



مركز الجزيرة للدراسات
ALJAZEERA CENTER FOR STUDIES

Position Paper

Tunisia's Battle of Political Media Tools



Al Jazeera Centre for Studies



As the most effective tool of influence in the relationship between power and people, media has monopolised the attention of political authority in Tunisia since its independence from France in the mid-fifties. The problems the media sector faces today are the result of not only years of dictatorship, but also the whole concept as it has been shaped by political authority since independence. Indeed, most legal texts and practices produced for the media were initially based on the Press Code, a set of legal text injunctions through which political has monopolised the media since the Bourguiba era.

The Legacy of Authoritarianism

The current media conflict in Tunisia has overshadowed all other political conflicts since the ousting of President Zine El Abidine Ben Ali in January 2011. In addition to the fact that the previous regime depended primarily on both public and private media to attack its opponents in public and portray to the outside world the image of an economic and social situation and a development of freedoms that was completely inaccurate, it is hard to verify whether most media outlets were in fact forced to yield to such use as is marketed today by many journalists in Tunisia.

For over three decades, and even before the overthrow of Bourguiba, there had been a clear, unmistakable alliance between most of the Tunisian leftist spectra and the regime. The core idea of the alliance was to address the supposed risk posed by the Islamists that emerged as the largest political force, simultaneously challenging the previous ruling party's grip on power and threatening the secularist ideological foundation whose banner was raised by the leftists in the country. It was thus natural for the two sides to try to rescue the political system and the ideological foundation the revolution had to overthrow as well as seek to revive the alliance, whose interests were jeopardised by the results of the recent elections that produced a constituent assembly and a government controlled by Islamists and their moderate secular allies.

Although the elections have shown a clear Islamist domination of political reality and ability to appear to the public as worthy of confidence and absorb and achieve the aspirations of a large portion of the people, the great difficulties Islamists have to face in order to control the elite and then score presence in the media sector cannot be concealed. Indeed, the balance of power in the media sector is in favour of the parties that lost in the elections, as the media landscape today is still dominated by supporters of the former regime and the leftists. Currently, this is the main issue that hinders the homogeneity of political and social reality and the image portrayed by the media as a matter of fact, making it one of the most important factors causing the conflict over control of the media sector overshadow the greater conflict between the new regime and the old one and its political and ideological aspects.

However, it can be said that there is a third party in this equation; professionals who opposed the former regime's control of the media sector and fear the Islamist hold on power, albeit through elections – which may be a prelude to the restoration of control of the media sector, once again depriving the media of the opportunity of liberation. According to some (including members of the National Authority for the Reform of Media and Communication, especially its president, Kamal al-Obeidi), the media should not reflect the balances in the political arena, including those produced by elections because this will provide authority with an excuse to re-control the sector. From this perspective, the authority that was established by a decree and commenced its activities in spring 2011 confirmed in its General Report (issued on 30 April) the need to implement previous decrees (Nos. 115 and 116) and assign media space to an independent amending authority that focuses on promoting and training journalists and developing a mechanism to select editors according to their professional competence, and not necessarily by election (as had happened in a number of media organisations after the revolution).

Alongside the National Authority for the Reform of Media and Communication (INRIC) is the Association of Tunisian Journalists (SJT), most of whose office seats are occupied by leftists. Despite the pursuit of this structure to correct some journalistic practices, and

contrary to INRIC, it appears to be subject to the logic of the trade union on which it was based, i.e. representation of journalists or their dominant orientations. This implies that from the start it was too weak to be free of the pressures of election and the inability to be balanced towards the dilemmas of the media sector. The trade union does not conceal the fact that it is part of the equation of the conflict over the control of the media in Tunisia after the revolution, but the struggle for freedom of press is often marred with the ideology of antagonising ruling parties, particularly the Ennahda Movement, which led to the establishment of a new union for journalists, advocated by supporters of the Islamist trend or Islamists, but it is still in its infancy. Nothing indicates an upcoming transformation into an important figure in the media equation. It is important to note that SJT so far has hindered all attempts to fight corruption in the media sector, thus protecting the interests of those involved. The public is still expecting SJT to provide a list of corrupt journalists that it promised a year ago, but it referred the task to the authorities and the Ministry of Interior, despite the fact that it is not a burden to complete the list and inform the public of the journalists that supported the dictatorship and received money from the state treasury for such services.

