

TESTS FOR EGYPTIAN JOURNALISTS

Reporting Truth, Fighting Censors, Earning a Wage,
and Staying Alive in Times of Turmoil

By Naomi Sakr

In a classic essay in the *Journal of Democracy* in 2002, “The End of the Transition Paradigm,” democratization analyst Thomas Carothers questioned the assumption that elections are the be-all and end-all of democracy. His argument seems especially apt in Egypt’s case. One mistake, according to Carothers, is to believe that the political and economic effects of decades of dictatorship can be brushed aside. Another is to imagine that state institutions under dictatorship functioned sufficiently well that they can be merely modified and need not be entirely rebuilt. Political scientist Sheri Berman, writing in *Foreign Affairs* in 2013, made similar points about what she called the “pathologies of dictatorship.” These leave a poisonous aftermath of pent-up distrust and animosity, she said, bereft of political bodies capable of responding to or even channeling popular grievances. In Egypt, media institutions, largely controlled by the state since soon after the country became a republic in 1952, are part of this problem, but they can also be part of a future solution.

To the extent that news media contribute to framing public discussion, the closer they get to representing the full plurality of interests and viewpoints in society, and the more they report verified information rather than prejudice, rumors, and lies, the more likely it is that different social groups will understand each other and make policy choices that are collectively beneficial. How media pluralism is achieved depends on history. Some have argued that the norms of professional journalism, which underlie claims to internal pluralism by various U.S. and northern European

media outlets, spread as a face-saver for democracy under monopoly capitalism. That is to say, internal pluralism, by giving an impression of editorial non-partisanship, obscures the high barriers to media market entry that give partisan, capitalist media owners their advantageous position in the field.

▷ Journalists demonstrate
outside the Journalists’
Syndicate, Cairo, April 4,
2014. *Mahmoud Khaled/
AFP/Getty Images*

احمد عبد الجواد
فض رابعة العدوية
لا شراب المسجونين

تامر عبد الرؤوف
شهيد حنظل النجول بالبحر
لا شراب المسجونين

قيادة أشرفه
أحداث عين شمس
مارس ٢٠١٤
لا شراب المسجونين

صلاح الدين حسن
لا شراب المسجونين

د العزيز
رابعة العدوية
لا شراب المسجونين



The alternative to internal pluralism is to have a plurality of voices expressed by multiple media outlets. Where this happens, media outlets are often identified with competing political ideologies. They may operate as tools of political struggle, mixing commentary with reporting. In these circumstances media users, who everywhere tend to choose news sources that accord with their own views, are less likely to be exposed to other ways of thinking, which limits openings for political dialogue. Many national media systems contain a mix of internal and external pluralism. Evidence shows that the greater the mix—with different media (commercial, public service, partisan, community and minority media) valued for their different functions and different styles of journalism—the more political dialogue is facilitated and the better democracy is served.

Opposition Press

In Egypt's history, periods of rapid press growth occurred at times, such as in the 1870s and early 1900s, when the country was in ferment over how best to challenge foreign rule. Newspapers gave vent to a cross-section of emerging political movements, establishing a link between journalism and political campaigns. An American study of Arab journalists in 1953, after many decades of colonialism in the region, found them to be widely in agreement that their publication's primary purpose was to fight for political causes. Yet not all news media of the time had started out with that intent. *Rose El-Youssef*, founded by an eponymous Egyptian actress in the 1920s, was a notable literary magazine designed to engender respect for theater and the arts before it became a political supporter of the pro-independence Wafd Party, winner of the first elections called under the parliamentary system set up in 1923. Mustafa Amin, founder with his brother Ali of the *Akhbar El-Yom* newspaper group in the 1940s, established his credentials as a journalist inspired by models of fair reporting.

Gamal Abdel Nasser's rise to power after the monarchy was overthrown in 1952 put an end to multiparty politics in Egypt. The jailing of outspoken journalists became increasingly common until, in 1960, Nasser nationalized the press, bringing all leading titles, including *Rose El-Youssef* and *Al-Akhbar*, under government control and turning print journalists into government employees. Anwar Sadat, Nasser's successor, continued to imprison writers and politicians by the hundreds. But in 1977 he reintroduced political parties, within limits, and allowed them to publish party newspapers. In a situation where the ruling party is routinely "re-elected" other parties inevitably remain in opposition. Thus Egyptian newspapers came to be categorized as belonging to either the "national" (nationalized) or the "opposition" press.

