were set up as propaganda machines for their respective warlords. Tél -Liban is government run, but has also been a platform for sectarian appointments and

bickering, albeit with dwindling resources, sub par equipment, an unruly archive, and limited viewership compared with commercial media ventures.

Hence, every major political party has established its own television network, including the National Broadcasting Network (derisively called Nabih Berri Network, after the parliamentary speaker who has led the Amal movement and militia for over three decades); Al Manar TV, owned and run by Hezbollah; OTV, set up by General Michel Aoun, who was appointed prime minister by outgoing former president Amine Gemayel towards the end of the Civil War and who later escaped to France and remained in exile until his return in 2005. Today both Gemayel and Aoun represent opposing Christian groups.

NBN, Al Manar and OTV make no secret of their support for the Syrian regime. NBN's website was hacked for that very reason by a group calling itself "DarkCoder" purportedly representing "Hama's free people" (in reference to the city under attack by Syrian forces, which was the scene of a massacre ordered by Assad's father Hafez in 1982).

The hackers posted a picture of Assad with vampire teeth and a bloodstained face with the word "killer" in big bold letters underneath. It was the first hack attack of its kind in Lebanon and could be the precursor for further cyber assaults in the battle of ideas over the Syrian uprising, the *Daily Star* predicted.³⁸⁹

Murr TV (MTV Lebanon), whose owner Gabriel Murr ran for parliament against his niece Myrna Murr, ran into trouble for advertising his campaign on the channel, in violation of election laws at the time. It was shut down by the government in 2002 and reopened with much fanfare in 2009 but has not ceased its provocative broadcasts with investigative reports that question authority, defy political taboos, and call for officials to be held accountable.³⁹⁰

387 Faten Kobaissy, "Sarf 50 Shakhshan min al-Sahifa... wa Muwazafu al-Talfizion Yataraqabun: al-Mustaqbal Tarsod Ta'widat bima Yatajawaz al-Saqf al-Qanuni [50 Persons Sacked from Newspaper... and the TV Staff are Waiting: 'Future' Monitors Compensations in Excess of the Legal Ceiling]," al-Safir, no.12134, March 13, 2012, <http://assafir.com/Article.aspx?EditionId=2100&articleId=1363&ChannelId=50065&Author=%D9%81%D8%A7%D8%AA%D9%86%20%D9%82%D8%A8%D9%8A%D8%B3%D9%8A>.

388 Magda Abu-Fadil, "Lebanese TV Journalist Diana Moukalled Breaks the Mold," The Huffington Post, September 7, 2011, http://www.huffingtonpost.com/magda-abufadil/diana-moukalled_b_950653.html

389 Stephen Dockery, "NBN Website Hacked for its Backing of Assad," The Daily Star Lebanon, February 7, 2012, <http://www.dailystar.com.lb/News/Local-News/2012/Feb-07/162459-nbn-website-hacked-for-its-backing-of-assad.ashx#axzz25ngjScxb>

390 Magda Abu-Fadil, "Lebanon's MTV News Defies Critics, Rolls

In March 2012, MTV had another brush with authorities when the National Audio Visual Media Council, the country's nominal regulatory authority, warned the station over its contract with a correspondent in Israel who had served in the Israeli army, in clear violation of Lebanon's laws against normalization. Lebanon remains in a state of war with Israel.

Lebanese stations ordinarily sign agreements with third parties that provide production and correspondents' services in Israel and Palestine since there can be no direct contact with Israelis, according to the law. When asked how TV stations can conduct interviews with Arab/Palestinian members of the Israeli Knesset (parliament), the head of the National Audio Visual Media Council (NAVMC), Abdel Hadi Mahfouz, said it depended on the person in question and whether he/she was struggling against Israel and its government.

Only one woman serves on the NAVMC, and its members are appointed, or selected, along sectarian lines. Mahfouz is seen as close to Syria. MTV lashed back at him, after he accused the station of hiring an Israeli correspondent, by saying he was a holdover from the era of Syrian tutelage in Lebanon and accusing him of links to foreign entities - a reference to the Syrian regime, the *Daily Star* reported:

"He (Mahfouz) is still working as if he were living under the Syrian occupation. All they want is for us to stop our reporting on Syria and stop mentioning in our news that the Syrian regime is killing its people," the paper quoted an MTV editor as saying.³⁹¹

In November 2011, an MTV live broadcast of a talk show called "Bi Maoudouyya" ("objectively speaking" in Arabic) was the scene of a confrontation between two politicians who got into a heated argument over the ongoing revolt in Syria.

Former member of parliament Mustafa Alloush from the March 14 bloc, which is opposed to the Syrian regime, squared off against Fayez Shukr, a former cabinet minister and head of the Baath Party in Lebanon whose allegiance lies with Damascus, in what began as a verbal argument about how each was a lackey for the party he represented. The conversation degenerated when Alloush called Syrian President Bashar al-Assad a liar, which infuriated Shukr, who retorted that Alloush is a liar beholden to a boss who is a liar. Shukr then proceeded to splash the former with a glass of water across the table; both rose in a fury, scuffled, while Shukr lifted a chair with which to hit Alloush, until the TV host, cameramen and technicians in the studio managed to separate the two men.³⁹² The program was cut off and resumed a while later as if nothing had happened. The show is available in full on the MTV site,³⁹³ clips of it went viral on YouTube and the incident was the butt of endless jokes on social media forums and in traditional news outlets.³⁹⁴

Lebanese journalists covering events or anchoring the news on pan-Arab satellite channels have also been threatened over their stance on the uprising in Syria. SKeyes denounced former legislator Nasser Kandil - whose brother sits on the National Audio Visual Media Council - for saying live on Syria's Dunia TV that Najwa Qassem of the Saudi-owned al-Arabiya channel and Hassan Jammoul of the Qatari-owned al-Jazeera should not return to Beirut if they know what's good for them. Kandil called for a war crimes tribunal to prosecute Qassem, Jammoul and others he termed hired killers for their media crimes who should assume responsibility for blood being shed on Syrian soil.³⁹⁵

With the Punches," The Huffington Post, August 21, 2011, http://www.huffingtonpost.com/magda-abufadil/murr-television-lebanon_b_931657.html

391 Dana Khraiche, "Mahfouz, MTV Face Off over Controversial Israel Coverage," The Daily Star Lebanon, February 23, 2012, <http://www.dailystar.com.lb/News/Local-News/2012/Feb-23/164296-mahfouz-mtv-face-off-over-controversial-israel-coverage.ashx#axzz1wRBxBf7>.

392 Vivianne Haddad, "Trak halaqat 'Bi-Mawdu'iya' 'ala 'MTV' Yatahawal ila Hadis al-Balad [The Fight on 'Bi-Mawdu'iya' Show on 'MTV' Becomes the Talk of the Town]," al-Sharq al-Awsat, no.12043, November 18, 2011, <http://www.aawsat.com/details.asp?section=54&article=650428&issueno=12043>.

393 MTV Lebanon, <http://mtv.com.lb>.

394 "Lebanese Politicians Trade Punches in Syria Spat," YouTube video, 1:26, a news report from the television channel EuroNews, November 15, 2011, <http://www.youtube.com/watch?v=tsSUM7DyU-c>.

395 "SKeyes Yastankir Tahdid al-I'lamiyin 'ala al-Hawaa Mubasharatan wa Yutalib bi-I'tibar al-Mashahid al-Haiya Ikhbaran ila al-Niyaba al-'Amma [SKeyes Denounces Threats to Journalist on Live

Other Lebanon-based TV stations include al-Jadeed (formerly New TV), owned by businessman Tahseen Khayyat. In March 2012, the station saw a mutiny by news staffers over measly pay raises and the 21-day suspension of a star reporter following an email exchange between journalists who had complained about their financial troubles. Al-Jadeed reporters and presenters have sparred with authorities over investigative reports and a particularly controversial program called "al-Fasad" ("corruption" in Arabic), which has exposed wrongdoing in the country.³⁹⁶ The issue snowballed when the director general barged into the newsroom and almost came to blows with the "offending" journalist, *al-Akhbar* newspaper alleged. The incident also affected that day's newscast when several staffers walked out in protest. Senior officials at the station declined to comment on the incident.³⁹⁷

It is hard to keep track of Lebanon's radio stations, as many of them have been broadcasting for years without licenses or sanction from the National Audio Visual Media Council, which is considered a toothless regulatory body, given the lack of political will to crack down on violators, many of whom enjoy protection from their affiliated political parties or groups.

The Interior Ministry's judicial police was tasked with shutting down violators and the year 2010 saw widespread raids on illegal stations, mostly in the country's north, particularly in the city of Tripoli, as well as two in the Bekaa Valley region and one in the south. Equipment was seized and violators pledged not to resume broadcasting after owners of legally-licensed radio stations cried foul when the pirates cut into their advertising revenues with cheaper on-air spots. The truce was short-lived and the pirates reverted to type the

following year when political instability yet again reached new heights in Lebanon, after the formation of a government close to the Syrian regime and the outbreak of violence in Syria itself. The pirates capitalized on special ties with key political and religious figures, who afforded them protection from accountability.

With broadcast media fighting over radio waves and frequencies, those left out in the cold are resorting to cyberspace to broadcast their programs, despite the fact that Lebanon has one of the slowest Internet services in the world.³⁹⁸

To make up for their lack of a TV station, the once outlawed Christian militia Lebanese Forces launched a web TV channel³⁹⁹ in July 2011 in a bid to wrest back ownership of its television channel LBC. On the other side of the political spectrum, the National Nasserite Movement launched its own web TV channel⁴⁰⁰ from the southern port city of Sidon. All this has led the government to attempt to rein in Internet media content through a stringent new law. The Internet has also allowed senior politicians to air their views through social media, with current prime minister Najib Mikati and his predecessor Saad Hariri tweeting to their partisans on political, social and economic issues. Under the handles @Najib_Mikati and @HaririSaad, respectively, the two men have used social media platforms to debate each other and to allow citizens to interact more closely with their leaders.

Participants at a social media conference in Beirut in December 2011 underlined the need to challenge and engage with decision-makers, and hold them to greater account. Despite positive reactions from social media advocates, others view more nefarious processes at work, according to the *Daily Star*: "They warn that Lebanon's system of patronage and blind political loyalty could be going digital," it reported, adding that instead of instigating change, politicians and their followers are just reinforcing old bad habits.⁴⁰¹

Broadcasting and Demands They be Considered Basis for Public Prosecution], SKeyes Media, February 13, 2012, <http://www.SKeyesmedia.org/ar/SKeyes-Statements/Lebanon/966>.

396 Magda Abu-Fadil, "Corruption Charges Pit MP against Talk Show Host on Lebanese TV," The Huffington Post, June 20, 2009, http://www.huffingtonpost.com/magda-abufadil/corruption-charges-pit-mp_b_218457.html.

397 Amal al-Andari, "Al-Jadeed: Al-Tabaqa al-Sabi'a A'lanat al-'Osyan [Al-Jadeed: The Seventh Floor has Declared Disobedience]," *al-Akhbar*, no.1652, March 6, 2012, <http://www.al-akhbar.com/node/44821>.

398 Magda Abu-Fadil, "Ontonet: Lebanese Campaign against Snail-Paced Internet Service," The Huffington Post, March 28, 2011, http://www.huffingtonpost.com/magda-abufadil/ontonet-lebanese-campaig_b_841152.html.

399 LF TV, <http://lftv.lebanese-forces.com>.

400 Saidat TV, <http://www.saidatv.tv>.

401 Stephen Dockery, "Partisan Politics Migrate to Twitter," The Daily

On the print front, online and social media have been giving newspapers and magazines a run for their money, as advertisers migrate to the cheaper realm of cyberspace. Media analysts frequently question distribution and circulation figures in Lebanon because they do not necessarily reflect reality, as publishers tend to exaggerate sales to attract advertising dollars.



The daily *al-Nahar*, for example, has been suffering revenue losses and a drop in circulation, according to various insiders who declined to be identified, and has tried to make up for it by selling shares in the Tueni family-owned business to different investors, including Saudi billionaire Prince Alwaleed bin Talal and the family of slain prime minister Rafik Hariri. But shares have also been bought back by the Tuenis, according to other reports.

One-time *al-Nahar* publisher Gebran Tueni was blown up in his car in December 2005. Another *al-Nahar* journalist, Samir Kassir, was also assassinated by car bomb in 2005 - a year that saw many targeted killings and attacks in predominantly Christian areas. Analysts laid the blame at Syria's doorstep because all three men, as well as others who were killed, had been vocal critics of Damascus. The paper was badly shaken and its editorship was handed back to Gebran Tueni's aging father Ghassan,

while his daughter Nayla was being groomed for the top position through training and work in different departments. In 2012, she became the paper's editor-in-chief at the age of 30, and, like her father, served as a member of parliament representing one of Beirut's districts.⁴⁰²

The transition also entailed a makeover, following a study conducted by consulting firm Booz-Allen Hamilton, which provoked layoffs, cutbacks, consolidation of newspaper sections, an overhaul of the website, the upgrading the web TV channel, and a greater focus on social media content to engage readers. The jury is still out on how successful this has been, since much of the figures are kept confidential.

Al-Mustaqbal newspaper, part of the Hariri media group, was launched in 1995 with much pomp and relatively high salaries for employees, compared with other Lebanese papers. Its premises were equipped with cutting-edge computers, but the paper has had a rather checkered trajectory, and in recent years, has come close to bankruptcy. In March 2012, *al-Safir* reported that *al-Mustaqbal* had targeted 50 of its 65 staffers slated for termination. Others, fearing the belt-tightening, resigned and moved to different media, or wherever they could find jobs.⁴⁰³

Al-Safir, another family-owned newspaper, announced in 2011 that Syrian-American investor Jamal Daniel had bought a 20 percent share in the publication, following months of speculation in other media that the paper had been running huge deficits. No figures were revealed by publisher Talal Salman on how much Daniel's share represented in dollars. According to the *Daily Star*, Salman "admitted that the financial conditions of most if

Star Lebanon, January 11, 2012, <http://www.dailystar.com.lb/News/Local-News/2012/Jan-11/159444-partisan-politics-migrates-to-twitter.ashx#axzz1pGE1jR6T>.

402 Magda Abu-Fadil, "Nayla Tueni Mixes Journalism and Politics in Lebanon's Murky Waters," The Huffington Post, December 28, 2011, http://www.huffingtonpost.com/magda-abufadil/nayla-tueni-mixes-journal_b_1172905.html.

403 Faten Kobaissy, "Sarf 50 Shakhshan min al-Sahifa... wa Muwazafu al-Talfizion Yataraqabun: al-Mustaqbal Tarsod Ta'widat bima Yatajawaz al-Saqf al-Qanuni [50 Persons Sacked from Newspaper... and the TV Staff are Waiting: 'Future' Monitors Compensations in Excess of the Legal Ceiling]," *al-Safir*, no.12134, March 13, 2012, <http://assaafir.com/Article.aspx?EditionId=2100&articleId=1363&ChannelId=50065&Author=%D9%81%D8%A7%D8%AA%D9%86%20%D9%82%D8%A8%D9%8A%D8%B3%D9%8A>.

not all the newspapers and magazines in Lebanon are not sound due to the difficult economic conditions, and for this reason most papers are keen to find investors."⁴⁰⁴ Salman said the newspaper was looking for potential investors, provided there were no political conditions attached to the partnership. Since it was founded during the Civil War, *al-Safir* has been noted for defending the Palestinian and pan-Arab causes, in the tradition of Egypt's late president Gamal Abdel Nasser.

In December 2011, the French edition of the popular Arabic-language daily *al-Balad* - once a broadsheet turned into a tabloid - was shut down. Dar Alf Laila wa Laila - owned by the late Journalists Union head Melhem Karam, which published a daily in Arabic, a weekly in Arabic, a weekly in English and a weekly in French - also shut down completely in December, after Karam died and his heirs fought over whether or not to sustain the operation, leaving dozens of journalists unemployed.

Background

Lebanon was the first country with an Arabic printing press, introduced in 1734 by Abdullah Zakher from Aleppo, Syria.⁴⁰⁵ In the eighteenth and nineteenth centuries, American Protestant missionaries, Catholics (Jesuits and Maronites) and Greek Orthodox competing with each other for access to the population established a series of printing presses in Lebanon. The competition contributed to a relatively high level of literacy and education among the population, but also served as a catalyst for sectarianism. The first non-religious printing operation began in 1857, when other countries such as Egypt began to engage in publishing. The emergence of the Lebanese print media is closely connected to demands for social reform.⁴⁰⁶ The first Lebanese daily appeared in 1894, and most of its editors were Lebanese intellectuals with educational aims.

The Ottoman Press Law of 1865 granted the province of Mount Lebanon a special status that brought considerable freedom. But only a decade later, Sultan Abdul Hamid II used the Ottoman-Russian war as an excuse to declare a state of emergency and tighten control over the press. Directives included the prohibition of "lengthy articles on ethical or social issues," reporting on reforms and revolts, political assassinations, assemblies, criticism of "important official personalities," as well as reporting on the *Nabda* (the "Arabic renaissance") or French history.⁴⁰⁷ In resisting this pressure, Lebanese journalists became increasingly politicized. A few emigrated to Egypt, where some independence had been achieved since 1831. There they played a central role in the Egyptian press until the mid-twentieth century. The most prominent Egyptian newspaper and publishing house *al-Abram* (*The Pyramids*) was founded in 1875 by the Lebanese brothers Salim and Bishara Taqla.⁴⁰⁸

After the Young Turks overthrew Sultan Abdul Hamid and assumed power in 1908, more liberal press laws were introduced. However, while Turkish publishers were allowed to enjoy these liberties, the Arab press was again subjected to strict controls. Lebanese journalists, however, were no longer willing to submit to discrimination and founded a committee for the protection and development of the press. In 1916, sixteen Lebanese and Syrian journalists paid with their lives for their resistance and were hanged publicly in Beirut and Damascus. Only a few papers survived World War I, during which all resources - including paper - grew scarce. After the war the press quickly reorganized itself, and in 1919 the first Lebanese press trade union was founded. However, the French mandate power that followed did not support the development of an independent press. Restrictive measures led journalists to demand emancipation from the mandate power. This was dangerous, but also increased journalists' prominence in society and standing in the eyes of the public. On the

404 Osama Habib, "Syrian-American Acquires Stake in al-Safir," *The Daily Star Lebanon*, August 26, 2011, <http://www.dailystar.com.lb/Business/Lebanon/2011/Aug-26/Syrian-American-acquires-stake-in-Al-Safir.ashx#ixzz1pHrSoD8n>.