The main point is that while government-allied parties, especially the Ennahda Movement, dominate the largest sector of the electorate, political opponents dominate the media and the largest sector of the intellectual elite. These opponents do not necessarily agree with each other, as a large part of them are supporters of the former regime and are trying to present themselves today as opponents of dictatorship, accusing the Ennahda Movement of re-establishing tyranny by trying to control the media. In the midst of this conflict, INRIC found itself walking a tight-rope between seeking to establish media able to eliminate corrupt elements and practices and ensure its independence from this authority and any other authority regardless of its electoral legitimacy.

The Tunisian Media Sector: Dilemmas

Ben Ali's regime deliberately tightened its grip on media by giving the monopoly to old government agencies (such as Agence Tunis Afrique Presse, which exercised absolute control over state radio and television) or modern agencies (such as the External Communication Agency), or through media organisations that granted licenses to parties known for their loyalty to the regime (e.g. radio stations like Shams, Johara, and Mosaic, television channels like Hannibal TV, and various newspapers and magazines). This pre-revolution situation will make an extremely difficult task of the process of transforming media from a sector whose mission was to relay the ideas and trends of the previous regime's supporters to a new sector consistent with the emerging situation created by the revolution. Although licenses were granted to dozens of periodicals and a number of radio stations after the revolution, the media landscape has not changed profoundly.

Thus, the most important dilemmas of the media sector in Tunisia are attributed mainly to the legacy of the old despotic regime as well as a number of factors arising from the general political situation after the revolution, the most important of which being:

- Failure of most media institutions to employ professional journalists, as owners of such institutions rely on amateur journalism or, at best, fragile employment, thus making the journalist subject to the directions of the owner of the media outlet who determines the specifications of the media output.
- Poor training received by students at the Institute of Press and Information Sciences, the only university-level institution that provides training in the field of journalism. This institution was constantly under the control of the ruling authority and was subject to its political guidance. It was used as the mine from which successive governments derived advocates for their policies that often promoted disinformation allowing them to control public opinion until the outbreak of the revolution. The African Centre for the Training of Journalists and Communicators, a government institution was always a technical institution,

unable to train journalists comprehensively as it offers no specialised courses in journalism and public media.

- The weakness of the legislative framework, and media organisations lack basic laws that regulate the functions and powers of all the parties involved in media output or control labour relationships within institutions. Should there be any legal texts, they often result, if implemented, in the restriction of the journalist's freedom and make him or her subject to his superiors in a manner that prevents him or her from performing his or her duties as a professional who can present real media output.

Today, the media sector in Tunisia is facing the consequences of this legacy. So far, there have been no tangible achievements to liberate media output from these structural impediments. Aside from the dissolution some of the institutions that had the upper hand in the arsenal of the Ben Ali regime (i.e. press institutions of the ruling party and the External Communication Agency), a number of problems were added to the obstacles, and were mainly the result of the liberalisation of the media sector, including:

- The negligence with which licenses are granted for the issuance of periodical publications: according to the latest polls, there are about three hundred periodicals as a result of what some deem "media chaos." Although this is normal in post-revolution periods, it has not often led to the improvement of output but rather caused the decline of its quality. One of the most important indications of this is the fact that print media is controlled by a number of businessmen associated with the former regime. Today, only two businessmen from among the staunchest supporters of the former regime control about twenty titles exclusive to their rivals and the new forces that have won in the democratic competition.
- The persistence of the legal vacuum: despite the issuance of decrees regulating the media field (i.e. Decree No. 115 on freedom of press, printing and publishing and Decree No. 116 on freedom of audiovisual communication and the creation of an independent supreme body for auditory and visual communication, both issued on 2 November 2011), the government that was brought about by the elections of 23 October deliberately did not implement them. The fact that the two decrees had been promulgated by the transitional government (the government of el Sebsi) and then ratified by the High Commission for the Realisation of the Revolutionary Goals, Political Reform, and Democratic Transition prior to the elections weakened their legitimacy and encouraged the government to not apply them, pending modulation and approval of the National Constituent Assembly.
- The staggering performance of public media: unlike the situation that preceded the outbreak of the revolution, public media today, especially television, has the highest rates of viewership. Large numbers of Tunisians watch the evening news bulletin at 8 o'clock as well as political talk shows on National Channel One. Journalists of this institution, the largest in the country in terms of funding and the number of employees (over 1300), seek to do away with old practices in order to achieve a large margin of freedom for media. For over forty years, public media has been official in the strict sense of the term. Given the lack of professional journalists (as most of them had been in the media scene in the pre-revolution era), the transformation process is experiencing some difficulties. The first of these difficulties is the heavy moral legacy this institution is burdened with, making the transition from official media to public media very difficult, especially since the transformation must be done using the same faces and structure and depend on the same laws. This entails the fact that the channel (previously known as "Channel 7" in reference to 7 November 1987, the date of Ben Ali's assumption of power) has become a public media outlet that is necessarily anti-government, even though the government arose via elections. This is one of the causes of the current clash over public media. Funded by taxpayers, this institution moved from defending dictatorship to attacking its opponents, even if they had won in democratic elections.