The notional divide between opposition journalists and national ones, in a climate where nationalism was highly prized, was blurred in theory in the 1990s by the

reappearance of newspapers that belonged neither to political parties nor the government. In practice, however, these papers were now also regarded as oppositional, and often dismissed as yellow press; sensationalism tended to be the simplest route to overcoming logistical obstacles to sales. Egyptian entrepreneurs made increasing use of a legal loophole that allowed foreign-registered periodicals to be printed and distributed in Egypt; such outlets, many based in Cyprus, numbered forty-one by late 1997, up from just a dozen in seven years. Despite wholesale bans and clampdowns by the Hosni Mubarak government, the new titles made a mark. *El-Dostor*, launched in 1995 by the son of a former foreign minister, had its local printing licence withdrawn in 1998 but performed well enough after returning to the newsstands in 2004 to switch from a weekly to a daily in 2007, complete with a website.

By then, satellite television was also starting to liven up the media scene in Egypt. The U.S.-led war to eject Iraqi occupation forces from Kuwait in 1991 prompted Saudi and Egyptian use of satellite broadcasting to counteract Iraqi propaganda and offer Arab viewers an alternative narrative to that of CNN as well. Pan-Arab channels proliferated from then on. In 2000, with Saudi-financed television production houses in Cairo luring Egyptian TV presenters away from national channels, and Egyptian business elites buoyed by U.S. pro-privatization rhetoric and cosy interdependence with the Mubarak regime, the Egyptian government decided to license private Egyptian television channels for the first time. By restricting the channels to satellite transmission, the state preserved its own monopoly over terrestrial broadcasting and, because Egypt had its own majority state-owned satellite, the government kept hold of levers that could get dissident private channels off the air.

The regime did not foresee the extent to which a multiplicity of privately owned newspapers, television channels, and—from around 2004—political blogs, would open the way to higher standards of journalism, intensify public political debate and raise awareness of the crushing hardships faced by large sections of the population because of corruption, unemployment, police brutality, and general government neglect. Public enthusiasm for the alternative voices available in these media soared as Egypt held its first multi-candidate presidential election in 2005. In that year alone, levels of Internet take-up among the Egyptian population, whether measured by use or subscription, more than doubled. Access to video-sharing, with the birth of YouTube in 2005, further facilitated reporting of human rights abuse. By 2008, the year when Facebook use took off in Egypt, the country had 160,000 bloggers.

The private TV channels, prohibited from broadcasting news, filled prime time slots with talk shows about national current affairs, dubbed *beramig hiwariya* (dialogue programs). Competing with each other for audience share, the presenters of these shows brought together officials and commentators representing multiple

viewpoints, dissected scandals revealed through social media, and tussled daily with state security and channel owners over what they could and could not say.

It is not fanciful to imagine that the unwonted solidarity among different social groups, so much appreciated by protesters in the 2011 uprising, could be traced in part to an emerging national discourse of shared concern and aspiration in which the new journalism had played a part. The ground-breaking Facebook page for Khaled Said, a young Egyptian killed by police outside an Internet café in Alexandria in June 2010, was called “We are all Khaled Said.” For a brief moment, at least, a media delivering home truths could be viewed as patriotic rather than oppositional.

Fighting Terrorism

The dedication of a particular group of journalists and editors and the activism of bloggers were critical factors in the period of rapid media development in Egypt from 2005 to 2011. It is true that their work was made possible by structural change, to the extent that more media outlets were licensed or created online. But, time and again after the January 25 revolution, wealthy media owners revealed the tight institutional links they had—through business interests, bank loans, and lack of transparency in the licensing of media ventures—with the deposed Mubarak regime, the interim rulers of the Supreme Council of Armed Forces (SCAF), and, after the ouster of Mohammed Morsi as president in July 2013, with the government of former military chief and SCAF member, President Abdel Fattah El-Sisi.

