1-26-2011

Media Reform in Lebanon: New Media, New Politics?

Marwan M. Kraidy
University of Pennsylvania, kraidy@asc.upenn.edu

Media Reform in Lebanon: New Media, New Politics?

Disciplines
Communication | Social and Behavioral Sciences

Comments
Sada, published by the Carnegie Endowment for International Peace, was previously called the *Arab Reform Bulletin*. Available at: http://www.carnegieendowment.org/arb/?fa=show&article=42368

Lebanon

Media Reform in Lebanon: New Media, New Politics?

Marwan M. Kraidy January 26, 2011

Until the opposition ministers resigned from Prime Minister Saad al-Hariri's cabinet, causing its collapse on January 12, Lebanon's government was in the midst of a heated debate on media reform. Massive media layoffs in 2009, precipitated by the global financial crisis and the ensuing withdrawal of Gulf petro-dollars from the Lebanese media industry, revealed the lack of a framework to regulate media work and the legal rights of media workers. The new digital media environment has also necessitated the establishment of new laws and regulations for media and telecommunications. This issue will now be placed on the backburner until a new government can be formed, but will remain of great import as Lebanon's protracted conflict is played out in the media and concerns over Israeli infiltration of the telecommunications infrastructure continue to be voiced.

Lebanese authorities' dismantling of Israeli spy rings that had penetrated the country's telecommunications infrastructure (especially private mobile telephone networks), in addition to simmering tensions about domestic phone tapping by Lebanese security agencies, brought digital communications to the political and regulatory front burner in 2010. 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.

Lebanon was the first Arab country to regulate private broadcasting with the 1994 Audio-Visual Media Law. But the law's implementation in 1996 raised political concerns about its sectarian distribution of radio and television stations and about the excessive power it granted the Minister of Information, as well as concerns that the law's stipulations ignored the economic conditions of broadcasting and did not take into account the volatile Lebanese advertising market. In 2002, Murr Television was shut down through a dubious interpretation of the Elections Law, not the media law, leading then-minister of information Ghazi Aridi to announce that he learned of the shutdown only after it had occurred. Flagrant contradictions in Lebanon's media laws came to the surface, and ever since then journalists, media owners, and some politicians have clamored for a new media law.

Today there is a growing consensus that existing regulatory frameworks are, in the words of Minister of Information Tariq Mitri in November 2010, "scattered and inconsistent," "contradictory," and "old and outdated." Indeed, laws governing media in Lebanon can be found in the penal code, the Elections Law, the Law of Publications, the Military Justice Code, and the Audio-Visual Media Law, creating a logistical nightmare of overlapping jurisdictions. During the previous year, Mitri launched a series of consultations with media owners, journalists, advocacy groups, and politicians in order to identify media reform priorities and set broad parameters for new comprehensive legal framework. The Ministry of Information also set up a dedicated email account to receive suggestions and comments from the general public. The goal was to initiate a broad, public conversation about the state of Lebanese media, their structural problems, and the conditions of media workers. The ultimate objective, Mitri told the press over the summer, was to create a comprehensive media law that regulated media ownership, professional practices and rights, media content, and the new digital media sphere.

The discussion that was taking place before the opposition ministers resigned came on the heels of a failed law-making attempt. In June 2010, several civil society groups, including*Maharat*, successfully delayed a vote in the Lebanese parliament on a draft for a "New Information Technology Law" regulating electronic transactions on the Internet. The draft law would have severely curtailed civil and privacy rights of citizens and corporations by giving the government broad surveillance prerogatives, as well as eroded journalistic freedom in the digital domain. The first 68 articles of the draft focused on regulating electronic transactions among financial institutions. Other articles, however, set up a commission with wide-ranging powers of surveillance and access to all kinds of information, including private email accounts, based on as little as a simple complaint lodged against an individual or corporation, and certain articles even enabled the commission itself to become a service provider, therefore introducing flagrant conflicts of interest. Ironically, it was partly through Twitter, Facebook, and blogs that advocacy groups succeeded in delaying the vote.

Then in November 2010 Metn MP Ghassan Mukhayber held a press conference to announce he had introduced a new draft media law for parliamentary debate, the most serious of a handful of drafts under consideration by Lebanese MPs. Mukhayber's draft claimed that Lebanon's Law of Publications violated the constitution and various United Nations charters and questioned the peculiar distinction between "political" and "non-political" media. Mukhayber's draft would also allow non-Lebanese citizens to own media in Lebanon, which the MP argued would increase transparency in media ownership and investments. Currently the Lebanese media landscape is a cesspool of political patronage and domestic and foreign influence peddling.

Changing delivery and distribution technologies also poses a challenge to media regulation. Current frameworks are simply not designed to deal with the on-the-ground realities of Lebanese and Arab media: encrypted satellite broadcasts, cable distribution, and especially uncontrollable blogs and social media, which Arab governments have been trying to muzzle for the last couple of years with varying degrees of success.

These new issues raised by the digital media environment join perennial concerns in Lebanon about, *inter alia*, the fixed number of newspaper licenses and state licensing of media outlets, in addition to the broader issue of balancing journalistic autonomy and editorial freedom with concerns about political polarization and sectarian incitement—issues especially salient in view of the faceoff between the country's two main political blocs over the International Tribunal for Lebanon, tasked with bringing to justice the assassins of Rafiq al-Hariri and other public figures.

In the coming weeks and months, Lebanese media reform stake-holders will continue to engage in wide-ranging debates about the nature of journalism and media work, as well as the ways in which the digital media environment is changing the relationship between media workers and political power, which could form a blueprint for a code of professional media ethics. Their ability to stop the last draft law cold suggests that Lebanon now has robust forces that will be able to prevent a new law passed by government fiat and will play a constructive role in the establishment of new media laws and regulations—but only if the major parties are able to come to an agreement and form a new

government.

Marwan M. Kraidy, an expert on Arab media and politics, is Associate Professor of Global Communication at the Annenberg School for Communication, University of Pennsylvania.