The Strategies of Conflicting Parties

With the public domain reinstating its status in the context of the Tunisian democratic transformation the country has been witnessing since the ousting of the former regime, it was natural that the media sector become the greatest of all ventures in the eyes of the various parties involved, whether political or professional. The strategies of these parties can be summarised as follows:

1. Journalists: despite the attempts of a number of journalists to purge the sector of the elements that offended both the media industry in the country and Tunisians, these efforts have not yet reached conclusive results because of the fear that the new authority is not aiming to eliminate corruption in the media as much as it is aiming to control the media on the pretext of fighting corruption. This has led to a process of self-isolation where media is defended as a homogeneous sector, mobilised against new authority, thus furthering the sector's crisis and protecting journalists from direct interventions of the authority and manipulation of media content on the pretext of democratic legitimacy. However, the problem observed by those interested in media performance certainly remains the shift of the media from supporting dictatorial authority to opposing the rising authority, with apparent difficulty of settling at a professional level of performance that is politically impartial.

Two trends conflict over the control of journalists: the first is represented by the Media Reform Authority, whose mission ended with submission of its report on 30 April 2012, and was supposed to be substituted by both the Independent Media, founded by Decree No. 116, and the Association of Journalists (SJT) which is responsible for defending its members, regardless of the content of their media production. The problem emanates from the fact that the Media Reform Authority faces the opposition of a number of stakeholders in the media sector because of its inclination to ratify an amending authority with vast power and almost complete legal immunity, thus causing journalists to fear its future role.

2. Political opposition: although the opposition does not find in the public media space the opportunities to extend its ideas and present its orientations it had expected, it found itself compelled in the midst of political conflict with the ruling parties to provide absolute support for journalists in their struggle against the government. This behaviour, although often motivated by political speculation, will lay the foundations of a balance that will make any attempt by any future government to control the media sector a very difficult task. However, the use of this support for electoral purposes is worrying for other political rivals and exacerbates the situation and links media with politics, thus justifying the ruling party's fears and giving substantiality to the accusation that the media gives preference to political loyalties over professional performance.
3. Government: the behaviour of the government on the issue of media intersects with the behaviour of the Ennahda Movement, which controls the most seats in the ruling troika. In principle, the government believes that the people have the right to judge its performance – whether positively or negatively – through objective and reliable coverage of events, which is still far-fetched in the media, especially public media. Nonetheless, the movement resents the media bias against it, which has led to its nervous approach to public media and even the idea of privatising it, further provoking journalists. The behaviour of both the government and the movement towards the media seems volatile but is limited to public pressure for the establishment of a new media institution in the near future though it does not seem able to bring about the desired change. In this context, it is in the interest of the movement that there be professional and impartial media that can give the government the rights that it gives to others. Accordingly, the implementation of Decrees 115 and 116, after the introduction of some amendments, becomes a matter of urgency. However, the idea of an amending authority performing its duties independently from other centres of

power, especially the opposition, does not seem preponderant. This reluctance in dealing with the sector's problems is clearly illustrated in the consultation event organised by the government concerning the prospects for media reform on 27 and 28 April 2012, which was boycotted by both the Media Reform Authority and the Association of Journalists.

The Future between the Elite and the Public

It is not likely that there is going to be a breakthrough anytime soon in the clash over media before the end of the current interim period and even the revision and implementation of Decrees 115 and 116 and the constitution. This is due to the fact that the conflict has shifted to the media from the political arena, while this political conflict is nowhere near resolved. It will continue as long as the representation of Islamists and their opponents is unfavourable to the elite and the public, and as long as journalists are unable to distinguish between professional performance and the clear political desire to maintain an adversarial political relationship with the Islamists. Although media performance is subject to conventional professional standards that make it easier for stakeholders to reach a consensus, there are major obstacles that prevent media from reaching the required degree of professionalism. It requires considerable effort in the field of restructuring and training, and results will not be seen immediately.

Political and professional obstacles have converged and turned the media in Tunisia into a centre of major tension in the process of democratic change. The current crisis will continue to exist until the emergence of some social balances that will make multimedia practice possible and protected.

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