It took very few weeks, after the initial euphoria of early 2011, for private media owners to demonstrate their disinterest in defending fair and probing journalism. For a while, journalists silenced in one place could move elsewhere and stage a comeback. But this was against a backdrop of rising tolls of killings and imprisonment of journalists and an ever firmer conviction among politicians that media were either with them or against them. Egypt was the third most dangerous place in the world for journalists in 2013, with six deaths that year alone. “Egypt is where logic comes to die” was the verdict of one Egyptian journalist and blogger, struggling to respond to questions from an interviewer, ahead of the May 2014 presidential election, about death sentences recently passed on hundreds of Muslim Brotherhood supporters for a single murder, stories peddled by national media about nefarious foreign plots, and the Egyptian army’s announcement that it had achieved a miracle cure for AIDS.

Blatant censorship of mainstream private media has lately reached a level not seen since 2010, when the Mubarak regime imposed draconian curbs ahead of elections to the People’s Assembly. Throughout 2014, a number of respected journalists, including Journalists’ Syndicate Vice President Abeer Saadi, withdrew from the field of their own accord, finding it impossible to reconcile their personal professional standards

with a return to the worst practices of previous regimes. Belal Fadl ended his daily column in *Al-Shorouk*, citing censorship; satirist Bassem Youssef stopped his show on MBC-Misr, citing fears for his own and his family's safety; novelist Alaa Al Aswany gave up his political column in *Al-Masry Al-Youm*, saying "nothing is allowed but one opinion and one thought." In September came news that Yosri Fouda would no longer continue his late night talk show *Last Word* on ONTV, an Egyptian channel that had been sold to Tunisian media mogul Tarek Ben Ammar in 2012. Reem Maged, another popular ONTV presenter, had already left a year previously.

With Dream TV's October 2014 decision to interrupt Wael Al-Ibrashi's talk show, mid-episode, after he criticized ministers, and Al-Nahar TV's removal of Mahmoud Saad from his show days later, battle lines were clearly drawn between different camps of media workers. On one side were the editors who came together on October 26 to pledge support for all state measures taken to combat "terrorists and protect national security" and reject any use of the media to demoralize the police, military, or judiciary by questioning their performance. On the other side were journalists, 642 of them by November 6, who signed a statement posted on November 2 to denounce the editors' surrender of press freedom and defend journalists' right to keep the public informed.

A speech by President El-Sisi in early August had set the scene for the editors' pledge. He articulated his vision of the media being engaged in a battle against "terrorism"—an implicit reference to the proscribed Muslim Brotherhood. Harkening back to the media compliance enforced by Nasser, El-Sisi insisted the media had a duty to unite Egyptians and focus on national goals.

Not for the first time were national unity and national security being conflated in public discourse, with "unity" assumed to mean, as Al Aswany put it, a single opinion and a single thought. Nasser's slogan in the 1960s was "No voice above the voice of the battle." Sadat in 1980 had introduced the Law of Shame to treat political criticism as an issue of morals and "ethical security." The country's schools backed up such mobilization. In the words of an Egyptian education specialist, quoted in an *Egypt Today* blog in 2013, decades of rote learning "nursed blind obedience" to political and religious authorities, teaching students merely to operate the "machines of the regime." Thus, from Mubarak's information minister trying to control pan-Arab satellite channels in 2008 to the Interior Ministry seeking in 2014 to undertake mass surveillance of social media, the authorities have been able to pepper official texts with vague references to "societal norms," "social integrity," and "national unity," without being challenged to say what they mean.

The vagueness matters because of what laws can realistically be expected to achieve. It may be practicable to try to legislate to protect public safety and security against terrorist attacks. Unity, on the other hand, in the sense of social cohesion among

different religious or ethnic groups or between rural and urban populations, has not so far been achieved through diktat. Past censorship of film and television drama suppressed or trivialized grievances, purportedly to prevent inflaming tensions. Yet levels of polarization were exposed to public view during the turmoil of late 2011, showing that decades of suppressing media coverage of grievances did not make them go away.

Promises, Promises

Have the media-related clauses in Egypt's 2014 constitution addressed dilemmas arising from concerns about reporting grievances and conflict? In some respects the answer is yes. The constitution not only refers repeatedly to human rights but states explicitly, in Article 93, that the state shall be bound by the international human rights agreements it has ratified, and that these shall have the force of law "after publication in accordance with the prescribed conditions." Egypt thus accepts Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which sets out the right to freedom of expression, the responsibility to respect the rights and reputations of others, and the legitimacy of protecting national security, public order, and public health or morals. It also accepts Article 20 of the ICCPR, which outlaws any propaganda for war or "advocacy of national or religious hatred that constitutes incitement to discrimination, hostility, or violence."