405 Pascal Zoghbi, "The First Arabic Script Printing Press in Lebanon," 29LT (blog), January 5, 2009, <http://29letters.wordpress.com/2009/01/05/the-first-arabic-press>.

406 Katrin Nesemann, *Medienpolitik im Libanon: Regulierungstendenzen nach dem Bürgerkrieg* [Media Policies in Lebanon: Regulation Trends after the Civil War], (Hamburg: Deutsches Orient-Institut, 2001), 52.

407 Nabil Dajani, *Disoriented Media in a Fragmented Society: The Lebanese Experience* (Beirut: American University of Beirut, 1992), 21-27.

408 Elias Hanna, *La Presse Arabe* (Paris: Maison Neuve et Larose, 1993), 34.

other hand, it also resulted in the tendency to present "views" instead of "news," which became prevalent in the Arab press in general.⁴⁰⁹ Another part of the press lived on bribes from the mandate power, and reported accordingly.

After Lebanon gained independence in 1943, the press uncovered cases of corruption and irregularities in the elections of 1947, and a new law was endorsed. It was more liberal than its 1924 predecessor, but included strict regulations to censor the opposition media. Fueled by the press, strikes and public dissatisfaction with President Bishara al-Khoury led to his downfall in 1952. The subsequent government of Camille Chamoun nullified press restrictions and again made it possible to acquire licenses for political publications. The number of publications increased to 50 dailies in Beirut alone, largely financed by political interest groups. After the occupation of Palestine, Lebanon's reputation as the commercial "gate of the Arab world" was enhanced, and after the 1952 coup in Egypt, Lebanon's political and diplomatic stature grew. Furthermore, due to increasing restrictions in Egypt, the Lebanese press assumed its role as the "pioneer of Pan-Arabism."⁴¹⁰ The editors of three Lebanese dailies particularly influenced the development of professional journalism in Lebanon: Kamel Mroueh (al-Hayat, today Saudi-owned and produced in London), Georges Naccach (L'Orient, predecessor of L'Orient-Le Jour), who was the first to hire academics and pay them decent salaries, and Ghassan Tueni (al-Nahar), who was a leader in modernizing and raising the professional standards of the Lebanese press.⁴¹¹

In 1962, the government of reform-minded President Fouad Chehab endorsed a modern press law, which defined the profession of journalism and created a legal framework. It granted press freedoms - confined by laws

and specific taboos, including attacks on national security and unity, national sovereignty, and religious or confessional incitement. This 1962 press law, albeit modified, still remains in force today. Decree 104 of 1977, for example, strictly prohibits defamation of the Lebanese president or foreign leaders, confessional provocations or assaults on state security. On the basis of the law, a Lebanese press syndicate, a Lebanese journalists syndicate, and a Lebanese press union (containing the boards of the two associations) were established. Furthermore, the Supreme Press Council was made responsible for everything beyond the prerogatives of the first two associations. To avoid state intervention, the council established an organ of voluntary self-control. It succeeded in mediating between the media and the state, but failed to strengthen the media as the "critical public."⁴¹² The newly created organs often used their influence to hinder competition by deciding newspapers were only allowed to increase their volume if they also increased their sales price. These policies supported the emergence of smaller papers that were often advocates of particular interests rather than of national and social integration.⁴¹³

The development of the Lebanese press in the 1950s and 1960s was exceptional in the region. Many Arab countries, including Egypt, witnessed military coups at that time and the beginning of an era of "Arab socialism" - whose protagonists succeeded in using the press for their own ends. In Lebanon, by contrast, the Chamoun and Chehab governments were known as the "golden era" for the press.⁴¹⁴ Liberal laws, foreign investments, economic boom and technical innovation were contributing factors. Before 1950, Lebanon's newspapers worked out of a few rooms; by the end of the 1960s, the bigger papers had large offices, equipped with the latest technology. As the only country with relative freedom of expression, Lebanon became a haven for Arab dissidents, who held public discussions and printed their books in Beirut. The influence of different interest groups

409 Katrin Nesemann, *Medienpolitik im Libanon: Regulierungstendenzen nach dem Bürgerkrieg* [Media Policies in Lebanon: Regulation Trends after the Civil War], (Hamburg: Deutsches Orient-Institut, 2001), 42.

410 Ibid., 43.

411 Nabil Dajani, *Disoriented Media in a Fragmented Society: The Lebanese Experience* (Beirut: American University of Beirut, 1992), 36.

412 Katrin Nesemann, *Medienpolitik im Libanon: Regulierungstendenzen nach dem Bürgerkrieg* [Media Policies in Lebanon: Regulation Trends after the Civil War], (Hamburg: Deutsches Orient-Institut, 2001), 44.

413 Ibid., 44.

414 Ibid., 45.

prevailed, however, since the Lebanese press (like the Arab press in general) could never sustain itself through advertising. The readership during that period was limited, as large segments of the population could neither read nor afford newspapers. When editors were not able to cover their costs by private means, they depended on the financial support of governments or private sponsors. Before the outbreak of the Lebanese Civil War (1975-1990), Arab governments cultivated their own newspapers in Lebanon to reflect their views. More independent papers also had to take the position of their Arab neighbors into consideration, as these provided the markets for distribution and sales. Different means were used to exert influence on the press, from donation-derived "favorable reportage" or placing journalists on payrolls, to the total binding of a newspaper to a certain regime or ideology, to outright physical intimidation of media workers.

In the 1960s and '70s, assassinations of editors and journalists and bomb attacks on all major publishing houses were common. Al-Hayat's Kamel Mroueh was killed in his office reportedly by then Egyptian president Nasser's intelligence police, or other regional detractors - depending on whose version one believes. Israeli commandos, non-Lebanese and Lebanese groups assassinated other journalists.⁴¹⁵ Former president Charles Helou said of the freedom of the press and its socio-political responsibility: "We don't have a Lebanese press. Rather we have a press in Lebanon."⁴¹⁶ The most prevalent criticism at the time was that freedom without responsibility could not be equated with democratic freedom of information. Since the 1960s in particular, the Lebanese press was marked by a dualism between a large number of smaller papers that found their readership in political, confessional or ideological groupings, and larger publications, which tried to overcome the barriers of social fragmentation.

The fragmentation of the Lebanese press was exacerbated by the Civil War, during which the state's sovereign functions receded. As official licensing was abandoned, a mass of "illegal" papers emerged, which represented the particular interests of their sponsors: parties, religious groups, political factions, militias and other wartime actors. However this "chaos" did not necessarily imply greater media freedom: different parts of the country were dominated by various militias that asserted their control by violent means.⁴¹⁷ Most of these publications vanished when the state regained control over Beirut at the end of the 1980s. Although many of the papers perpetuated, even exacerbated, internal fragmentation, many journalists, editors and printers also risked their lives during the division of Beirut to deliver news to both parts of the city.⁴¹⁸

Post-Civil War Media

Since the civil war ended in 1990, the media in Lebanon has flourished and reclaimed its leading role in terms of diversity and outspokenness in the Middle East. Many of the previously well-established papers resumed publication, and new ones were founded in Lebanon, a country of about four million people. The broadcasting scene has undergone major changes in over two decades, with Lebanon becoming the first country in the Middle East to license private TV and radio stations in 1994 featuring a wide variety of news and entertainment channels that are watched across the Arab world and internationally via satellite links.

The media in Lebanon is generally considered the freest and most professional in the region. But it is highly politicized and remains strongly affiliated with different sectarian and political groups. Like the country itself, Lebanon's media have been subjected to frequent political disturbances even after the end of the civil war, and it witnessed a number of crises - particularly between 2005 and 2008.

415 Nabil Dajani, *Disoriented Media in a Fragmented Society: The Lebanese Experience* (Beirut: American University of Beirut, 1992), 53-54.

416 *Ibid.*, 12.

417 Katrin Nesemann, *Medienpolitik im Libanon:*

Regulierungstendenzen nach dem Bürgerkrieg [Media Policies in Lebanon: Regulation Trends after the Civil War], (Hamburg: Deutsches Orient-Institut, 2001), 52.

418 *Ibid.*, 53.

On February 14, 2005, a massive explosion rocked the Lebanese capital. A ton of TNT was detonated as former prime minister Rafik Hariri's armored motorcade drove by Beirut's famed seafront St. George Hotel. Hariri and 21 others were killed. The assassination set off a chain of events and street protests later known as the Cedar Revolution, which led to the withdrawal of Syrian troops from Lebanon in April 2005, following 29 years of their military presence in the country.



But 2005 will also stand out in the history books as a deadly year for journalists. On June 2, 2005, journalist Samir Kassir, was murdered by a car bomb outside his home. On September 25, 2005, LBC TV anchorwoman May Chidiac fell victim to a car bomb attack. She survived but lost her left leg and forearm. And on December 12, 2005, *al-Nahar* publisher Gebran Tueni was also blown up by a car bomb. All three were well known for their anti-Syrian stance, and their deaths were widely blamed on elements within the Syrian security apparatus.

Hopes ran high after the last Syrian troops departed, but this optimism was short-lived. On July 12, 2006, Israel launched air and sea strikes against Lebanon after Hezbollah conducted a cross-border raid into Israel. The "July War" that lasted for 33 days and killed an estimated 1,200 Lebanese was again devastating for Lebanon's media. Journalists were in the line of fire, and were targeted as they tried to cover the conflict. As noted by the International Press Institute (IPI) in its 2006 World Press Freedom Review for Lebanon, "any vehicles including those clearly marked as press traveling in the

south of the country were targeted by Israeli planes."⁴¹⁹ When the Israeli army announced on August 5 that "every car of every kind that is moving south of the Litani River will be bombed," it explained two days later that "these limitations apply to journalists as well."⁴²⁰

Media infrastructure also became a target in itself. According to the IPI, the Israeli military targeted "a number of transmission towers belonging to both private and state-run media, including those used by Future TV, Télé-Liban and the Lebanese Broadcasting Corporation (LBC). The attacks interrupted broadcasts from these stations and deprived viewers of access to vital news and information."⁴²¹ Hezbollah-owned satellite station al-Manar TV was repeatedly attacked in Beirut's southern suburbs, known as the *dahiyeh*. Two journalists were killed during the war, and several injured. The war ended on August 14 with a UN-brokered ceasefire.

Four months later, on December 1, 2006, Lebanon was plunged into the next crisis when the Hezbollah-led opposition set up camp in downtown Beirut aiming to bring down the US-friendly government of prime minister Fouad Siniora. "A political deadlock that lasted for over a year and a half"⁴²² ensued. According to the Lebanese Civic Media Initiative, the stalemate "led to extreme social polarization because of the division of the two opposition and pro-government political camps."⁴²³ The conflict culminated in the events of May 2008 when armed forces of Hezbollah took control of parts of Beirut and other areas, and heavy clashes broke out between the different camps. The crisis was finally resolved after an agreement was brokered in the Qatari capital Doha, with the election of Michel Suleiman as president on May 25, 2008.

419 International Press Institute, World Press Freedom Review: Lebanon, (2006), accessed May 31, 2012, http://service.cms.apa.at/cms/ipi/freedom_detail.html?country=/KW0001/KW0004/KW0097/&year=2006.

420 Ibid.

421 Ibid.

422 "NGO Aims to Curb Incitement in Online Media," The Daily Star Lebanon, February 7, 2009, <http://www.dailystar.com.lb/News/Local-News/Feb/07/NGO-aims-to-curb-incitement-in-online-media.ashx#axzz1wRde0KHc>.

423 Ibid.

The split in the country also ran through the media, which was divided into two camps: on the one side, the Hezbollah channel al-Manar, the National Broadcasting Network (NBN) which is close to the Shiite Amal movement led by Parliamentary Speaker Nabih Berri, and New TV, known for its closeness to Syria; and on the other, Future TV and LBC, which represented the views of the governing coalition at the time. Observers noted that sectarianism in the Lebanese media had "gotten more divisive, more apparent"⁴²⁴ after the 2006 war. Or as then Future TV chairman Nadim Munla put it, "you cannot claim utter neutrality in a period where your country is going through major changes. It's naive. It doesn't happen anywhere in the world."⁴²⁵

The Press

Today, all of Lebanon's national dailies are privately owned by members of local Christian and Muslim establishments. The main daily Arabic language newspapers are *al-Nahar* (*The Day*), *al-Safir* (*The Ambassador*), *al-Akbbbar* (*The News*), *al-Diyar* (*The Country*), *al-Mustaqbal* (*The Future*), *al-Anwar* (*The Lights*) and *al-Balad* (*The Country*).

Al-Nahar was launched in 1933 to reflect the Greek Orthodox community's views, but today has a much broader scope. Since 2006, it has also run an English news website, *Naharnet*, that provides real-time news as well as background stories and reports on Lebanese politics and the Arab region. One-time publisher Gebran Tueni, the grandson of the paper's founder, who was also a member of the Lebanese parliament, had widely campaigned in his paper and on TV for the withdrawal of Syrian troops from Lebanon. In the last editorial written before his death, he accused Syria of committing "crimes against humanity" during its presence in Lebanon. Many blamed his death on the Syrian regime. *Al-Safir* is well renowned for its news coverage and background articles and tends to back an Arab nationalist

line. *Al-Akbbbar* was launched during the 2006 "July War," with the first edition appearing on newsstands the day of the U.N.-brokered ceasefire, August 14, 2006. The paper is politically close to the March 8 coalition, and quickly rose to become one of the leading national leftist dailies in Lebanon. Critics consider it pro-Syrian regime and pro-Hezbollah. *Al-Mustaqbal* newspaper is part of the media empire of the Hariri family and *Tayyar al-Mustaqbal* (Future Movement), which is the leading force in the March 14 coalition.

Al-Diyar has a rather sensationalist style and is considered pro-Syrian. *Al-Anwar* is put out by the famous Dar al-Sayyad publishing house, which has been associated with Lebanon's most prominent papers. However, it lost segments of its wide readership during the civil war and the consequent breakdown of its distribution lines. Dar al-Sayyad also produces the weekly women's magazine *al-Shabaka* (*The Net*), which enjoys high circulation, and the weekly *al-Sayyad* (*The Hunter*). Another weekly, *al-Hawadith* (*Events*), which was owned by the late Melhem Karam prior to its closure, who headed the Lebanese Journalists Syndicate for four decades. *Al-Kifah al-Arabi* (*The Arab Struggle*), went from being a weekly to a daily, then back to a weekly, changing allegiances in the process. *Al-Zaman* (*The Time*) is the press organ of the Amal Movement headed by Parliamentary Speaker Nabih Berri, who also launched radio and TV stations in 1997.

The daily *al-Balad* was first published in December 2003 by the company Integra Marketing and Public Solutions. In December 2008, Integra launched *Action*, a French-language newspaper that, according to general manager Gilbert Tigot, was supposed to be "revolutionary and comprehensive."⁴²⁶ The paper was established as a competitor to *L'Orient-Le Jour*, until then Lebanon's only Francophone paper and the result of a merger between *L'Orient* (founded in 1923 by Gabriel Khabbaz and Georges Naccache) and *Le Jour* (founded in 1935 by Michel Chiha).

⁴²⁴ Paul Cochrane, "Are Lebanon's Media Fanning the Flames of Sectarianism?" Arab Media & Society, no.2, (Summer 2007), <http://www.arabmediasociety.com/?article=206>.

⁴²⁵ Michael Bluhm, "Lebanon's Future TV to Launch New 24-Hour News Channel," The Daily Star Lebanon, January 18, 2007, <http://www.dailystar.com.lb/Business/Lebanon/Jan/18/Lebanons-Future-TV-to-launch-new-24-hour-news-channel.ashx#axzz1wRde0KHc>.

⁴²⁶ "Al-Balad Publisher Launches French-Language Daily," The Daily Star Lebanon, December 5, 2008, <http://www.dailystar.com.lb/News/Local-News/Dec/05/Al-Balad-publisher-launches-French-language-daily.ashx#axzz1wRde0KHc>.

Lebanon's only English-language daily print newspaper is the *Daily Star*, founded by *al-Hayat*'s owner Kamel Mroueh in 1952 for the quickly expanding expatriate community. In the 1960s and early 1970s, it was the leading English-language newspaper in the Middle East. During the Civil War, the publication was suspended because its offices were located in a battle zone. During a short-lived period when there was hope for a lasting ceasefire in 1983, Kamel's son, Jamil, and two of his brothers started publishing the newspaper again. But three months later, fighting intensified again and the paper hobbled along until mid-1985 before closing down. It didn't reappear on newsstands until 1996, after Jamil Mroueh invested in new technological equipment and recruited a team of journalists from Lebanon and abroad.⁴²⁷ Mroueh faced serious financial problems and in January 2009 the paper was temporarily shut down after a Lebanese court declared it bankrupt.⁴²⁸ He later sold the paper and left Lebanon.

Radio and Television

In contrast to the print media, radio was created in Lebanon as a propaganda instrument.⁴²⁹ To counteract German and Italian fascist propaganda, the French mandate authorities introduced Radio Levant broadcasting in Lebanon and Syria in 1938. In 1947, the studio was transferred to the independent Lebanese government, first renamed the Lebanese Broadcasting Station and later Radio Liban. Until the broadcast media law of 1994 came into effect, it was the only legal Lebanese radio station and was completely under state control. It served mainly as a "public relations instrument" for the government without political debates, while the opposition was denied access. The quality of management, production and training was low, which was surprising as by 1974, 90 percent of all adult Lebanese owned a radio set.⁴³⁰

During the Civil War, militias and followers of President Suleiman Frangieh occupied the official stations, and new stations emerged, which were illegal and yet often run quite professionally. Despite their respective political orientations, these stations also needed to earn revenue and thus reach a broad audience, so they provided more than pure propaganda.

The explosion of illegal stations was also a result of the official stations' silence over the first confrontations that marked the beginning of the civil war and their failure to provide the population with vital information about the ongoing strife, while other outlets informed their audiences about the locations of snipers, road blocks and violent clashes. Important illegal stations which continued to operate after the war, were Sawt Lubnan (Voice of Lebanon, representing the Christian Maronite Phalange), Sawt al-Watan (Voice of the Nation, belonging to the Sunni Maqassed educational foundation), Sawt al-Jabal (Voice of the Mountain, mouthpiece of Kamal Jumblatt's Progressive Socialist Party), Sawt al-Sha'b (the Communist Party's Voice of the People), and the Lebanese Broadcasting Corporation (LBC) founded by the Christian Lebanese Forces militia.⁴³¹ In October 2001, al-Jadeed TV (New TV) was launched, a 24-hour pan-Arab station broadcasting from Lebanon.

Television in Lebanon developed in a different direction than in other Arab countries, most of which established their own national stations during the 1950s. The Lebanese government lacked the financial means, so in 1956 it granted a group of Lebanese and foreign investors the concession to establish the first non-state, commercial TV station in the Arab world, the *Compagnie Libanaise de Télévision* (CLT). A second group of Lebanese investors was granted a license for the commercial station *Compagnie Libanaise de Télévision du Liban et de Proche-Orient* (Télé-Orient).

However, the contracts specified that the government maintain control over political reporting, and assigned two permanent censors to each station. The stations were also obliged to broadcast programs produced by the Ministry of Guidance and News, which was founded in 1949 as a division of the Interior Ministry, and later

427 "About Us: The Daily Star – A Short History," The Daily Star Lebanon, accessed May 31, 2012, <http://www.dailystar.com.lb/AboutUs.aspx#axzz1wRdeOKHc>.

428 "Lebanon: Courts Rule English-Language Daily The Daily Star Newspaper Bankrupt," Menassat, January 22, 2009, <http://www.menassat.com/?q=en/alerts/5836-lebanon-courts-rule-english-language-daily-daily-star-newspaper-bankrupt>

429 Katrin Nesemann, *Medienpolitik im Libanon: Regulierungstendenzen nach dem Bürgerkrieg* [Media Policies in Lebanon: Regulation Trends after the Civil War], (Hamburg: Deutsches Orient-Institut, 2001), 52.

430 Ibid., 53-54.

431 Ibid., 54.

morphed into the Information Ministry. They had to remit a share of advertisement revenues to the government. When radio and official TV stations were occupied in 1977, both stations were ordered to merge in an effort to salvage Lebanese TV. The new entity, Télé-Liban, was given a broadcasting monopoly. Half the capital share was transferred to the government, and half remained with the former owners. However, as the state's authority collapsed, it was unable to enforce Télé-Liban's broadcast monopoly.

In 2005, after the assassination of former prime minister Rafik Hariri, a columnist from *al-Mustaqbal* newspaper (owned by the Hariri Family), Yusef Bazzi, said: "TV and newspapers are not only following the news, they are part of it."⁴³²

The Internet

UN Statistics for 2009 show that 23.9 percent of the Lebanese population were Internet users, a relatively high rate compared to other countries in the region.⁴³³

While Lebanon's Internet penetration rates ranked high in the region, the existing infrastructure is below par to operate high-speed Internet technology.⁴³⁴ In 1997, GlobalCom Data Services (GDS), a company owned by a close relative of then president Emile Lahoud,⁴³⁵ was awarded exclusive rights to licensed data lines in Lebanon. Over the next years, Lebanon fell back regionally, partly due to "very high charges for both residential and corporate Internet users, but also due to a failure to keep up with technological developments."⁴³⁶

Residential (wireless) broadband Internet was introduced in 2004 but was too expensive for the average Lebanese. In 2006, the Lebanese minister of telecommunications signed a memorandum of understanding with public and private sector service providers to introduce high-speed Internet access to residential and corporate users.⁴³⁷ The service remained slow and was not available throughout the country. Wireless broadband remains an important alternative, but some regions still only have dial-up connections.

The Internet brought diversity to the media and news services in Lebanon, with a multitude of new independent websites catering to a younger and less party-oriented audience than traditional papers. Some websites resulted from specific political events, such as *Ya Libnan*, which started as a personal log of events following Rafik Hariri's murder.⁴³⁸ It evolved into a website specialized in Lebanese news. The website *NOW Lebanon*⁴³⁹ (NOW stands for New Opinion Workshop) was also launched in 2005 during the "Cedar Revolution" that led to Syria's withdrawal from Lebanon and is based on the assumption that "most Lebanese are simply too busy to engage regularly in protests and sit-ins, and scouring the many newspapers one needs to read to obtain a clear picture of current affairs would be a full-time job on its own."⁴⁴⁰ *NOW Lebanon* claims to be funded entirely by the private sector and individual donations.

Electronic Lebanon started during the 2006 "July War." Its diary section "Live from Lebanon" delivered daily reports or warzone blogs from various neighborhoods throughout Beirut and other cities under bombardment by Israel. The blogs often became important sources for the mainstream media, which had little or no access to some of the locations under fire. The website, which does not run as a separate anymore, was a project of the popular US-based website *Electronic Intifada*, which primarily covers Palestine.

432 Gordon Robison, "In Time of Crisis, A Changing Role of the Media in Lebanon," USC Center on Public Diplomacy, March 26, 2005, http://uscpublicdiplomacy.org/index.php/newsroom/memp_detail/media_in_Lebanon.

433 UNData, United Nations Statistics Division, accessed November 3, 2012, <http://data.un.org/CountryProfile.aspx?crName=LEBANON>.

434 Eduard Achi, "Lebanon Country Study" (paper presented at the conference New Media and Political Change in the Arab World, organized by Konrad Adenauer Foundation, Amman, Jordan, February-March 2002).

435 "Broadband Internet in Lebanon a Major Disappointment," *Ya Libnan*, August 24, 2005, http://yalibnan.com/site/archives/2005/08/broadband_inter.php.

436 "Lebanon to Introduce Broadband Internet via DSL," *Zawya*, January 3, 2006, <http://www.zawya.com/marketing.cfm?zp&p=/>

[story/Lebanon_to_Introduce_Broadband_Internet_via_DSL-ZAWYA20060103160818](http://www.nowlebanon.com/story/Lebanon_to_Introduce_Broadband_Internet_via_DSL-ZAWYA20060103160818).

437 Ibid.

438 Self-description: "About Ya Libnan," *Ya Libnan*, accessed May 31, 2012, <http://www.yalibnan.com/about>.

439 Now Lebanon, <http://www.nowlebanon.com>.

440 Self-description: "About NOW," *Now Lebanon*, accessed May 31, 2012, <http://www.nowlebanon.com/Sub.aspx?ID=26463&MID=1>.

The Legal Framework

Regulations for the press were established by the Press Law ratified in 1962, which was rarely enforced before or during the Civil War when unlicensed publications mushroomed. The law prohibits publications that threaten national security, national unity or state frontiers, or that insult high-ranking Lebanese officials or foreign heads of state. A major legal (and financial) obstacle to free publication is the provision that no new political press licenses are to be issued. Aspiring publishers have to buy the license of a pre-existing title, a practice that has resulted in a market of trading in licenses. In this context, licenses have acquired market value - depending on the name, history and impact of a publication. In the late 1990s, the price for obtaining the license of a weekly title was about USD 300,000 to USD 400,000, while a daily went for double that amount. In 1994, the government enforced fines of USD 118,000 for certain offenses. It originally attempted to introduce even higher fines, along with detention and preventive detention penalties and license withdrawals for journalists who incite sectarian strife or slander the Lebanese president or other heads of state. The government, however, removed these penalties, due to public outrage.⁴⁴¹

The Taif Accords signed in 1989 presented a blueprint for national reconciliation at the end of the civil war. It did not propose a system of media regulation, although it defined this task as a priority. Before a 1994 law for broadcast media (the first of its kind in Lebanon) introduced licensing for radio and TV stations, Lebanon had some 200 illegal radio stations and 50 local TV stations. The reasons given to prioritize media reorganization were: 1) the reestablishment of state sovereignty; 2) control over domestic opposition; and 3) the regulation of economic competition among the media.⁴⁴² The law formally ended the state's legal monopoly over the airwaves, allowed licensing for private radio and TV stations, and acknowledged the pluralistic

nature of expression of ideas and opinions. The law is notable because it "made Lebanon the first country in the Middle East to establish a regulatory system for permitting private radio and television broadcasting to be both produced and distributed within its borders."⁴⁴³

Although there was a justifiable need to find a legal framework after the wartime proliferation of media outlets, the manner in which the legislation was implemented was criticized. In the face of lingering antagonisms after the war, as well as new protests against Syrian domination, social injustice and the corruption that accompanied the reconstruction process, the government of Premier Rafik Hariri tried to insulate itself through stricter media control.⁴⁴⁴ For example, the law considerably strengthened the power of the information minister, who was to audit private sector media for financial soundness. As the law prohibited stations from operating at a financial deficit for a protracted period, many broadcasters struggled to meet requirements.⁴⁴⁵ Additionally, there was an economic interest in media pluralism, as a number of political leaders acquired shares in the media sector.

On November 11, 1994, parliament passed Law No. 382, which declared the state the sole owner of all broadcasting channels and frequencies, but also revoked Télé-Liban's exclusive rights over all TV channels. The law provided that radio and TV stations could only be operated with an official license, which would be granted for 16 years and could be extended thereafter. Legislators tried to prevent the concentration of power in private hands, as well as the misuse of media by Lebanese or foreign sponsors.⁴⁴⁶

441 Center for Media Freedom Middle East and North Africa, *The Media Environment in Lebanon. Public Access and Choice*, (1998), 10.

442 Thomas Scheffler, "Von der Anarchie zum Oligopol: Die Audiovisuellen Massenmedien im Libanon [From Anarchy to Oligopoly: The Audiovisual Mass Media in Lebanon]," INAMO, no.14/15, (1998): 62.

443 The Stanhope Center for Communications Policy Research, *Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Lebanon* (London: Stanhope House, 2003), 8.

444 Thomas Scheffler, "Von der Anarchie zum Oligopol: Die Audiovisuellen Massenmedien im Libanon [From Anarchy to Oligopoly: The Audiovisual Mass Media in Lebanon]," INAMO, no.14/15, (1998): 62.

445 Marwan M. Kraidy, "Broadcasting Regulation and Civil Society in Postwar Lebanon" *Journal of Broadcasting and Electronic Media*, vol.42 no.3, (1998), 393-94.

446 Thomas Scheffler, "Von der Anarchie zum Oligopol: Die Audiovisuellen Massenmedien im Libanon [From Anarchy to Oligopoly: The Audiovisual Mass Media in Lebanon]," INAMO, no.14/15, (1998): 63.

The law was not enacted until September 1996, as a decision by the cabinet was postponed until after parliamentary elections. Hariri's cabinet decided that only four private TV stations and three radio stations were allowed to broadcast political information, in addition to the state-run Télé-Liban and Radio Liban. According to the authors of the Stanhope Report, a mixture of power and confessional politics determined the beneficiaries of the licenses.⁴⁴⁷ Television and radio stations were categorized according to whether they were allowed to broadcast news and political events. Eight additional radio stations were permitted to broadcast entertainment without news. All other stations were ordered to either turn in improved license applications or shut down their operations. The TV stations licensed to conduct political broadcasting were Hariri's Future TV; MTV owned by Gabriel Murr (brother, but political antagonist, of then interior minister Michel Murr, and uncle of the minister's successor and son, Elias Murr); NBN, the National Broadcasting Network, (close to the Amal Movement of Parliamentary Speaker Nabih Berri); and LBC, the Lebanese Broadcasting Corporation (which began as a station of the Christian Lebanese Forces and whose shareholders over time included pro-Syrian deputies Suleiman Frangieh, former deputy prime minister Issam Fares and Saudi billionaire Prince Alwaleed bin Talal). Hezbollah's al-Manar TV station and al-Nour radio station did not obtain licenses, but were exceptionally allowed to broadcast political news about resistance against the Israeli occupation of southern Lebanon until the end of the occupation in 2000. This selection generated bitter public discontent, and finally the government was forced to prolong the deadline for license applications.

It took until July 1997 for the cabinet to decide on new applications, and additional licenses for political broadcasting were granted to Hezbollah's al-Manar, the Phalange's Sawt Lubnan, the Communist Party's Sawt al-Sha'b, and Maronite leader Suleiman Frangieh's Sawt

al-Ghad. Al-Manar was the first station to receive a license that openly presented itself as the mouthpiece for a religious group, although the 1994 law prohibits religiously-oriented TV stations.⁴⁴⁸

This provoked demands from other confessional groups for equal treatment,⁴⁴⁹ while the majority of unlicensed stations simply continued to operate. In September 1997, security forces stormed stations of the Sunni Islamist Unionist movement and killed three Islamists. Intimidated, several stations abandoned their operations. Only the Bekaa Valley station of former Hezbollah Secretary General Sheikh Subhi Tufayli was tolerated although his "Revolution of the Starving" movement founded in 1996 openly called for civil disobedience and prohibited ministers from entering Baalbek in autumn 1997. At the end of 1997, a number of parliamentarians demanded the closed stations reopened if the government did not implement its decisions uniformly across all regions of the country. Several stations reopened, provoking a massive army crackdown. Some 20 radio stations were shut in the north, in the southern port city of Sidon, and in Beirut and its environs. In 1998, Tufayli's station was also closed, with eight people killed in clashes.⁴⁵⁰

In the following period, the broadcast media were dominated by four big competitors: LBC which led the market, Télé-Liban, Future TV and MTV, though the state shut down MTV in 2002.⁴⁵¹ In 1997, LBC (as

⁴⁴⁷ They also argued it was confessional thinking, not the law, that dictated that the head of the Journalists' Union should be a Christian, while the head of the Press Syndicate should be a Muslim (The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Lebanon (London: Stanhope House, 2003), 15).

⁴⁴⁸ Heiko Wimmen, "Fernsehen im Libanon [Television in Lebanon]," *Beiruter Blaetter*, no.5, (1996): 30-31.

⁴⁴⁹ Thomas Scheffler, "Von der Anarchie zum Oligopol: Die Audiovisuellen Massenmedien im Libanon [From Anarchy to Oligopoly: The Audiovisual Mass Media in Lebanon]," *INAMO*, no.14/15, (1998): 63-64.

⁴⁵⁰ *Ibid.*, 65.

⁴⁵¹ Security forces broke in to Murr TV and Radio Mont Liban in September 2002 closed them without a court order. Both outlets were owned by Gabriel Murr, who had won a parliament seat three months earlier. Murr had openly criticized Lebanon's relationship with Syria. The official reason given was that the station had reported propaganda during a pre-election period when no media were allowed to publicize candidates. The aired spots urged citizens to register to vote, but did not mention Murr's name. The media outlets were charged with damaging the country's relationship with Syria as well as not heeding election law regulations. Leading legal authorities and critics argued the verdict was arbitrary because no similar measures had been taken against other TV stations, which

LBCI, The Lebanese Broadcasting Corporation International) and Future TV began broadcasting via satellite. The struggle around the issue of licensing has therefore moved to the control of the programs of major broadcasters. To attract audiences, the stations started to air programming that tackled sexually and politically taboo topics. Discussions of bisexuality, incest and sexual abuse of children caused Hariri to demand more respect for the values of Lebanese society, and the government prohibited several interviews with exiled opposition leaders. The policy of censorship became increasingly controversial, as most efforts to prohibit programs came from the government, and not from the National Audio Visual Media Council, which was the body legally authorized to do so.⁴⁵² Following the French model of the Conseil National de l'Audiovisuel (CNA), the council grouping 10 members (half appointed by parliament, the other half by the cabinet for three-year terms) was established in 1994. The council's main tasks were to examine license applications, to advise the cabinet, and ensure application of the law. The law describes the council's mission as *riqaba*, which is often translated as "censorship," but also means "monitoring" and "supervision."⁴⁵³

An additional law (No. 531) set specific regulations for satellite channels, although requirements were already laid out in the Audio Visual Media Law. In contrast to Law 382, this legislation authorized the cabinet, not the CNA, to grant or withdraw licenses to broadcast news and political coverage, without referring back to parliament.⁴⁵⁴

carried election advertising defaming Lebanese politicians. Then president Emile Lahoud insisted the action was legitimate. Murr TV lost its fight to resume broadcasting in October. A media court rejected the appeal without naming reasons (International Press Institute, 2002, World Press Freedom Review: Lebanon, accessed May 31, 2012, http://service.cms.apa.at/cms/ipi/freedom_detail.html?country=/KW0001/KW0004/KW0097/&year=2002).

452 Thomas Scheffler, "Von der Anarchie zum Oligopol: Die Audiovisuellen Massenmedien im Libanon [From Anarchy to Oligopoly: The Audiovisual Mass Media in Lebanon]," INAMO, no.14/15, (1998): 65.

453 Center for Media Freedom Middle East and North Africa, The Media Environment in Lebanon. Public Access and Choice, (1998), 11.

454 Ibid., 10.

Article 473 of Lebanon's penal code makes public blasphemy punishable by a month to a year in prison. Under article 474 of the penal code, publicly insulting religion is punishable by six months to three years in prison.

The global controversy surrounding the Danish cartoons mocking the Prophet Muhammad also left its mark on Lebanon. In February 2006, protesters gathered in front of the Danish and Norwegian embassies in Beirut and the demonstration turned into a riot, as news photographers and cameramen covering the events were assaulted by the crowd.⁴⁵⁵ Later that year, authorities censored a story about the Prophet Muhammad in the French weekly *Courier International* because, according to the Ministry of Interior, it "offended the dignity of Islam and was likely to provoke religious tension between Muslims."⁴⁵⁶

In 2000, Lebanon passed a new electoral law, known as the Boutros Law, which also contained provisions for the media, namely Article 68, regulating coverage of electoral campaigns. They were general and ambiguous, so the minister of information and major Lebanese broadcasters agreed to a self-imposed code of conduct for elections reporting.

Media monitoring specialists from the International Foundation for Electoral Systems (IFES), Statistics Lebanon for Internews, the European Union Electoral Observation Mission and the Lebanese Association for Democratic Elections (LADE) in cooperation with the Lebanese Ministry of Information supervised print and broadcast outlets during the 2005 elections.