Indeed, the provisions of Article 19 and 20 of the ICCPR are repeated in Articles 70 to 72 of the constitution; these refer, among other things, to the need for laws against defamation, incitement to violence, and discrimination between citizens. But constitutional promises of freedom and adherence to international human rights norms have to be understood in the context of the constitution's detailed treatment of the regulatory apparatus that will oversee all kinds of media. Here, despite the creation of new bodies, there is consistency with past practice in terms of the dividing lines between outlets that are publicly and privately owned and between print and broadcast media.

The constitution provides, under Articles 211 to 213, for a Supreme Council to regulate all kinds of private media, online or offline, a National Press Organization to manage and develop the state-owned press, and a National Media Organization to manage and develop state-owned audio, visual, and digital media outlets. In June 2014, the Ministry of Information was dissolved for the second time since March 2011—the first time lasted only four months—to be formally replaced by the three new bodies. However, since the constitution left the composition and regulations of all three to be determined by the law, and since Egypt still had no elected legislature when the ministry was axed, the result was a continuing absence of transparency and accountability in media oversight.

As a temporary measure the prime minister appointed Essam El-Amir, head of the state broadcaster, the Egyptian Radio and Television Union (ERTU), to hold

ministerial powers at the supposedly defunct Information Ministry until such time as the new bodies would be created. Interviewed afterwards, El-Amir was quick to sing El-Sisi's praises. It appeared that the ministry's budget would continue and its tens of thousands of employees would keep their jobs; El-Amir's promotion seemed to reinforce the ERTU's identity as an arm of the executive branch of government.

Continuity was also evident in the state-run press. This consists of some fifty-four publications produced by eight publishing houses, which together employ an estimated 31,000 people. These houses, along with the state-owned Middle East News Agency, were hitherto controlled by the Higher Press Council, a body appointed by the upper house of parliament, the Shura Council, itself one-third appointed. In January 2014, the Higher Press Council was authorized to continue choosing editors of state publications pending creation of the new regulator.

It is striking that, in an age of media convergence and pressure on state finances, neither of the drafting committees for the constitution approved under Morsi in 2012, or the 2014 version approved after Morsi's removal, thought beyond the country's existing model of big state media houses, separated between broadcast and print. Under the 2014 constitution, the regulator for private media outlets is charged with ensuring their "independence, neutrality, plurality, and diversity" and "preventing monopolistic practices." The words "plurality and diversity" do not appear in the articles describing regulation of state media and nothing is said about the state monopoly of terrestrial media, nor about the competitive advantage enjoyed by state media houses in terms of their sheer size or privileged access to advertising income.

If more proof were needed of obstacles to fulfilling the constitutional promise of media freedom, it came in two proposals put forward in August, one by an ERTU figure and the other by a university professor, as to how the laws establishing the new media regulators should look. Critiquing both, Mona Nader, head of the media unit at the Cairo Institute for Human Rights Studies, compared them to "laws recently issued or proposed" that block protests and the activities of civil society. Just as these laws starkly contradicted key articles of the new constitution that guarantee the right to peaceful protest (Article 73) and the right of non-governmental associations to practice their activities freely (Article 75), proposed legislation for media regulation threatened to curtail the freedom from censorship promised in Article 71.

The Black Box

Pending clarification as to how media regulation will proceed, one of the most urgent tasks confronting those who wish to upgrade media policymaking is to make policymakers and the public more aware of the range of options available, as well as formulae that have been tried and tested elsewhere. The work of several Cairo-based research

and advocacy bodies, grouped in the National Coalition for Media Freedom, means that a fund of background information is already accessible in Arabic. The constitution itself and the challenges facing news media everywhere suggest three prongs for focused, proactive gathering and discussion of policy-related information. They are: existing human rights provisions on pressing issues like incitement, defamation, and privacy; effective business models for local, community, and alternative media; and the development imperative of credible audience research.