The result of the monitoring process showed that "all media conduct, without exception, was to some extent in breach of Article 68 of the electoral law and/or the self-imposed code of conduct. Breaches include providing unequal access to the media for candidates, biased reporting and breach of the 24 hours pre-election silence period."⁴⁵⁷

455 International Press Institute, 2002, World Press Freedom Review: Lebanon, accessed May 31, 2012, http://service.cms.apa.at/cms/ipi/freedom_detail.html?country=/KW0001/KW0004/KW0097/&year=2002.

456 Ibid.

457 IFES, IFES Lebanon Election Mapping Mission: Interim Report,

The new electoral law passed on September 29, 2008, included new regulations for media coverage and advertising during elections, requiring media outlets to set a standard rate for electoral advertisements and allow anyone to advertise, and, provide all candidates and lists "equal media access," without supporting one specific candidate or group.⁴⁵⁸

(September 2005), 17, <http://ifes.org/Content/Publications/Reports/2005/IFES-Lebanon-Election-Mapping-Mission-Interim-Report.aspx>.

458 Matt Nash, "Media Monitoring: The New Electoral Law Regulates Media Coverage of the Election Campaign," NOW Lebanon, March 4, 2009, <http://www.nowlebanon.com/NewsArchiveDetails.aspx?ID=82722>.



Syria

The Recent Situation



Writing about a country in transition is no easy task when all its institutions, including the media, are in a state of unprecedented turmoil. Since the outbreak of the uprising in Syria in March 2011, it has been exhausting for observers and analysts to keep track of who said what, through which medium, to what effect, and how to establish the authenticity of reports from citizen journalists posted on social media sites. Correspondents from traditional international media were barred from entering the country, except with special permission and accompanied by officially-approved minders. State-run media present a picture that differs 180 degrees from what others are publishing or broadcasting.

A case in point is *Shabakit Akhbar Halab* (Aleppo News Network) on Facebook, which announced its split from the regime and alliance with the revolution's forces after the city's al-Adawiyya and Karm al-Zeitoun neighborhoods came under heavy shelling from government forces. The site that purportedly had 50,000 followers changed its logo from the official Syrian flag to that of the rebels, according to *Al-Sharq al-Awsat* newspaper. Regime supporters blamed hackers for the site's sabotage, but director Ahmad al-Halaby confirmed the split to the paper, noting that it represented a major blow to the regime given its wide online readership.

He pointed to an unrelenting cyber war between pro- and anti-Assad forces that was escalating in parallel with fighting on the ground. He said there were constant

instructions to monitor the revolution's webpages, to respond to them, shedding doubts on the veracity of the rebels' accounts on the government's own sites. Halaby added that the cyber army's goals were: raising suspicion about the revolution, accusing dissidents of treason, fabricating news, pictures and videos, and presenting counter-revolutionary ideas. Another tactic involved sowing discord between the rebels by faking identities and pretending to support their cause through comments on their pages that, in reality, fuel sectarian tensions, he said, adding that government supporters often launched pirate attacks on rebel sites or against select videos on YouTube. But he praised social media for playing a key role in aiding the revolution, which the regime had recognized, hence its mobilization of cyber experts to fight back.⁴⁵⁹

"The Syrian Electronic Army (SEA) Launches a Campaign Against Instigators," headlined a state media news report that said freedom of expression fighters were retaliating against several Facebook groups that mocked the regime, ridiculing their terminology and describing dissidents as religious fanatics or insects. The SEA tried to shut down opposition sites and was reported to flood sites and Facebook pages with pro-Assad comments.⁴⁶⁰

Another ruse flagged by the Electronic Frontier Foundation (EFF) is the authorities' use of a fake YouTube site that plants malware on computers of people who leave comments on videos. The *Guardian* reported:

459 Nadia Al-Turki, "Mudir Bi-Shabakat 'Akhbar Halab' al-Munshaqqa Yuakid Wujud Harb Iliktroniya Nasquha Yatasa'ad bil-Tawazi ma' ma Yahdos Maydaniyan [Director of the Dissident Network 'Aleppo News' Confirms the Existence of a Mounting Electronic Warfare in Parallels with Actions in the Field]," *al-Sharq al-Awsat*, no.12168, March 22, 2012, <http://www.aawsat.com/details.asp?section=4&issue=12168&article=669179>.

460 Caroline Akum, "Al-Jaish al-Suri al-Iliktroni' Yashon Hamlat Taqarir 'ala 'al-Mundasin' ['The Electronic Syrian Army' Wages Report Campaign Against 'Infiltrators']," *al-Sharq al-Awsat*, no.11961, August 28, 2011, <http://www.aawsat.com/details.asp?section=4&issue=11961&article=637710>.

The EFF, a pressure group for free speech online, said that the site has been used to target people watching videos showing the conflict inside Syria, and that it may have captured the login details for Google accounts belonging to activists inside or outside the country. It also warns that the site offers a fake "update" to the Flash software used on most PCs to view video content.

The discovery ratchets up the online attacks against Syrian anti-government activists, who have been increasingly targeted by malware which is capable of capturing webcam details, turning off antivirus programs and capturing passwords.

The organization warned last week that it had found two cases of pro-Syrian government malware - which can take over a machine or silently watch everything that the user types - being sent as web links in emails and chat.

It found that that malware sent back details to an Internet address, 216.6.0.28, which has been assigned to the Syrian Telecommunications Establishment - indicating that unlike the vast majority of malware, which is used by criminals to download bank or other details and controlled via machines on the wider web, this one connects back to an official address inside Syria. That makes it likely that it is controlled by agencies acting for the Syrian government. The online security company Symantec detailed the effects of the malware in February.⁴⁶¹

Like Egypt before it, Syria shut down its Internet service as the revolution gained momentum, according to a June 3, 2011 report in *Mashable*:

"Starting at 3:35 UTC today, approximately two thirds of all Syrian networks became unreachable from the global Internet," Internet intelligence firm Renesys reported on its blog today.

"Over the course of roughly half an hour, the routes to 40 of 59 networks were withdrawn from the global routing table." Most mobile phone and Internet networks are affected by the blackout. According to the Wall Street Journal, government-run websites such as the Oil Ministry's website are still operational.⁴⁶²

In a further step to champion their cause, activists have provided an iPhone and iPad application "Souria w bas" (Only Syria) through the Apple store to keep track of the revolution and call for the regime's overthrow. The application provides minute-by-minute news on Syria, with illustrations, explanations, classification by region, a chronology to facilitate the search process for browsers, and videos of demonstrations and other activities uploaded on YouTube.⁴⁶³

Syrian activists and bloggers who felt the heat and were constrained in their country have also moved some of their operations to Jordan and Lebanon in a bid to circumvent government controls. These have included Rami Nakhla whose activism and networking from Beirut, to ensure news out of Syria is disseminated widely, was documented by the late *New York Times* reporter Anthony Shadid in April 2011. Nakhla used the pseudonym Malath Aumran for three years before fleeing to Lebanon:

"For weeks now, the small number of activists, spanning the Middle East, Europe and the United States, have coordinated across almost every time zone and managed to smuggle hundreds of satellite and mobile phones, modems, laptops and cameras into Syria. There, compatriots elude surveillance with e-mailed software and upload videos on dial-up connections," said Shadid

461 Charles Arthur, "Syrian Activists Targeted by Fake YouTube," *The Guardian*, March 20, 2012, <http://www.guardian.co.uk/technology/2012/mar/20/syrian-activists-fake-youtube>.

462 Ben Parr, "Syria Shuts Down the Internet as Revolt Gains Steam," *Mashable*, June 4, 2011, <http://mashable.com/2011/06/03/syria-shuts-down-internet>.

463 Editorayeh, "Souria Wa Bas [Only Syria]," *al-Mundassa*, November 16, 2011, <http://the-syrian.com/archives/53527>.

who in 2012 entered Syria undetected from Turkey on horseback but died on his way out from an asthma attack triggered by an allergy to the horses he and a photographer were riding.⁴⁶⁴

Skype is technically blocked in many regions of Syria and/or monitored, and foreign correspondents who managed to sneak in to report on events often relied on Thuraya satellite telephones to avoid going through the local mobile networks. But authorities have also been targeting Thuraya users with detection devices to pinpoint their locations and prevent them from disseminating news, according to journalists who risked their lives for the story.

Reporting from Syria can be tough and lethal, AFP reported, recounting how French journalist Gilles Jacquier was killed on January 11, 2012 in a rocket attack, while on a government-sponsored tour of the rebellious city of Homs: "Eleven days later, American journalist Marie Colvin and French photographer Remi Ochlik died in another bombardment of the besieged city, with many people speculating that satellite transmissions from their makeshift media center had allowed regime forces to pinpoint and target them. War correspondent Robert Young Pelton recently wrote in *Foreign Policy* magazine that ally Russia taught Syria: When you destroy a city, make sure no one - not even the story - gets out alive."⁴⁶⁵

The APF article went on to detail the sheer technical difficulty of transmitting stories, pictures and videos from inside Syria. Syrian forces were using Russian technology, which Moscow used in its war against Chechen rebels, to track signals with drones, so that Thuraya satellite telephones could easily be detected. Syrian rebels advised AFP correspondents in Homs to connect their BGAN (Broadband Global Area Network)

antennas to computers with cables at least 15 meters long to be able to take cover, and in case the device takes a direct hit.

But foreign journalists also face the problem of rebels seeking to control the media coverage. A Western photographer who asked not to be identified said some rebels were furious at him for taking pictures of dead soldiers who appeared to have been summarily executed, and demanded he erase the photos or be killed, *France 24* reported on its site.

Foreign journalists who are granted official visas (information minister Adnan Mahmoud announced in January 2012 that the government had issued 147 permits for foreign media to enter the country and cover events), find themselves under strict surveillance.

Syrian activists communicate extensively through social media, setting up Facebook pages and groups, Twitter feeds and threads, as well as their own versions of news agencies, curating information from different sources and putting it online. They have been the most vulnerable so far, and many have paid with their lives. Mahzar Tayyara, a citizen journalist, was killed in the city of Homs. He spoke fluent English and French, his comrades say, and accompanied foreign journalists to translate for them and provide them with first-hand information:

"I buried my fear months ago. I was arrested and tortured in a way you cannot imagine, then wounded by their bullets, but I won't stop photographing and shooting their crimes until my colleagues shoot my body and you'll see it on my YouTube channel, activist Omar Mohammad told *al-Hayat* newspaper. When the uprising began in his hometown of Idlib, Omar dropped out of university - his major is unrelated to media - took his high resolution camera, and made use of a high speed Internet connection, becoming a founding member of Idlib Coordinating Committee's communications office."⁴⁶⁶

⁴⁶⁴ Anthony Shadid, "Exiles Shaping World's Image of Syria Revolt," *The New York Times*, April 23, 2011, <http://www.nytimes.com/2011/04/24/world/middleeast/24beirut.html>. Rami Nakhla was later granted asylum in the USA.

⁴⁶⁵ Marc Bastian, "Reporting from Syria Can Be Tough – Even Lethal," *AFP.com*, March 9, 2012, cited in *Antiwar Newswire*, <http://wire.antiwar.com/2012/03/09/reporting-from-syria-can-be-tough-even-lethal/>

⁴⁶⁶ Zeina Rahim, "Revolution Turns Adventurous Citizens Into War Correspondents," *al-Hayat*, March 5, 2012, p.17.

Cham Press, a news service describing itself as the voice of freedom and democracy, relies heavily on citizen journalists and video clips uploaded onto YouTube. It has been one of several sources used extensively by Arab and international media unable to get their news teams into Syria.⁴⁶⁷ Another such service is *Ugarit News* with its YouTube channel and Facebook pages in Arabic and English.⁴⁶⁸

The website *Menassat* said citizen journalism was keeping the Syrian revolution alive and praised activist Ausama Monajed, who heads the Syrian Revolution News Round-up, for providing a daily briefing on protests, clashes and killings using eyewitness accounts and leaked footage taken by mobile phones of protesters. The material is authenticated to the best of their ability, described in flawlessly written English, Arabic and French, and then emailed to rights groups and international media. "Internet users in Syria have long had to go through proxies to access social networking sites such as Facebook as well as the Arabic version of Wikipedia," *Menassat* reported.⁴⁶⁹

This led commentator Robert Mackey to conclude that Syria was losing its battle to control the news. His March 13, 2012 blogpost on the *New York Times* website said the proof was that activists had still managed to upload over 40,000 video clips on YouTube to document the regime's violent crackdown on dissent. It was already apparent when Assad's media and political adviser, Bouthaina Shaaban, chided foreign correspondents during a news conference in March 2011 at the start of the rebellion for relying on YouTube videos showing the government's crackdown on protesters in Dara'a. At that news conference, Dr. Shaaban told Lina Sinjab of the BBC that there was no need for foreign broadcasters to look to YouTube since they could rely on the government's

own journalists who "have their credibility." Since "the events are happening in Syria," she added, "only Syrian television tells the truth, no one else," Mackey wrote.⁴⁷⁰

Ironically, the female editor of the government-run newspaper *Tishreen*, Samira al-Masalma, who hails from Dara'a, was fired in April 2011 after she appeared on al-Jazeera TV tearfully declaring that the military had violated orders not to fire on demonstrators and demanded that those who had shot protesters be held accountable, even if they were from the security forces. Al-Masalma was the first female editor of a government newspaper in Syria and was criticized for lacking the required qualifications for the post, given her background in covering financial and commercial news, and her ties to corrupt business people, according to media reports. Analysts also saw her dismissal as a sign of the Syrian government's hardening position toward dissent, and its battle against foreign media accounts, which authorities consider misleading and conspiratorial.⁴⁷¹

Official coverage of the conflict in Syria, which is increasingly displaying characteristics of a civil war, has been poignantly ridiculed in cartoons. An unsigned illustration shows a fully armed Syrian soldier running from the scene of a bombed city while carrying a studio video camera on a tripod under the caption: "Official Syrian media."

Satirists have not been spared brutal treatment. Ali Farzat, Syria's most famous and internationally renowned cartoonist and former publisher of the banned satirical magazine *al-Domari*, was rewarded for his sharp anti-regime illustrations in August 2011, when assailants dragged him out of his car and beat him to a pulp, breaking his hands. He had been critical of the regime

467 Cham Press, <http://www.champress.net>. Cham Press to be confused with "Sham News," a government-run website, <http://shamnews.com/default.php>.

468 Ugarit News' YouTube channel, <http://www.youtube.com/user/UgaritNews>. Ugarit News – English's Facebook page, <http://www.facebook.com/UgaritNews.English>.

469 Natacha Yazbeck, "Citizen Journalism Keeps Syria Uprising Alive," *Menassat*, May 26, 2011, <http://www.menassat.com/?q=news-articles/7497-citizen-journalism-keeps-syria-uprising-alive>.

470 Robert Mackey, "Syria's Losing Battle to Control the News," The Lede (a New York Times blog), March 13, 2012, <http://thelede.blogs.nytimes.com/2012/03/13/syrias-losing-battle-to-control-the-news>.

471 "Ahdas Dar'a Tutih Bi-Raisat Tahrir Sahifat 'Tishrin' Ibnat al-Madina al-lati Aghdabat Ahlaha [Daraa Events Ousted Tishreen Newspaper's Editor-in-Chief, the Daughter of the City that Has Angered her People]," *al-Sharq al-Awsat*, no.11821, April 10, 2011, <http://aawsat.com/details.asp?section=4&article=616520&issue-no=11821>.

for years in subtle and symbolic ways, but Farzat got a second wind after the revolution broke out and protesters took to the streets across many Syrian cities demanding regime change.

"In the last year and three months, I took a new quantum leap that targets specific people... and I'm the first to draw Bashar Assad, Rami Makhlouf (the president's cousin charged by detractors of controlling most of the country's economy), the prime minister, parliament and security services," he said in an interview during an exhibition of his work in London.⁴⁷²

The media disarray has forced broadcasters, many of whom work or have worked for major Arab satellite channels, to choose between loyalty to the regime and their stellar careers at those stations.

The fault lines began to show when well known Syrian anchors like Luna al-Shibl from al-Jazeera and Zeina al-Yazigi from the Dubai-based competitor al-Arabiya resigned in protest of their respective channels' coverage of events in Syria. Qatar had been known to support the Syrian regime but changed course when the violence escalated and the two regimes no longer saw eye-to-eye on how to handle the crisis.

Al-Shibl appeared on Syria's Dunia TV to slam her former employer al-Jazeera for betraying the mission of journalism and fabricating news about Syria in what she called a "black chamber." She said al-Jazeera's attack on Syria had begun years earlier in accordance with plots by American neo-conservatives and that the US would not send troops to topple governments they opposed but would let these governments' peoples battle it out. She accused al-Jazeera "of instigating Arab protests and referred to *Wikileaks* disclosures that Qatar's ruler Sheikh Hamad had said then Egyptian president Hosni Mubarak should be toppled and that al-Jazeera would play a role in his overthrow."⁴⁷³

Al-Shibl, who went on to become a media adviser to President Assad, accused al-Jazeera of violating its own code of ethics by relying on unidentified, unsubstantiated sources, when the rule was to avoid such attribution and only use it in exceptional cases. Al-Jazeera's Damascus bureau chief Abdel Hamid Tawfik also resigned from his post.

For her part, al-Yazigi went off the air for several months before reappearing as a talk show host on Dubai TV. She denied that her resignation from al-Arabiya in May 2011 was for political reasons or that she had been pressured to quit because of ties to the Syrian government. She told the Lebanese daily *al-Safir* that she needed a broader platform for discussion and analysis than an all-news channel like al-Arabiya could provide. In May 2011, *Al-Safir* said the Syria News website had quoted al-Yazigi's husband, Abed Fahed, as saying the resignation was due to al-Arabiya's policy regarding coverage of Syria, which contradicted his wife's journalistic beliefs and came on the heels of a Facebook campaign of undetermined origin demanding that Syrians working for Arab satellite channels like al-Arabiya be stripped of their Syrian citizenship. Two other Syrian presenters, Lisa Dioub and Rouba al-Hajali, left their jobs at Qatar TV and the Arabic service of Turkey's TRT TV to host shows in their own country.

Lebanese TV star George Kordahi who hosted several popular game shows on the MBC network that owns al-Arabiya TV was sidelined and a program he was preparing for the Fall 2011 season was halted after he stated in an interview that the uprising in Syria was the result of a conspiracy.

Asked about the decision, MBC's spokesman and PR director Mazen Hayek issued the following statement: "MBC Group's Senior Management took the decision not to broadcast momentarily MBC1's new flagship program 'You Deserve It,' presented by George Kordahi - thus taking into account the feelings of the Syrian population." It noted that the program was scheduled to air on MBC1 during the period between Eid al-Fitr and Eid al-Adha. Kordahi was kept off the air and eventually resigned to join an Egypt-based station.

472 Nadia al-Turki, "Ali Farzat: Amr al-Thawra Husim wa Intasarat 'indama Kusira Hajez al-Khawf [Ali Farzat: The Issue of the Revolution Has Been Resolved and It Triumphed when the Barrier of Fear was Broken]," *al-Sharq al-Awsat*, no.12168, March 22, 2012, <http://www.aawsat.com/details.asp?section=4&article=669147&issueno=12168>.

473 Wisam Kanaan, "Inqilab' Luna al-Shibl ['The Coup' of Luna al-Shibl]," *al-Akhbar*, no.1399, April 28, 2011, <http://www.al-akhbar.com/node/10987>.

On the flip side, al-Jazeera's Syrian anchorwoman Rola Ebrahim did not succumb to pressures and threats to strip her of her Syrian nationality. She remained at the channel despite her family's public support for President Assad, after distancing themselves from her and condemning satellite channels for their "malicious reports."

As reported by the Dubai-based daily *Gulf News*, the family said they "also condemn the people who work for them and who have incited seditions and demonstrations against the political regime in Syria, particularly Rola Ebrahim. We hereby announce that she represents only herself and that we have nothing to do with anyone who targets Syrian national unity and the leader of the nation, President Bashar al-Assad."⁴⁷⁴

Two male veterans of Syrian TV left for Dubai and Istanbul - Tawfiq Hallaq established a channel called "Souria al-Sha'ab" (Syria the People), and Hani al-Malazi became a spokesman for the opposition National Transitional Council based in Turkey, according to Lebanon's *as-Safir* daily.⁴⁷⁵

Additionally, former Syrian TV news anchor Hani al-Malazi admitted to taking part in an organized campaign to tarnish the image of pro-democracy protests and accused the state of being an accomplice in the killing of innocent civilians, according to al-Arabiya's website. Al-Malazi, who resigned and left the country, said he and others in official media promoted the regime's lies about foreign agendas and Islamist plots to undermine the state as well as attack satellite channels covering events.⁴⁷⁶

474 "Family Distance Themselves from al-Jazeera Anchorwoman," *Gulf News*, May 28, 2011, <http://gulfnews.com/news/region/syria/family-distance-themselves-from-al-jazeera-anchorwoman-1.813981>.

475 Samer Mohamad Ismael, "Al-Talfizion al-Suri: 'Inshiqaq' Minhu wa Ilayh [Syrian TV: 'Split' from and for It]," *al-Safir*, March 22, 2012, <http://assafir.com/Article.aspx?EditionId=2107&articleId=2245&ChannelId=50254&Author=%D8%B3%D8%A7%D9%85%D8%B1%20%D9%85%D8%AD%D9%85%D8%AF%20%D8%A7%D8%B3%D9%85%D8%A7%D8%B9%D9%8A%D9%84>.

476 Mohamed Zeid Mestou, "Former Syrian TV Anchor Admits to Propagating Falsities about Protestors," *al-Arabiya News*, February 13, 2012, <http://www.alarabiya.net/articles/2012/02/13/194395.html>.

Another Syrian TV personality, Fahed al-Masri, used his presence abroad to become a conduit for pictures, videos, news, eyewitnesses and reports for European-based media. He accused official Syrian media of distorting facts, of promoting the regime's agenda, and, of fabricating news with like-minded Lebanese and Iranian supporters and their media outlets.⁴⁷⁷

From the outset, the Syrian regime maintained that it was engaged in a battle against external forces aiming to undermine Syrian security and stability and that protests from the city of Dara'a, which sparked the flames that engulfed the entire country, were not simple demands for reforms. What Syrian media failed to shed light on were the number of detained, disappeared and killed journalists and activists who have covered the revolution and who have been involved in opposition against the regime. At press time, it was difficult to submit a figure, as countless press freedom violations have been reported by Syrian and international sources.

In March 2011, Reuters reporter Suleiman al-Khalidi, a Jordanian national, crossed into Syria to report on events there but was arrested in Damascus by security police who accused him of being a spy and working without a proper work permit.

"Interrogators showed particular interest in two aspects of my reporting - the fact that I had written about watching protesters burn images of late President Hafez al-Assad, father of the incumbent, and hearing chants attacking Maher al-Assad, brother of Bashar and commander of the Republican Guard," he wrote of the harrowing experience, after an international outcry and efforts by the Jordanian royal family led to his release. His account of the four-day detention was chilling and the incident led authorities to expel foreign journalists from Syria.⁴⁷⁸

477 Mohamad Agam, "Al-I'lami al-Suri Fahd al-Masri li- al-Sharq al-Awsat: Al-Thawra al-Suriya Afrazat 'Sahafat al-Muwatin al-Thaer' [The Syrian Journalist Fahd al-Masri to al-Sharq al-Awsat: Syrian Revolution produced the 'Journalism of the Citizen-Revolutionary']," *al-Sharq al-Awsat*, no.11958, August 25, 2011, <http://www.aawsat.com/details.asp?section=37&issueno=11958&article=637282&feature=1>.

478 "Witness: Shattered Humanity Inside Syria's Security

Human Rights Watch, The Committee to Protect Journalists, Reporters Without Borders, the International Press Institute, the International Freedom of Expression Exchange, local human rights and press freedom watchdogs, as well as the Samir Kassir Eyes (SKeyes) foundation in neighboring Lebanon, have all been working overtime to document violations by government-sanctioned operatives.

In August 2011, President Assad issued a media law decree that purportedly would stop journalists from being jailed and provide them with access to information, the official SANA news agency reported, adding that an independent media council would be established. But there was no follow-up to the news and journalists were still being detained, jailed and killed for doing their jobs, long after the decree was issued.⁴⁷⁹

A month later, the New York-based Committee to Protect Journalists said Amer Matar, a freelancer for the Saudi-owned pan-Arab daily *al-Hayat* had been detained without charge. The CPJ said Matar, a political activist, had worked with youth groups in Syria calling for peaceful anti-regime demonstrations on his Facebook page and that prior to his arrest, he had emailed his friend Syrian journalist Karim al-Afnan a copy of his will saying, "I may not come back from Friday prayers."

Al-Hayat's bureau chief and correspondent Ibrahim Hamidi was himself arrested and jailed in 2002 when he reported that Syria was prepared to receive a million refugees in the event of a war in Iraq, basing his news on senior official sources. The story showed the obvious double speak of the government that, officially, was voicing objections to any American invasion of Iraq, which became a reality in 2003. Hamidi was later released and when he eventually returned to work, was restrained, fearful and low key in his reporting.⁴⁸⁰ Six years later,

Hamidi resigned as bureau chief after the Syrian government banned *al-Hayat* from entering the country from Lebanon where one of its editions is published, because of tensions between Damascus and Riyadh. The Saudi-owned paper, like all foreign publications, is subject to censorship and must submit advance copies to the Information Ministry prior to distribution. Hamidi, who is on good terms with the regime, returned to work for *al-Hayat* after a brief hiatus.

The first weekly newspaper supporting the revolution, *al-Badeel* (*The Alternative*) began publishing in mid-March 2011 and calling for the regime's overthrow, in defiance of tight security measures. It posted its content on Facebook so that online readers could print and keep copies. The Independent Media Authority that published it said it believed any revolution's sustainability was tied in great measure to its ability to build intelligent integrated tools to achieve its goals, which include a media in tune with the uprising's evolution.⁴⁸¹

The Assad regime has often barred journalists and writers from leaving the country. In August 2011, three noted opposition figures - Michel Kilo, Loay Hussein and Fayez Sara - were prevented from crossing into neighboring Lebanon to participate in a televised debate organized by the US government-funded satellite channel al-Hurra. Syrian immigration officers at the border told them they were being barred from traveling out of concern for their own safety, according to an Associated Press dispatch.

In December 2011, authorities barred blogger Razan Ghazzawi from attending a conference in Jordan organized by the Center for Defending Freedom of Journalists. Ghazzawi's co-worker Yara Badr (wife of the Syrian Center for Media and Freedom of Expression's director Mazen Darwish) made it to the event and recounted how border guards had stopped the American-

Apparatus," Reuters, May 26, 2011, <http://www.reuters.com/article/2011/05/26/us-witness-syria-torture-idUSTRE74P2VD20110526>.

479 "Assad Issues Decree on Media Law," Naharnet, August 28, 2011, <http://www.naharnet.com/stories/en/13824>.

480 Michael Young, "Ibrahim Hamidi: 3 Reasons to Let Him Go," The Daily Star Lebanon, January 14, 2003, <http://www.dailystar.com.lb/Opinion/Commentary/Jan/14/Ibrahim-Hamidi-3-reasons-to-let-him-go.ashx#axzz1pwUijzgI..>

481 "Al-Badeel Awal Sahifa Suriya Tad'am al-Thawra... Atlaqaha Plamiyun Tahadu al-Nizam [Al-Badeel the First Syrian Newspaper to Support the Revolution... Issued by Journalists who Challenged the Regime]," al-Sharq al-Awsat, no.11973, September 9, 2011, <http://www.aawsat.com/details.asp?section=4&article=639526&issueno=11973>.

born Ghazzawi from crossing and held her until international public outcry led to her release. Ghazzawi was re-arrested in February 2012, along with Darwish, Badr, and other members of the center. The women were let go, but the men remained in custody; their fate at the time of writing remains unknown.

A telling article entitled "The Assad Regime: Controlling Information and the Contradictory Image" by human rights activist Mustafa Haid who lives in exile in Beirut following a travel ban from 2007 to 2011, best describes the state of media in Syria and how the regime is roiled by the media:

"During one of his meetings with a group of Syrian students on May 5, 2011, Bashar Assad mentioned that it was not the demonstrators that bothered him so much as the people who filmed them and sent the images to the media. In my view, this is a deeply significant admission of how much the Assad regime places value on information, and how far it will go to contain the threat it poses. It also suggests that the decision to target those who capture events on film - or rather, on their mobile phones - and even to have them killed, is a presidential one."⁴⁸²

Background

Between 1946, the year it achieved independence from France, and the Baathist seizure of power in 1963, Syria was regarded as a model in the Arab world for its independent press. The Syrian media landscape was lively even when it suffered from censorship under a series of military regimes and during the temporary union with Egypt that lasted from 1958 to 1961.

Independence of the press ended with the Baathist coup in 1963, after which the military authority declared a state of emergency, which was constantly used to legitimize infringements on freedom of expression, even



more than in Egypt. The Baathist government shut down all independent newspapers. The only newspaper pre-dating the coup that still exists is *al-Baath (Reawakening)*, the mouthpiece of the ruling party, founded in 1946. During the early years of Baath-rule, the only other national daily was *al-Thawra (The Revolution)*, published by the state-owned al-Wahda Press. Originally, *al-Thawra* was launched under the name *al-Wahda (Unity)*. When the Press, Printing and Publishing Authority was transferred to the Information Ministry in 1963, it was renamed *al-Thawra*, with a mission to "promote national socialist awareness among the masses in all Arab countries."⁴⁸³ It employs hundreds of staffers, of whom the majority work for *al-Thawra*. Al-Wahda Press also publishes local papers for different Syrian cities, among them *al-Jamahir al-Arabiyya (The Arab Masses)*, *al-'Uruba (Arabism)*, and *al-Fidaa (Sacrifice)*. It also publishes a weekly cultural supplement to *al-Thawra* and a weekly sports journal.

In 1975, a third daily was launched: *Tishreen (October)*.⁴⁸⁴ It is published by the state-owned Tishreen Foundation for Press and Publishing, created by presidential decree because of the "urgent need to struggle against Zionism and imperialism,"⁴⁸⁵ and named after the Arab-Israeli war of October 1973. *Tishreen's* board is chaired by the minister of information and includes the director-general of SANA, as well as a representative of the

⁴⁸² Mustafa Haid, "The Assad Regime: Controlling Information and the Contradictory Image," *Perspectives Middle East*, no.3: Syria's Revolution: Society, Power, Ideology, (Beirut: Heinrich Böll Foundation, February 2012), http://www.boell.de/downloads/03_Perspectives_ME_2012_Syria_s_Revolution.pdf

⁴⁸³ Alan George, *Syria: Neither Bread nor Freedom* (London/New York: Zed Books, 2003), 124.

⁴⁸⁴ Named after the Arab-Israeli war in October 1973.

⁴⁸⁵ Alan George, *Syria: Neither Bread nor Freedom* (London/New York: Zed Books, 2003), 125.

Syrian armed forces. The Tishreen Foundation also publishes the country's sole English-language daily, *Syria Times*, in full compliance with the government's views.

In 2000, *Tishreen's* circulation was around 60,000. According to Alan George, the general uniformity of the stories in the state newspapers - focusing on the utterances and activities of the president and the Arab-Israeli conflict - reflect an overwhelming reliance on the Syrian Arab News Agency (SANA). SANA was created in 1965, maintains offices in over a dozen countries, and employs hundreds of staffers. While SANA's website says it covers news from different sources in a "balanced, objective and ethical way," George sees this as an "outrageous claim from what is in reality a propaganda organization charged with singing the regime's praises."⁴⁸⁶ The Syrian state-controlled broadcasting services, which are overseen by the Directorate-General of Radio and Television, are equally propagandistic. Therefore, many Syrians prefer to seek news from Arab satellite channels and foreign media.

The Center for Media Freedom Middle East and North Africa (CMF MENA) suggests the best substitute for the lack of honest political commentary in Syria is the theater. A standard practice is to set the story in a different epoch: "This ploy may dupe the censor but not the sophisticated audience, which readily grasps the contemporary significance of plots about oppressors of bygone days. This phenomenon of 'reading between the lines' is an everyday phenomenon in Syria, which is applied not only to theater but also to most media texts, both local and foreign. It is the antithesis of trust."⁴⁸⁷

Hopes for real political change and reform after the ascendancy of Bashar al-Assad quickly faded, following a crackdown on dissidents who had issued the so-called "Damascus Spring Declaration" in September 2000, a document signed by 99 Syrian intellectuals that called for more democracy and political pluralism in Syria, the release of all political prisoners and the abolishment of

the state of emergency. Over the course of a year, many public bodies promoting democracy and civil society were established across Syria, including the Jamal al-Atassi Forum, which in January 2001 declared itself an NGO for democratic discourse. Expectations for reform, however, crumbled when in August 2001 Syrian authorities launched a series of arrests of reform activists, and sentenced them to years in prison.

The Iraq war in 2003 and the presence of American troops in a neighboring country also raised tensions and put the Assad regime on high alert. The forced withdrawal of the last Syrian troops from Lebanon in 2005 after the assassination of former prime minister Rafik Hariri increased the pressure on Assad, making concessions towards any form of opposition unlikely. "The Syrian media did not know what to do with Hariri's death," said journalist Hakam al-Baba, adding that they did not report on what was happening.⁴⁸⁸ Hariri's assassination and the Cedar Revolution were barely noted in Syrian media.

In October 2005, a number of Syrian intellectuals signed a document entitled "Damascus Declaration for National Democratic Change," later renamed "Damascus Declaration" that stressed the need for democratic change in Syria and an end to the military regime that had controlled Syria for over 30 years. It called for the establishment of a democratic government, the elimination of the Emergency Law, the release of all political prisoners, and a solution to Kurdish demands.

The signatories included a broad coalition of Syrian parties, among them the Committees for Reviving Civil Society, the Kurdish Democratic Front in Syria, the National Democratic Union in Syria, the Syrian Committee for Human Rights, and the Muslim Brotherhood in Syria. In December 2007 and January 2008, 12 leading figures of the Damascus Declaration were arrested. On October 28, 2008, the First Criminal Court in Damascus sentenced the 12 to three years in prison under article 285 for "spreading false information that weakens the morale of the nation."

⁴⁸⁶ Ibid., 125.

⁴⁸⁷ Center for Media Freedom Middle East and North Africa, *The Media Environment in Syria. Public Access and Choice*, (1998), 24-25.

⁴⁸⁸ Rhonda Roumani, "Syrian Journalists Push Boundaries, Tentatively," *Dangerous Assignments*, (Spring/Summer 2005), 29, http://www.cpj.org/Briefings/2005/DA_spring05/DA_spring_05.pdf.

In international rankings on press freedoms, Syria regularly scored very poorly. In 2006, the New York-based Committee to Protect Journalists named Syria one of the ten most censored countries in the world.⁴⁸⁹ Two years later, it placed Syria among the ten worst countries for bloggers.⁴⁹⁰ Reporters Without Borders named it one of the worst enemies of the Internet in March 2009.⁴⁹¹

The Press



Distribution of newspapers and magazines is organized by a state monopoly - the Syrian Arab Establishment for the Distribution of Printed Matter - with centralization making it easy for the government to control all the country's print products.

As noted, Syria has three Arabic-language government-owned dailies. Although they touch on shortcomings in public services and corruption cases, they generally represent the viewpoints of the circle around the president.⁴⁹² Even former minister Ghazi Kanaan once

called Syria's news coverage "unreadable."⁴⁹³ Relying on the state-run SANA for most of their material, state-employed editorial staffs are required by law to undergo state-certified training and to register with the journalists' syndicate, which is overseen by the Ministry of Information.⁴⁹⁴

After Bashar al-Assad succeeded his father in June 2000, there was a sense of hope that freedom of expression might improve under his tutelage. A new press law passed in September 2001 legalized private media, and journalists enthusiastically started to cover topics previously considered taboo, like human rights violations, corruption and the rising cost of living.⁴⁹⁵

In early 2001, four newspapers appeared on newsstands: The Syrian Communist Party's *Sawt al-Sha'b* (*Voice of the People*) which had been banned in 1963; the Arab Socialist Union's *al-Wahdani* (*The Unionist*); *al-Nour* (*The Light*) of the "Faisal-faction" of the Syrian Communist Party (headed by Yusuf Faisal); and the Arab Socialists' *al-'Arabi al-Ishtiraki* (*Socialist Arab*). The weekly satirical newspaper *al-Domari* (*Lantern Bearer*) was launched in February 2001 as Syria's first privately owned newspaper. A few months later *al-Iqtisadiyya* (*Economy*) followed as the second private newspaper. Out of 220 private media outlets licensed since 2001, 70 publications have closed for financial reasons.⁴⁹⁶

Others were short-lived ventures, largely for political reasons, such as the publication *al-Domari*, the first and only satirical paper to be permitted in Syria since the Baath party's ascension to power. It was hailed as a sign

occurred only when permitted by the regime. Fundamental criticisms of the regime and the overall system are still taboo. Anti-corruption campaigns have to be treated with suspicion. As corruption is endemic and the regime is also involved, accusing individuals of corruption may serve hidden interests to get rid of undesirable persons, rather than serve transparency.