Human rights texts offer benchmarks for the rights and responsibilities of media freedom. News media everywhere, online and offline, pose dilemmas about conflicting priorities, between free speech on one hand and rights to privacy, one's good name, and freedom from discrimination or threats on the other. *The Black Box*, a program on the channel Al-Kahera Wal Nas (Cairo and the People), owned by advertising magnate Tarek Nour, left people dumbfounded in January 2014 when it started airing tapes of private telephone conversations that seemed intended to defame individuals linked to the January 25 revolution. Thoughtful journalists at the time addressed the broadcasts' legality, but not everyone felt equipped to counter the spurious argument that national security trumped privacy or defamation concerns in this case. Given the strong legal protection that Egypt's public officials have routinely enjoyed against criticism voiced in the media, through criminalization of journalistic work deemed "insulting," *The Black Box* testified to Egyptians' lack of equality before the law.

Defamation went hand in hand with something close to incitement to violence on Al-Kahera Wal Nas when in May 2014 the presenter of its program *The President and the People* denounced street artist Ganzeer as an affiliate of the banned Muslim Brotherhood. At a time when death sentences were being passed en masse against alleged Muslim Brotherhood supporters, Osama Kamal showed a photograph of Ganzeer, revealed his real name, and questioned whether such artists should be left to "do as they please." Ganzeer used his own blog to issue a strong denial, but Kamal could have claimed multiple precedents for his action elsewhere on Egyptian television, for which no one had been held to account.

There has been no real public debate about the editorial frameworks that allow incitement on screen since TV presenter Rasha Magdy called on viewers to defend the army against demonstrators outside the ERTU building in October 2011. The demonstration was triggered by the burning of a church. Magdy described the protesters as violent. But, in what came to be known as the Maspero Massacre, twenty-seven demonstrators were shot dead by soldiers or run over by army vehicles, with hundreds more injured. A committee convened to investigate the coverage cleared ERTU of intentional incitement, while admitting there had been professional errors.

The point about such occurrences is that Egypt has already made provision for dealing with them by ratifying United Nations human rights treaties, as noted in the 2014 constitution. Yet fear persisted that new media regulatory bodies would be fashioned in the image of old ones, or new ethical charters would be foisted upon journalists from on high. One charter proposed by Egyptian academics in early 2013 had no fewer than fifty-eight clauses, whose number, tone, and mere existence implied that their authors were either unfamiliar with, or unimpressed by, international norms. The Declaration on the Principles of the Conduct of Journalists adopted by the International Federation of Journalists contains just nine clauses, the last of which accords with a UNESCO General Assembly agreement in 1999 that guidelines for journalistic standards should come from news media professionals themselves.

With the margins for media development narrowing in 2014, it was left to the initiative of committed journalists to find ways to connect with audiences by pursuing alternative business models for alternative reporting. Their challenge, as evidenced by a variety of projects already attempted—including independent online radio stations, neighborhood TV channels set up by enterprising residents in deprived areas outside the capital, and a hardcopy hyper-local free-sheet designed to reclaim a sense of ownership over public space in part of central Cairo—is to combine financial sustainability with editorial independence.

Audience Backup

One such project, *Mada Masr*, was formed in 2013 by journalists who used to work for *Al-Masry Al-Youm*'s weekly English-language offshoot, *Egypt Independent*. That was closed after the chairman of the Al-Ahram Newspaper and Publishing House joined the board of Al-Masry Al-Youm Group. Responding to the closure members of the *Egypt Independent* team, having agreed on their own ethical principles of universal access and diversity, took these with them to *Mada Masr*, along with ideas about combining traditional and novel sources of revenue and establishing an ownership structure that would prevent dominance by a single shareholder. The aim of diversifying financial support and spreading legal liability has been a recurring theme of proposed independent media projects since 2011.

Sustainability, however, depends heavily on media users. As Egyptian media scholar Rasha Abdulla concluded in a report released by the Carnegie Endowment for International Peace in July 2014, journalists who seek to defend the public's right to know will need "significant backup" from their audiences. An absence of qualitative or even reliable quantitative knowledge about media use in Egypt is rarely admitted. But with online advertising now a potential lifeline for independent media, such ventures may need to build audience research into their business development plans.