489 "10 Most Censored Countries," Committee to Protect Journalists, May 2, 2006, http://www.cpj.org/censored/censored_06.html.

490 "10 Worst Countries to Be a Blogger," Committee to Protect Journalists, April 30, 2009, <http://cpj.org/reports/2009/04/10-worst-countries-to-be-a-blogger.php>.

491 "Enemies of the Internet," Reporters Sans Frontières, March 12, 2009, http://en.rsf.org/IMG/pdf/Internet_enemies.pdf.

492 In recent years, the Syrian media have complained extensively about specific cases of corruption. But their coverage was selective and

493 "10 Most Censored Countries," Committee to Protect Journalists, May 2, 2006, http://www.cpj.org/censored/censored_06.html.

494 Center for Media Freedom Middle East and North Africa, *The Media Environment in Syria. Public Access and Choice*, (1998), 7.

495 "Regime Puts Squeeze on Private Media," Institute for War & Peace Reporting, March 1, 2009, <http://iwpr.net/report-news/regime-puts-squeeze-private-media>.

496 Dalia Haidar, "Creeping Ahead," *Syria Today*, no.48, (April 2009), <http://www.syria-today.com/index.php/april-2009/273-focus/679-creeping-ahead>.

of liberalization when Bashar al-Assad became president. In the first issue, Ali Farzat, owner, cartoonist and editor-in-chief, wrote that he had received the go-ahead to publish thanks to the new president, who had visited an exhibition of his cartoons seven years earlier. At the time, he was displaying cartoons that were banned in Syrian and other Arab papers, and al-Assad had criticized censorship. *Al-Domari* was enthusiastically received with a print run of 100,000 copies, compared to 10,000 for government dailies, despite its price of 25 Syrian pounds (five times the cost of state-run papers). It quickly became so popular readers that reserved copies weeks in advance.⁴⁹⁷

But four months after its launch, authorities warned the editor that the newspaper would be banned if he published articles criticizing prime minister Mustapha Miro. Farzat was forced to remove two pages from the next edition criticizing Miro, who was supposedly in charge of pushing the reform agenda. The first piece was entitled "Doctor Miro is depressed. He has lost his enthusiasm," a jibe at the government's sluggish performance in carrying out promised economic reforms. On the same page, a cartoon was to have shown a horse, collapsed from exhaustion, in front of a cart, as the driver cracked his whip in vain. The second piece included the caption, "Rumors of a change in government tie the ministers' hands." In a symbolic protest, Farzat left the pages blank where the banned material would have appeared.

After the information minister imposed strict distribution regulations on the paper, Farzat decided to suspend publication in January 2002. In August 2003, the information minister revoked *al-Domari's* license all together.⁴⁹⁸

Two private newspapers were launched in Syria, the dailies *al-Watan (the Nation)* and *Baladna (Our Country)*. *Al-Watan* was founded in 2007 by a group of Syrian businessmen and published in the Damascus Free Zone, an industrial area governed by special legislation. Nevertheless it is subject to censorship by the Ministry of Information, and the attribute "private" must not be mistaken for "independent."

Compared to *Tishreen's* English edition, a fresher approach is offered by the magazine *Syria Today*⁴⁹⁹, published by "International Development Associates," a Syrian consulting and publishing services company. Launched in October 2004, the monthly publication deals with economic, political, cultural and social issues and draws from a pool of Syrian, international and freelance journalists. Since few Syrians read English, it mainly targets an audience of international readers like expatriates and business people, a fact that might grant it a bit more freedom than domestic publications. Nevertheless, each issue has to be submitted to the censor prior to publication.

American journalist Andrew Tabler who helped establish the publication remembers how Syrian colleagues would "suggest edits that help us cover sensitive issues without running foul of Syria's strict media censor."⁵⁰⁰ Some topics would be avoided altogether: "Because of the Syrian government's strict adherence to secular politics, we rarely raise the issue of religion in *Syria Today*. But we are able to engage in rich debate while grounded in very different cultures."⁵⁰¹

Despite the tight net of prohibitions and surveillance by the security apparatus, Syria has a long tradition of underground papers. Publications that change hands "under the table" include *al-Rai (Opinion)* - the journal of the "Political Bureau" of the banned Syrian Communist Party, headed by prominent dissident Riyad al-Turk. He was released from 17 years in solitary confinement in

497 Rhonda Roumani, "Between Winter and Spring: The Crisis with Lebanon Showed the Syrian Press the Limits of its Freedom," *Columbia Journalism Review*, vol.44 no.1, (May-June 2005).

498 It also should be noted that *al-Domari* provoked the criticism of some Syrian intellectuals after the paper depicted them in its April 2001 edition as puppets of European intellectuals who intervene in Syrian internal affairs (Muhammad Ali al-Atasi, "Syriens Intellektuelle und die Zivilgesellschaft [Syria's Intellectuals and Civil Society]," *INAMO*, no.26, (2001): 31).

499 *Syria Today*, <http://www.syria-today.com>

500 Andrew J. Tabler, "A Rare Medium," *Eight Gate* (blog), November 13, 2007, <http://www.andrewtabler.com/2007/11/rare-medium.html>.

501 Ibid.

1998, later detained again, and finally released in November 2002. The faction split from the Syrian Communist Party in 1972 over the party's decision to join Hafez al-Assad's Progressive National Front. Kurdish-language publications and broadcasting are outlawed, and Kurdish-language publications are circulated clandestinely.⁵⁰²

A vivid example of how much the media have been at the mercy of politics in Syria is the volatile existence of the Saudi-financed, pan-Arab daily *al-Hayat*. Usually available at Syrian newsstands, *al-Hayat* has periodically been banned, more often due to the deterioration of Saudi-Syrian relations in the years after the assassination of former Lebanese prime minister Rafik Hariri in February 2005. Some months, as many as ten issues have been blocked from sales without prior warning.⁵⁰³

Radio and Television



Syrian radio was established shortly after independence in the 1940s. Since the opening of private media institutions in 2001 by decree No. 50, thirteen private radio stations have gone on the air but none are allowed to broadcast political content.⁵⁰⁴ The Information Ministry controls broadcasts to spread the official viewpoint. The stations mainly focus on entertainment

and music. In an exceptional case, after a car bomb in September 2008, the rather young station Cham FM aired vox pops from the street condemning the terrorist attack.⁵⁰⁵

According to CMF MENA, the development of Syrian broadcasting was not initiated at the behest of the Syrian government, but rather as a reaction to programming spilling over from neighboring states. Only in the 1970s did the Ministry of Information, which runs the Directorate-General of Radio and Television, start to install transmitters and television relay stations all over the country. The two state-run television channels are as politically supervised as other Syrian media and remained relatively untouched by the short-term openness that characterized the years 2000 and 2001. The TV platform for the civil society movement was mainly al-Jazeera, which also boosted its audience from Damascus to other Syrian cities. CMF MENA, however, also found that Syrian directors were able to attract audiences outside Syria with well-made series and shows. From the mid-1990s onward, relatives of the ruling clique established modern television production studios.⁵⁰⁶

Although eight percent of the Syrian population is Kurdish, the Kurdish language and expressions of Kurdish identity are banned from Syrian schools and official media. A Kurdish satellite station, Med TV, funded privately from London, broadcasts to Kurds in Europe and the Middle East, including those in the region called "Western Kurdistan" in Syria. Another expatriate, London-based channel, the Arab News Network (ANN) launched in 1997, and belongs to the son of former President Hafez al-Assad's brother, Rifaat. It is known as "Rifaat's station." Rifaat, who went into exile in the 1990s and posed the most serious challenge to Bashar's succession, was the dreaded commander of the government's Defense Brigades, which played a central role in the 1982 massacre of Hama and the violent suppression of Islamist groups in the 1980s.

⁵⁰² Alan George, *Syria: Neither Bread nor Freedom* (London/New York: Zed Books, 2003), 125.

⁵⁰³ "Banned in Syria, Pan-Arab Daily al-Hayat is Latest Media to Fall Victim to Tension Between Arab Regimes," *Reporters Sans Frontières*, October 8, 2008, <http://en.rsfs.org/syria-banned-in-syria-pan-arab-daily-al-08-10-2008,28867.html>.

⁵⁰⁴ Ibid.

⁵⁰⁵ Ibid.

⁵⁰⁶ Center for Media Freedom Middle East and North Africa, *The Media Environment in Syria. Public Access and Choice*, (1998), 8-10.

Satellite receivers began to spread in Syria in the mid-1990s, despite an official ban and amid deliberate efforts by the government to discourage the population from installing dishes. The rapid proliferation of dishes was tolerated for years, and official regulations were approved only in July 2000. The cost of setting up a dish is one of the lowest in the region. Receivers are mostly smuggled in from Lebanon, and other hardware requirements are produced in local workshops.

Sham TV, the first private Syrian satellite channel launched in 2006, survived eight months on the air before then information minister Mohsen Bilal ordered its closure. Its owner, former member of parliament Akram al-Jundi, relocated the channel to Egypt.⁵⁰⁷ In February 2009, a new Syrian satellite channel called Orient TV was launched and began airing social, economic and cultural programs from Dubai as well as three news bulletins a day.⁵⁰⁸

The only private TV channel operating in Syria today is Dunia TV, a mouthpiece for the regime, which received its license in mid-2007 and broadcasts from the "Media City" created in the Free Zone on the outskirts of Damascus in March 2006. Since the start of the Syrian uprising, it has emerged as a central tool for disseminating the regime's version of the events. Its propaganda and lies, depicting all protestors as Islamist terrorists, has been so crude that the channel has become the object of constant ridicule among activists.

The Internet

After a slow start in the communication and information technology (ICT) sector, Syria recently embraced ambitious plans to modernize and expand its infrastructure. In 2004, the Syrian government acknowledged "the private sector should play a major role in providing new proposals and investments for new

services based on ICT,"⁵⁰⁹ an announcement that seemed remarkable considering an official ban of fax machines had only been lifted in 1993, and the government could still refer to regulations that required copies of every sent fax to be deposited with the authorities.⁵¹⁰

In 1997, a pilot Internet project was carried out by the state-run Syrian Telecommunications Establishment (STE) (formerly headed by President Bashar al-Assad), which was reserved for ministries and other state organizations. An interim project provided public and private sector businesses and professionals with connections. In 2000, full public access was made available at a series of STE Internet cafés in Damascus, soon to be followed by other cities. In mid-2002, an organization for rural development headed by al-Assad's wife launched a project to provide rural areas with Internet access via especially equipped buses. But the rapid spread of unofficial cafés alarmed authorities.

In 2002, the Telecommunications Ministry announced plans to establish a license regime for unofficial cafés. The government also tried to block sites that offered free email accounts but had to abandon the plan. Providers like Hotmail, Yahoo and Gmail are highly popular in Syria and widely used. The number of people who have access to Internet in Syria was still low compared with other Arab countries, but has multiplied in recent years. Whereas in 2000 estimates of Internet subscriptions ranged between 10,000 and 20,000, the Syrian Telecommunications Ministry said it was aiming to achieve 20 percent Internet penetration rates by 2013.⁵¹¹

507 "Regime Puts Squeeze on Private Media," Institute for War & Peace Reporting, March 1, 2009, <http://iwpr.net/report-news/regime-puts-squeeze-private-media>.

508 Dalia Haidar, "Creeping Ahead," Syria Today, no.48, (April 2009), <http://www.syria-today.com/index.php/april-2009/273-focus/679-creeping-ahead>.

509 UNDP and Syrian Ministry of Communications and Technology, National ICT Strategy for Socio-Economic Development in Syria, (2004), 13, accessed May 31, 2012, http://www.thieswittig.eu/docs/MPC_Strategies/Syria/SYRIA_National%20ICT%20Strategy%20forSocio-Economic%20Development.pdf.

510 Center for Media Freedom Middle East and North Africa, The Media Environment in Syria. Public Access and Choice, (1998), 14.

511 UNDP and Syrian Ministry of Communications and Technology, National ICT Strategy for Socio-Economic Development in Syria, (2004), 25, accessed May 31, 2012, http://www.thieswittig.eu/docs/MPC_Strategies/Syria/SYRIA_National%20ICT%20Strategy%20forSocio-Economic%20Development.pdf.

While the Syrian Internet market has undergone huge changes since 2000, the market remained highly regulated and state-controlled. For Internet users in Syria, it was often incomprehensible why a certain website is blocked, even though it is obvious why social media like Facebook, Twitter and YouTube are considered a threat because of their networking potential.

According to the OpenNet Initiative, which monitors government filtration and surveillance of the Internet, Web filters in Syria are "pervasive" and filtering "takes place at the ISP level. Syria targets the websites of Syrian-specific and Arabic news sites that are critical of the government, Kurdish organizations, and foreign-based Syrian opposition parties."⁵¹²

But modern technology helps users circumvent the blockades. Even public Internet cafés often have installed programs that unblock censored sites. Chat programs like Skype, Yahoo, MSN and Gmail also provide channels of communication that are more difficult to monitor than regular email traffic or phone conversations. So despite the government's intense efforts to regulate and control the Internet, it still provided windows of opportunity for journalists in Syria looking to transgress red lines. Websites like *all4syria.org* or *champress.net* presented more political news and debate than any of the newspapers in print.

Several cases were reported in which Internet café owners spied - either voluntarily, or because they were forced to by the security services - on their customers and turned them in for sending comments and information to opposition websites outside Syria.⁵¹³ On July 25, 2007, the newly-formed Ministry of Telecommunications and Technology issued a decree requiring the owners of Syrian websites "to exercise accuracy and objectivity... and to post the name of the writer of an article and the one who comments on it in

a clear and detailed manner." The ministry added that "failure to do so would result in warning the website owner and rendering his website temporarily inaccessible. In case the violation were repeated, the website would become permanently inaccessible."⁵¹⁴

In 2008, the Ministry of Communications ordered Internet café owners to procure identification cards from all patrons, record customer names and times of use, and submit the documentation regularly to authorities.

In March 2009, journalist Habib Saleh was sentenced to three years in jail for "weakening national sentiment" and "broadcasting false or exaggerated news which could affect the morale of the country."⁵¹⁵ A contributor to the news website *Elaph*, which is banned in Syria was held for a year without charges before his trial, and sentenced under Article 285 of the criminal code with "spreading false information liable to weaken national sentiment and cause sectarian and racial strife," under Article 298 for "inciting a civil and sectarian war," and with "attacking the president" under Articles 374 and 277.⁵¹⁶



⁵¹² Guy Taylor, "After the Damascus Spring: Syrians Search for Freedom Online," Reason, (February 2007), <http://reason.com/news/show/118380.html>.

⁵¹³ "Syria: Stop Arrests for Online Comments," Human Rights Watch, October 8, 2007, <http://www.hrw.org/news/2007/10/07/syria-stop-arrests-online-comments>.

⁵¹⁴ Sami Ben Gharbia, "Syria: More Victims of Internet Repression," Global Voices Advocacy, October 13, 2007, <http://advocacy.globalvoicesonline.org/2007/10/13/syria-more-victims-of-internet-repression>.

⁵¹⁵ "Targeting of Cyber Dissidents Continues," Institute for War & Peace Reporting, March 26, 2009, <http://iwpr.net/report-news/targeting-cyber-dissidents-continues>.

⁵¹⁶ "Damascus Criminal Court Lets Cyber-Dissident Habib Saleh Defend Himself," Reporters Sans Frontières, March 2, 2009, <http://en.rsf.org/syria-damascus-criminal-court-lets-cyber-02-03-2009,30061.html>.

The Legal Framework

The majority of Syria's media outlets are state-owned, and their journalists are state employees. The Ministry of Information supervises the entire media sector. The power of the ministry is multiplied by its dual role as publisher and censor. The Ministry of Cultural and National Guidance performs a similar function in the cultural sector, covering theater productions, films and books. Both ministries are overseen by the presidency, "since information policies are among the president's main concerns."⁵¹⁷

Syria is a country where the state of emergency law has governed all aspects of life, including the media, for decades. The Syrian government justified the emergency on the grounds that the country remains at war with Israel, pending the return of the Golan Heights. The state of emergency provides the president with the power to name a martial law governor who may authorize preventive arrests and censor "newspapers, periodicals, publications, drawing, printed matter, broadcast and all means of communication, propaganda and publicity before issue" and authorize their "seizure, confiscation and suspension, the denial of their rights and the closure of the places in which they are printed."⁵¹⁸ Alleged breaches of national security are tried by the Supreme State Security Court.

Censorship extended into Lebanon, where Syrian troops were stationed from 1976 to 2005, and even to foreign media, where "local and exiled dissidents muted their criticisms of the Assad regime out of a well-founded fear of reprisals."⁵¹⁹

"Offenses against security" are broadly and vaguely formulated and include offenses against public authorities, "which disturb public confidence," and "which constitute a general danger." Legislative Decree No. 6 of 1965, which established special military courts to try political

cases, specifically prohibits any written, spoken or published opposition to the Baathist regime. It bans "acts which are considered contrary to the implementation of the socialist system in the state, whether they take place through action, word or writing or through any other means of expression or publication." Under this law, "opposing the aims of the revolution" and "publishing false information with the intention of shaking the confidence of the masses in the aims of the revolution" is punishable by prison terms of three to 15 years, while offenses against the socialist system may incur a life sentence or the death penalty. Under Legislative Decree No. 47 of March 1968, the Supreme State Security Court replaced the military court. Its rulings are exempt from the usual rules of procedure and appeals.⁵²⁰

Pluralism is not only suppressed by the state of emergency law but, it has been argued, is integral to the Baath ideology. The preamble of the 1973 constitution declares that "freedom is a sacred right"; the Baath Party's own 1947 constitution affirms that "the state will be responsible for protecting the freedoms of speech, publishing, association, protest and of the press within the limits of the higher interest of the Arab nation."⁵²¹ According to Alan George, this makes sense from the regime's viewpoint: "If the Baath Party is in power and represents all the people, and is the embodiment of Arabism and the nation's 'higher interests,' then plainly it must stand above any criticism; which could, by definition, only come from traitors not worthy of the normal freedoms."⁵²²

The media are also subjected to the Syrian Penal Code, which doles out sentences of up to life imprisonment, followed by a 10-year deprivation of civil rights, for alleged offenses such as "disparaging" officials or publicizing anything that harms national morale or incites sectarian or racial strife. Deprivation of civil rights includes loss of employment and trade union rights, removal of one's passport and prohibition from engaging in journalism.⁵²³

⁵¹⁷ Alan George, *Syria: Neither Bread nor Freedom* (London/New York: Zed Books, 2003), 126.

⁵¹⁸ Center for Media Freedom Middle East and North Africa, *The Media Environment in Syria. Public Access and Choice*, (1998), 15.

⁵¹⁹ Joel Campagna, "Syria Briefing Sept.2001: Stop Signs," Committee to Protect Journalists, September 1, 2001, <http://cpj.org/reports/2001/09/syria-sept01.php>.

⁵²⁰ *Ibid.*, 15-16.

⁵²¹ Alan George, *Syria: Neither Bread nor Freedom* (London/New York: Zed Books, 2003), 124.

⁵²² *Ibid.*, 124.

⁵²³ Center for Media Freedom Middle East and North Africa, *The Media Environment in Syria. Public Access and Choice*, (1998), 15-16.

Publishing and broadcasting laws, such as the General Law of Printed Matter of 1949 (with subsequent amendments) and the Broadcasting Law No. 68 of 1951 ensure tight governmental control over print and broadcast media. All journalists in print or broadcast media are required to register with the Journalists' Syndicate, which is overseen by the Ministry of Information. Both Syrian and foreign journalists have to carry identification cards at all times that display the name of their employer and are issued for only a year at a time. Bodies or individuals wishing to print or publish must apply to the Public Administration for News and Publicity within the Ministry of Information. In the event of rejection by authorities, there is no right to appeal against a ruling. The law demands that financial deposits accompany the application.

A publication's owner and/or responsible director must be a Syrian resident, have held Syrian citizenship for at least five years, be at least 25 years old, and not be in the service of another country. In addition to meeting these criteria, a director must have practiced journalism for more than six years and must not hold any public position or be the responsible director for more than one periodical. Publications covering news and politics as well as published photographs, engravings, drawings and pieces of music are required to display the names of the authors and the address of the publisher, the date of printing and serial number. The law also regulates minimum print runs, page sizes and frequency, and regulates staffing. Infringing upon license regulations, such as publishing a political article in a non-political newspaper, is punishable by fines and prison sentences. The government is also entitled to ban or censor foreign newspapers. Media criticism of Syria's presence in Lebanon or any other "media activity that might harm the other country" is banned under a bilateral Defense and Security Agreement signed in 1991.⁵²⁴

The broadcast law stipulates that only the state is allowed to broadcast. Despite all attempts to control information however, Syria has been deeply penetrated by satellite television. Satellite receivers began to spread in 1996 and although the original prohibition was never

officially lifted, the trend has continued without state interference. The total percentage of Syrian homes with satellite dishes is not clear, but according to the BBC, a survey found 22 percent of consumers in Damascus and Aleppo had dishes.⁵²⁵

A 1951 media law prohibits any kind of private broadcasting. In 2002, the government agreed to permit private broadcasting under the condition that it does not tackle politics, the official *al-Baath* daily reported. It said the cabinet had added a clause to a 1951 media law permitting commercial radio stations "whose programming is limited to music and advertising." Licenses require cabinet approval.⁵²⁶

The margins of freedom in the print media were extended in September 2001, when Bashar al-Assad officially authorized the publication of non-governmental newspapers for the first time since the Baath Party's ascendancy to power in 1963. Decree 50 was published in *al-Baath*.⁵²⁷ The rigid content restrictions placed on the independent press belied the very notion of their independence. Private newspapers such as *al-Domari* or *al-Muhawir* were prevented from circulation or censored soon after their first appearance. Yet the new law was as an improvement over the regime of Hafez al-Assad, when the country's only press law was a quote taken from one of his speeches: "There is no regulation over printed material except regulation of the conscience - the Baath conscience."⁵²⁸

The new law effectively canceled the 1963 military decree banning the publication of all printed material not authorized by the Baath Party. Prior to the Baath's

525 The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Syria, (London: Stanhope House, 2003), 10.

526 International Press Institute, World Press Freedom Review: Syria, (2002), accessed May 31, 2012, http://service.cms.apa.at/cms/ipi/freedom_detail.html?country=/KW0001/KW0004/KW0105/&year=2002.

527 For a detailed discussion of Decree no.50, see: The Stanhope Center for Communications Policy Research, Study of Media Laws and Policies in the Middle East and Maghreb: Country Report Syria, (London: Stanhope House, 2003), 5-10.

528 Sami Moubayed, "Syria Heralds Entrance of a Freer Press: Assad Authorizes New Media Law," The Daily Star Lebanon, September 24, 2001.

524 Ibid., 16-17.

takeover, 46 newspapers were circulated in Syria - 15 were political dailies in Damascus. Their licenses were terminated when the party came to power.

During a seminar organized by the Syrian Journalists Union in July 2003, Syrian media employees called for a comprehensive reform of the sector in the presence of deputy minister of information Taleb Qadi Amin. Researcher Hussein al-Odat ironically described Syria's print media law of 2001 as worse than that of Ottoman Sultan Abdul Hameed, calling for a return to that law. He criticized state monopoly over the media as having become "a means of advertising for the government." The retired journalist Ibrahim Yakhour said there was "an allied group that stands against development and embarks on the principle of assessing persons according to their own interests under the pretext of preserving the country's touristic, economic and security reputation." Michel Kilo, a prominent writer and civil society activist, called for allowing everyone to publish in the Syrian media to dissuade them from publishing elsewhere.⁵²⁹

After the most reform-minded information minister, Mehdi Dakhlallah, had promised the press law would be reviewed and amended in 2004, nothing happened. Lamis Makhoul, the director of private commercial radio stations at the ministry, claimed it had already drafted "a new general media law that covered print, radio, television and Internet outlets."⁵³⁰

As mentioned above, in August 2011, while protests were met with brute force, Bashar al-Asad issued a media law decree, promising to protect journalists and access to information. At the current stage however, not only the future of political reforms, but of the country as a whole, lies entirely in the dark.

⁵²⁹ "Damascus: A Seminar for the Journalists Union demanding the Reform of the Syrian Media," ArabicNews.com, July 25, 2003, <http://www.arabicnews.com/ansub/Daily/Day/030725/2003072512.html>.

⁵³⁰ Dalia Haidar, "Creeping Ahead," Syria Today, no.48, (April 2009), <http://www.syria-today.com/index.php/april-2009/273-focus/679-creeping-ahead>.



5. RESOURCES

Major Training Organizations/Institutes

Tunisia

The Institut de Presse et des Sciences de L'Information (IPSI)

<http://www.ipsi.rnu.tn>

The Institut de Presse et des Sciences de L'Information provides BA programs in print and broadcast journalism. For years it was considered an arm of the government and turned out journalists who were expected to support the regime. Since the Tunisian revolution of 2010/11, it has been undergoing changes and has yet to settle on a new identity.

Centre Africain de Perfectionnement des Journalistes et Communicateurs (CAPJC)

<http://www.capjc.nat.tn>

The center was set up to help train print and broadcast journalists from across the African continent.

Egypt

Al-Ahram Regional Press Institute (ARPI)

Established by *al-Ahram* newspaper, APRI is a mid-career training institute, open to Egyptian and Arab journalists. It offers training in media management, specialized journalism (such as environmental and economic journalism, and crisis reporting), and computer skills. It collaborates with international organizations and universities such as the International Journalism & Media Management Training Program at Western Kentucky University and Internews for training and the development of curricula.

The American University in Cairo, Kamal Adham Center for Television & Digital Journalism

<http://www.adhamonline.com>

The Adham Center offers a two-year MA specialization

in television journalism to candidates for the MA in Journalism and Mass Communication at the American University in Cairo. In a non-academic framework, it supports intensive professional courses in video editing and studio management. The Center also publishes a semi-annual professional electronic journal, the *Arab Media & Society* (<http://www.arabmediasociety.com>), which reports on satellite broadcasting developments with a focus on the Arab world.

The American University in Cairo, Journalism and Mass Communication Department

<http://www.aucegypt.edu/academic/jmc>

The Department offers a BA and MA program in journalism and mass communication. The BA program includes training in writing, reporting, editing, production, as well as in media history and ethics. The MA program provides advanced training for individuals already active in mass media or public information work. Students interested in specialized areas, such as international business journalism, can design a sequence of elective courses.

Ain Shams University, Faculty of Arts, Department of Mass Communication

<http://net.shams.edu.eg/art.htm>

The Department of Mass Communication offers a BA (four-year course) and a postgraduate diploma in Mass Communication. The diploma program comprises three sections: journalism, broadcasting and public relations.

Assiut University, Faculty of Arts, Information and Mass Media Department

http://www.aun.edu.eg/fac_arts/e_art/dept.php?id=1504

The department provides theoretical and applied training in communication, print and documentary film. It offers a BA program and intends to expand the training to MA and PhD programs.

Cairo University, Faculty of Mass Communications

<http://masscomm.cu.edu.eg>

The Faculty comprises three departments: Journalism, Broadcasting (Radio & Television), and Public Relations and Advertising. Each department offers a BA program. After completing postgraduate studies, students can obtain diplomas in journalism, radio, television, public

relations, advertising, specialized mass communications, and mass communications in foreign languages. Specialized units at the faculty include the Public Opinion Research Center, the Women's Studies and Mass Communications Research Center, and the Training, Documentation and Mass Communications Production Unit.

International Academy for Media Science

<http://www.iams.edu.eg>

The academy is located in the Egyptian Media Production City and offers a BA and MA in Media Science. The BA program includes the following specializations: radio and television production, cinema production, advertising and marketing production, and multimedia and Internet production. The advanced study program comprises specialized postgraduate courses of different lengths to graduates and young professionals. The first years concentrate on basic training and media ethics, while the last years are dedicated to methodology and media practice, with a focus on techniques of digital age multimedia production.

Misr International University (Cairo),

Faculty of Mass Communications

<http://www.miuegypt.edu.eg/Academics.aspx?PIId=6>

The faculty offers a BA program in Mass Communications with a theoretical and practical orientation. It includes journalism, broadcasting (radio and television), public relations and advertising, with a focus on news reporting, editing skills for print and electronic media, as well as media ethics.

Modern Sciences and Arts University (Cairo),

Faculty of Mass Communications

<http://msa.eun.eg/>

The faculty offers three different BSc degrees in Journalism, Broadcasting, and Advertising and Public Relations. Main areas of training are computer skills, Internet and developing specialized Internet sites, and other modern communications techniques. Affiliated to the university is the Cairo Media Center (CMC), which acts as an interface between academia and professional skills. It provides training in broadcast journalism, graphic design, photography, cinema, PR campaigns and media management. Activities include internships, field trips, lectures and research.

Iraq

University of Baghdad,

Faculty of Mass Communications

<http://www.en.uobaghdad.edu.iq/PageViewer.aspx?id=17>
Journalism courses started in this department in 1964 and were heavily infiltrated by security services. After the 2003 US invasion, the department was entirely stripped by looters and the remaining staff was hardly equipped to manage a modern training program. Courses restarted in May 2003, including in public relations, media studies and journalism.

University of Sulaymaniya

The University of Sulaymaniya offers a new four-year course through a journalism faculty, with an emphasis on modern journalism practices and practical training. Problems include a lack of funding, limited equipment and textbooks, and limited media experience among the staff.

Jordan

Jordan Media Institute

<http://jmi.edu.jo/en>

JMI's goal is to become a center for excellence in journalism education in Jordan and across the region. It provides two pillars of services - a one-year practical MA in Journalism and journalism training programs, in Arabic. JMI offers a master's program in cooperation with the University of Jordan in accordance with the academic agreement between the two institutions. JMI's goal is to offer the best standards of journalistic practice with an emphasis on the traditional aspects of journalism such as writing and reporting, ethics and community issues. This, combined with new media courses, enables JMI's graduates to compete regionally and internationally.

Jordan Radio and Television Corporation (JRTC)

<http://www.jrtv.jo/>

In the early 1970s, the Ministry of Information established a training unit at the JRTC, the Media Development and Training Department. It later developed into the main training resource for state employees in radio and television.

University of Petra (Amman), Faculty of Arts, Journalism and Media Department

<http://www.uop.edu.jo/Faculties/Default.aspx?lang=en&f=all&location=faculties&page=009>

The department offers a BA in Journalism. The program includes training in print and broadcasting (radio and television) journalism, as well as public relations and advertising. The training includes theoretical courses in mass communication and research methods, as well as practical courses in layout and design, photography, interviewing and investigative reporting, editorials and interpretive writing. Students are required to use computers and other modern communication tools.

Yarmouk University Jordan, Journalism and Mass Communication Department

<http://www.yu.edu.jo/en/>

The department offers a BA in three specializations with theoretical and practical instruction: newspaper editing, radio and television, and public relations and advertising. Subjects are related to communication theory and communication skills including production, editing and layout. The department also telecasts programs in coordination with Jordan Radio and Television Cooperation from its own television studio.

Lebanon

Lebanese University, Faculty of Information and Documentation

<http://www.ul.edu.lb/faculte/branches.aspx?facultyId=9>

The faculty offers four-year diploma programs in Arabic, French and English with four specializations: journalism and press agencies, radio and television, public relations, and documentation. Students can obtain the francophone Diplôme d'Études Supérieures de Journalisme Francophone (D.E.S.). It is designed to familiarize students with the print media and to build their capacities to direct editorial departments. The faculty hosts two French institutes, the Centre de Formation et de Perfectionnement des Journalistes (CFPJ), and the l'Institut Français de Presse de Paris II (IFP).

University of Balamand, Faculty of Arts and Social Sciences, Department of Mass Communication

<http://www.balamand.edu.lb/fass/famas.html>

Students of mass communication can attain BA and MA degrees. Languages of instruction are Arabic, English and French. Courses comprise communication and media theory, print journalism, radio and television, photography, public relations and advertising, electronic writing, critical analysis, methodology, and ethics. The department furthermore offers a TV Program Presenter Diploma.

Beirut Arab University, Faculty of Arts, Department of Mass Communications

<http://www.bau.edu.lb/ExpCollListing.aspx?pageid=309>

The department offers BA, MA, and PhD programs. The programs focus on theory, practical training and field visits. The theoretical part comprises communication theory, public opinion, and journalist sources. The practical part includes journalistic writing, research methods, documentation, editing and radio and television production. Students are also required to undertake field visits to print media, radio and television stations, to theaters, libraries, museums and exhibitions.

Lebanese American University, School of Arts and Sciences

<http://sas.lau.edu.lb/communication-arts>

The School offers a BA in Communication Arts with emphases in journalism, radio/TV/film and theater. All the tracks offer a proper blending of intellectual, cultural, and technical components to create well-rounded dramatists, reporters, editors, broadcasters, and filmmakers. Students learn to write, edit, layout, and design publications in computer-equipped journalism newsrooms. Radio and TV studios provide cutting-edge computer animation capabilities, and three first-class theaters offer various dramatic experiences. Seniors are required to undergo internships in their respective emphasis areas before graduating.

Institute for Media Training and Research, Lebanese American University

<http://www.lau.edu.lb/academics/centers-institutes/imtr/director.php>

IMTR provides an interactive platform for media practitioners and students in Lebanon and the region, through leading training programs and coordinated research projects in journalism, film, communication studies, PR and advertising. As part of LAU's effort to improve the environment in which it operates, the institute actively seeks to promote ethical and professional media practices and a better understanding of the field.

American University of Science & Technology

<http://www.aust.edu.lb/pages.asp?id=148&ssstatus=0&firstLevel=1>

AUST offers a BA in Communication Arts, with specialties in advertising, journalism, public relations and radio & television.

American University of Beirut

http://www.aub.edu.lb/fas/sbs/media_studies/Pages/index.aspx

AUB offers an MA in Media Studies, a concentration in communication, a diploma in media communication, and a minor in communication in the Department of Sociology, Anthropology and Media Studies. It combines theoretical, research, critical and professional skills. It strives to establish itself as the leading media studies program in the region by training generations of media experts, scholars and educators, and producing cutting edge research and knowledge.

Media Unlimited

<http://media-unlimited.info>

Media Unlimited was founded in Lebanon to establish and maintain high standards for professional journalists, and organizations or individuals dealing with the media across the Middle East/North Africa region. It trains journalists, is involved in media consulting, creates media curricula for schools and universities, develops media literacy programs, and provides communications/media crisis management training.

Syria

Damascus University, Faculty of Arts, Department for Journalism

<http://www.damascusuniversity.edu.sy/en/index.php>

The Department offers a BA in Journalism, which can be obtained after four years of study. Seminars include journalism, media theory, public relations, news, public opinion, media legislation and ethics, and telecommunication technology. Practical training is not part of the degree. The department is planning to offer MA and PhD degrees in future.

Training Center of the Arab States Broadcasting Union (ASBU-TC), Damascus

<http://www.asbutc.com/>

Established in 1978, the Damascus-based Arab Radio and Television Training Center is one of ASBU's permanent organs. Its main objectives are to develop modern training systems for radio and television and to provide training at Arab broadcast institutions. The Center specializes in programming and engineering training. Another important component is networking with Arab and international institutions involved in radio and TV training.

Training, Networking, Monitoring, Advocacy and Legal Aid

Amnesty International (AI)

<http://www.amnesty.org>

AI is a worldwide network of members and supporters who investigate human rights violations and campaign for the universal application of human rights. Its main reference is the Universal Declaration of Human Rights and other similar international standards. No funds are sought or accepted from governments for AI's work investigating and campaigning against human rights violations. AI carries out research and promotes action focused on preventing and ending human rights abuses, including freedom of conscience and expression. It issues press releases and reports about media freedom violations in the Middle East.

Arab Gateway (Al-Bab.com) - An Open Door to the Arab World

<http://www.al-bab.com>

Arab Gateway was established in 1998 by Brian Whitaker, who was Middle East editor of the British newspaper the *Guardian*. At first it was intended as an electronic gateway to provide information about Yemen, and subsequently expanded to provide information about all member states of the Arab League. One page covers media, freedom of expression and journalistic ethics issues (<http://www.al-bab.com/media/index.htm>).

Arab Media Internet Network (AMIN)

<http://www.amin.org/Eindex.php>

Since its inauguration in 1996 in Jerusalem, AMIN has become one of the largest sources of Arabic language news on the Internet. Established by Internews Middle East, the AMIN project also provides computers, modems, and Internet training to journalists and Internet access to Arab newspapers, creating a forum for open and uncensored exchange of information. AMIN is designed to support the work of Arabic-language journalists and to serve as a watchdog. It provides links to online Arab newspapers as well as Western media covering Arab issues.

Arab Women Media Center (AWMC)

<http://www.ayamm.org>

The center was founded by Jordanian women with expertise in media affairs and an interest in women, children's rights and family issues that are rarely covered by the mainstream media. The center is mainly involved in media training of young people and journalists. The center also publishes awareness materials on human rights and democracy, produces films on violence against women, and organizes conferences on related topics.

Article 19, the Global Campaign for Free Expression

<http://www.article19.org>

Article 19 is a registered charity organization in the UK. Named after Article 19 of the Universal Declaration of Human Rights, the organization works to combat censorship by promoting freedom of expression and access to official information. With partners worldwide, Article 19 seeks to strengthen local capacity to monitor and protest institutional and informal censorship. Article 19 monitors, researches, publishes, campaigns and litigates on behalf of freedom of expression and develops standards to advance media freedom, assists individuals to speak out and campaigns for the free flow of information. In consultation with partner organizations, Article 19 has developed a Model Freedom of Information Law ("The Public's Right to Know"), which sets out standards for national legislation and inter-governmental bodies such as the European Union and United Nations. Themes addressed include Islam and censorship and the role of satellite broadcasting in promoting greater access to information.

Center for Defending Freedom of Journalists (CDFJ)

<http://www.cdfj.org>

CDFJ was founded 1999 in Amman, Jordan, as a not-for-profit organization that aims to provide legal advice to journalists whose human rights have been violated. This assistance includes filing lawsuits on behalf of victims and representing defendants in court or initiating litigation. CDFJ monitors and documents information on legislation and judicial rulings that address journalists and media issues. It conducts research on Jordanian media laws and examines their adherence to international human rights covenants and conventions.

Center for International Media Action (CIMA)

<http://www.mediaactioncenter.org>

The Center for International Media Action is a New York-based non-profit organization that seeks to provide strategic infrastructure for the networking of grassroots organizations, advocates, activists, and researchers in the field of media policy and social justice. It promotes activism around media issues by providing resources and services, including consulting, online media action directories, field research, participatory project design, and evaluations to groups interested in sharing knowledge and building connections worldwide.

Center for Media Freedom - Middle East and North Africa (CMF MENA)

<http://www.facebook.com/pages/Center-for-Media-Freedom-Middle-East-and-North-Africa-CMF-MENA/241233325926831>

CMF MENA, founded in 1998 and operating from London and Casablanca, is a regional non-governmental organization dedicated to the defense of journalists and the promotion of media freedom in the Middle East and North Africa. CMF MENA defends journalists who are subjected to censorship, campaigns for change in media legislation in accordance with international laws and standards, publicizes research on the obstacles to pluralistic and independent media, contributes to professional training, and promotes debates between media professionals about their rights and responsibilities to encourage them to report on human rights.

Committee to Protect Journalists (CPJ)

<http://www.cpj.org>

The New York-based Committee to Protect Journalists is an independent, non-profit organization founded in 1981. A group of US foreign correspondents created CPJ in response to the often brutal treatment of their foreign colleagues by authoritarian governments and other opponents to independent journalism. It promotes press freedom worldwide by defending the rights of journalists. CPJ employs area specialists for each major world region. It publicly reveals abuses against the press and acts on behalf of imprisoned and threatened journalists. CPJ has established a warning-system on attacks on media freedoms and organizes protest at all levels, ranging from local governments to the United

Nations. CPJ also publishes articles and news releases, special reports, and a biannual magazine. Monitoring of the media takes place through research, fact-finding missions, and first-hand local contacts. CPJ shares information with other press freedom organizations worldwide through the International Freedom of Expression Exchange, a global email-network.

Deutsche Welle

<http://www.dw-training.de>

The Deutsche Welle Radio Training Center (RTC) in Bonn and the Television Training Center (TTC) in Berlin offer training and consultancy to international broadcast organizations. The emphasis is placed on capacity building, enhancing professional skills and improving the creative and critical competence of journalists and other media professionals. The training also provides an international space for the exchange of experiences and finding joint answers to current problems.

FOJO – The Institute for Further Education of Journalists

<http://www.fojo.se/vacktanken>

Fojo is an independent institute attached to Kalmar University in Sweden. It first provided extra-curricular training for journalism professionals in Sweden, and later expanded its activities to Africa, Asia and Eastern Europe. Fojo organizes courses on specialized topics such as the environment, economy, media management, investigative reporting, sports journalism, political journalism, social issues, and writing for children. Many of the courses are open to all journalists, while other courses and projects are carried out bilaterally in cooperation with organizations or other partners.

German Foundation for International Development, International Institute for Journalism (IJJ)

<http://www.dse.de/ijj/ijj-e.htm>

The Berlin-based IJJ offers training courses to press and agency journalists from developing countries. Through the promotion of pluralist and informative reporting, partner countries are supported while transitioning to democratization. Participants are reporters, editors, and journalists who have specialized in a certain field, managers of publishing houses and press agencies, as

well as journalism trainers and teachers. A priority is placed on practical training through "learning by doing." Special courses deal with online journalism, science writing and economic journalism.

Human Rights Watch (HRW)

<http://www.hrw.org>

Human Rights Watch is based in New York, with offices in Washington and Los Angeles. It began in 1978 as Helsinki Watch, to monitor the compliance of Soviet bloc countries with the human rights provisions of the Helsinki Accords. The organization grew to cover other regions of the world, until all the "Watch" committees were united in 1988 to form Human Rights Watch. Human Rights Watch is the largest human rights organization based in the United States. It conducts fact-finding investigations into human rights abuses worldwide and publishes them in books and reports. HRW aims at generating extensive coverage in local and international media and lobbies governments, the United Nations, and European Union to urge changes in policy and practice. Special projects include academic freedom, free expression on the Internet and press freedom.

Index on Censorship

<http://www.indexoncensorship.org>

The London-based Index on Censorship was founded in 1972 with a goal to protect the basic human right of free expression. It reports on censorship issues from across the world and stirs debates on them. It provides analysis, reportage and interviews, as well as a country-by-country list of free speech violations. It develops training programs for independent media.

Institute for War and Peace Reporting (IWPR)

<http://www.iwpr.net>

Founded in 1992, IWPR was the first international NGO to support the independent press during the collapse of Yugoslavia. It has become the central implementing organization for media support and development programs in the region, and extended its expertise to other crisis zones. The institute offers journalist training and exchange programs, and carries out analysis of professional performance and political influence on the media in different parts of the world. It provides project assessment and other assistance for regional media and

international agencies. The institute has developed a focus on Iraq by providing humanitarian reporting on the Iraq crisis and conceptualizing development and training activities. The Institute also maintains an Iraqi Press Monitor.

International Center for Journalists (ICFJ)

<http://www.icfj.org/>

The Washington-based center was founded in 1984 with a commitment to improve the quality of journalism worldwide based on the principles of freedom, human rights and democracy. The center provides journalistic, managerial and technical expertise overseas or brings journalists to the United States for training; it also provides information on media developments, journalism ethics and professional practices. In the Middle East, the center carries out training in cooperation with regional media institutions, including reporting on women's and human rights, as well as specialized journalism such as business reporting.

International Federation of Journalists (IFJ)

<http://www.ifj.org>

The IFJ, whose secretariat is based in Brussels, was established in 1926 and is the largest global organization of journalists. The federation promotes democracy and pluralism and initiates international action to defend press freedom and social justice through free and independent journalist trade unions. The IFJ speaks for journalists within the United Nations system and within the international trade union movement. It supports journalists and their unions worldwide through an International Safety Fund for the provision of humanitarian aid to journalists. IFJ policy is decided by a congress, which convenes every three years in international locations. It cooperates with Arab syndicates in events on freedom of expression and media ethics.

International Freedom of Expression Exchange (IFEX)

<http://www.ifex.org>

The international body IFEX was founded in 1992 when a number of leading freedom of expression organizations came together in Montreal to strategize their cooperation. Several major funding and development organizations provided the initial support. The center for IFEX is the

Toronto-based Clearing House, which coordinates the work of IFEX members. One of the central components of IFEX is the Action Alert Network (AAN) to report on free expression abuses and campaign in different geographic regions. Another key area is the Outreach Program to support fledgling freedom of expression organizations in the developing world, Eastern Europe and the former Soviet Union.

International Journalists' Network (IJNet)

<http://www.ijnet.org>

IJNet is an online service for journalists, media professionals and media educators. It falls under the International Center for Journalists (ICFJ) in Washington, DC. It helps to track international media assistance efforts, identify international media outlets, gather information on media freedoms, find relevant statistics and data, and locate scholarship and training opportunities. The website contains a comprehensive list of international ethic codes. IJNet also produces email bulletins on the latest media assistance news and journalism training events, and a newsletter, which reports first hand accounts from media professionals around the world. IJNet also connects journalists and media assistance professionals to share experiences and information.

International Media Support

<http://www.i-m-s.dk>

The Denmark-based organization seeks to enhance freedom of expression and pluralism of the press in conflict areas through assistance to media practitioners and media institutions. Its aim is to improve the conditions of journalism and to allow people in endangered areas to exercise their right to express themselves freely.

International Press Institute (IPI)

<http://www.freemedia.at>

The IPI is one of the world's oldest global press freedom organizations. It was founded 1950 in New York by editors from different countries, based on the belief that a free press would contribute to a better world. IPI members established national committees that support IPI in its work. IPI intervenes when media freedoms are threatened and monitors media activities, and undertakes missions to countries where press freedom is under

threat. These missions include legal representation and support in court cases, and appeals to governments and other official institutions. The IPI publishes the annual World Press Freedom Reviews, which have become widely used sources.

Internews – Supporting Open Media Worldwide

<http://www.internews.org>

Internews is an international non-profit organization that supports open media worldwide. It fosters independent media in emerging democracies, trains journalists and station managers in the standards and practices of professional journalism, and produces television and radio programming and Internet content. Projects in the Arab world include a program training journalists as stringers for Arab media, a website of Palestinian political analysis, and a television program for Americans showing the news directly as presented by Arab broadcasters. An international group of media experts met in Athens in June 2003 to reflect on a framework for democratic media in Iraq.

Iraqi Women Journalist's Forum

<http://pressforum.blogspot.com/>

The Iraqi Women Journalist's Forum was launched in 2012 in Baghdad with the aim to promote women in media professions, to monitor and address the challenges female media workers face, to provide networking and training opportunities for female journalists, and to advocate for the rights. The Forum also conducts research on women in the media sector and reaches out to women's rights organizations.

Jemstone Network

<http://www.jemstone.net>

Jemstone is a media training and development network in the Middle East. It started as one of the European Union's Med Media projects, but from mid-1999 onwards it took on a separate existence as both a foundation and a consultancy working on media and development issues. Jemstone links dozens of media organizations in the Eastern Mediterranean and North Africa, and runs courses in media skills, including TV set design, studio directing, VT-picture editing, news presenting, political cartooning, forward planning, web-publishing, and Arabic-language writing.

Maharat Foundation – Lebanese Organization Promoting Freedom of Expression

<http://maharatfoundation.org/>

Maharat Foundation is a team of Lebanese journalists who seeks to promote freedom in journalism and to defend and promote free expression. Maharat is part of the International Freedom of Expression exchange (IFEX). Through IFEX, Maharat reports and alerts on freedom of expression violations are circulated worldwide in English, French and Arabic. The organization also lobbies for media law reforms and seeks to enhance media curricula in colleges and universities in Lebanon.

Nawaat de Tunisie

nawaat.org

Nawaat.org, launched in 2004, is an independent, collective blog which promotes freedom of expression and transparency, and exposes violations of democratic rights. It played a crucial role in covering the Tunisian revolution and created TuniLeaks, a special page for the WikiLeaks revelations about Tunisia. It also warned Internet users about the dangers of being identified online and offered advice about circumventing censorship. Nawaat is today one of the key civil society platforms in Tunisia and has won several freedom of expression awards. In 2011, it co-hosted the Third Arab Bloggers Meeting in Tunis, together with Global Voices and the Heinrich Böll Foundation.

Organization for Security and Co-Operation in Europe (OSCE), Representative on Freedom of the Media

<http://osce.org/fom/>

The position of the OSCE Representative on Freedom of the Media was established in December 1997, with the assignment to observe relevant media developments in OSCE-participating states and provide early warning on violations of freedom of expression. The representative's second main task is to assist participating states by advocating and promoting full compliance with OSCE principles and commitments regarding freedom of expression and free media.

Reporters without Borders (RSF)

<http://www.rsf.org>

Reporters without Borders is an international organization based in Paris, which carries out its initiatives via national branches. RSF defends and supports media professionals who have been harassed, imprisoned or persecuted for doing their work, by publicizing abuses and providing financial and other types of support to their families. It maintains a network of correspondents for constant alert, and keeps public opinion informed through public awareness campaigns. RSF also works to improve the safety of journalists in war zones and assists in the building or rebuilding of media. The network provides victims of human rights violations with legal services and represents them before the competent national and international courts.

Search for Common Ground

http://www.sfcg.org/programmes/middleeast/middleeast_media.html

Search for Common Ground seeks ways for peaceful conflict transformation and promotes cooperative solutions. In the Middle East, Search for Common Ground organizes activities with regional media professionals to improve communication across borders, and encourage journalists to challenge their own stereotypes through training, exchanges, joint publications and roundtables. The Common Ground News Service (CGNews) provides balanced and solution-oriented analysis by local and international experts on Arab issues. Search for Common Ground organizes an annual competition to award journalism that contributes to better understanding between people in the region.

Society to Defending Press Freedom in Iraq

<http://www.sdpfiq.com/>

The Society to Defending Press Freedom in Iraq was founded by a group of journalists who felt that the work environment for journalists has not much improved since the falls of the Baathist regime in 2003. It promotes freedom of the press and the rights of journalists, monitors press freedom violations in Iraq, collects testimonies of harassed and attacked journalists, and records the memory of slain journalists. The Society also advocates for legal reforms in the media sector.

Soros Foundation, Open Society Institute

<http://www.soros.org/>

The Network Media Program assists in the development and establishment of media systems marked by freedom, pluralism, and the inclusion of minority voices and opinions. The program works to promote quality journalism and attract media attention to critical social issues. It also helps foster favorable environments for media by working to develop media legislation and media legal advocacy, as well as supporting professional associations and training for journalists and media managers.

Thomson-Reuters Foundation

<http://www.thomsonfoundation.co.uk>

The Thomas-Reuters Foundation is a charitable organization that helps create effective media worldwide. It provides practical and intensive media training in the United Kingdom and internationally, specifically in developing countries and emerging democracies. Activities are carried out by consultants who deliver workshops, seminars and courses to journalists, media managers, and technicians in print, broadcast and electronic media, tailored to the needs of individual organizations and countries.

UNESCO, Communication and Information Sector, Promoting Freedom of Expression

<http://www.unesco.org>

This working sector of UNESCO is devoted to the promotion of freedom of expression, independence and pluralism of the media. The main activities in this field are the proclamation of a World Press Freedom Day celebrated annually on May 3, the establishment of an advisory group on press freedom including international media professionals, and the establishment of the UNESCO/Guillermo Cano World Press Freedom Prize. UNESCO also supports independent media in conflict areas and encourages them to play an active role in conflict prevention and resolution, such as community newspapers and radio stations that are crucial to the reconciliation process.

UNESCO, International Program for the Development of Communication (IPDC)

<http://www.unesco.org/webworld/ipdc>

In 1980, the UNESCO General Conference decided to establish the IPDC as a specialized program to support countries in building up means of mass communication according to their plans, to identify needs and priorities, to assist in developing technical and human resources, and to enhance the transfer of technology. The focus is on the development of independent and pluralistic media, as well as the involvement of women.

World Association of Newspapers and News Publishers (WAN-IFRA)

<http://www.wan-ifra.org/>

The World Association of Newspapers and News Publishers is the global organization of the world's press, representing more than 18,000 publications, 15,000 online sites and over 3,000 companies in more than 120 countries. It was created through the July 2009 merger of the World Association of Newspapers and IFRA, the research and service organization for the news publishing industry. The two have a 110-year history between them as the global representatives of the world's press. Its mission is "to be the indispensable partner of newspapers and the entire news publishing industry worldwide, particularly our members, in the defense and promotion of press freedom, quality journalism and editorial integrity and the development of prosperous businesses and technology."

World Press Freedom Committee (WPFC)

<http://www.wpfc.org>

The World Press Freedom Committee is an international umbrella organization for dozens of journalistic groups engaged in the promotion and defense of press freedom. Activities comprise monitoring and watchdog functions for the news media at UNESCO, the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe and the European Union. The Committee has initiated a world campaign for the principles of the 10-point Charter for a Free Press (also published in Arabic). It administers a Fund Against Censorship in cooperation with other free-press groups to provide legal assistance grants to journalists and media organizations prosecuted by governments, and implements international assistance programs including training, seminars and publication of manuals. It also carries out joint activities for the Coordinating Committee of Press Freedom Organizations, an affiliation of nine major world free-press organizations.

اعلام MEDIA

<http://www.>

