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The American University in Cairo

School of Global Affairs & Public Policy (GAPP)

**MEDIA POLICIES AND THE QUEST FOR FREEDOM OF
EXPRESSION IN TUNISIA'S TRANSITION TO DEMOCRACY**

A Thesis Submitted to the

Public Policy and Administration Department (PPAD)

**In partial fulfillment of the requirements for the degree of Master of
Public Policy**

By Olfa R. el-Sellami

(Under the supervision of Dr. Laila El Baradei)

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ABSTRACT

This thesis examines media policies in the context of Tunisia's democratic process. It describes and analyzes these policies and to what extent they answer the quest for freedom of expression. The relation between media policies and democratization shows the role of media policy change in enhancing the democratic process and its consolidation. While applying several theories, this study emphasizes the role of free press for a sustainable democracy. The significance of this study is to call attention towards the function and the responsibility of media freedom during the country's transitional period to be a contributor to the consolidation of policy change. The UNESCO Media Development Indicators (MDI) are used as a model of assessment to the Tunisian media landscape post the revolution 2011.

This thesis uses a qualitative research method. Data is collected through in-depth interviews and observation, and content analyses are then used to investigate media policies in Tunisia's transition and provide a comprehensive understanding about the various challenges impeding the implementation of these policies. The analyses aim also at formulating clear recommendations for a better implementation of media policies. The interviews with media professionals document the perspectives of some media players in this transitional period. Among the main findings of the research are: liberalizing the media is unattainable without training journalists to overcome the entrenched inheritance of authoritarianism; a free media safeguarded by the constitution and enhanced by sound policies should be implemented and practiced in field so that to empower a real democratization.

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LIST OF ABBREVIATIONS

EC	Electoral Commission
CA	Constituent Assembly
CPJ	Committee to Protect Journalists
HAICA	Haute Autorité Indépendante de la Communication Audiovisuelle
HDI	Human Development Index
HIROR	Haute Instance pour la réalisation des objectifs de la révolution, de la réforme politique, et de la transition démocratique
ICCPR	International Covenant on Civil and Political Right
INRIC	Instance Nationale pour la Réforme de l'Information et de la
IPDC	International Programme for the Development of Communication
IPSI	Institut de Presse et des Sciences de l'Information
MDIs	Media Development Indicators
UDHR	Universal Declaration of Human Rights

I. Introduction

Ben Ali's regime in Tunisia failed to achieve freedoms, particularly freedom of expression. Intellectuals and human rights observers argue that the lack of real media policy reforms, including true guarantees for freedom of expression, were among the major engines of the January 14 revolution that toppled an over 20 year dictatorship. However, media freedom remains a major concern in the transitory period (INRIC, 2012). This study examines media policies in the context of Tunisia's democratic process, and then analyzes the quality of these policies and to what extent they answer the quest for freedom of expression. Additionally, this study aims at formulating clear procedures and recommendations for a better implementation of the new constitution and other media regulations in order to enhance the media to perform its role as a society's watchdog.

Despite the fact that some reports issued by international organizations and policy making circles argue that Tunisia under Ben Ali was on its way towards the construction of a democratic system by introducing a series of liberal reforms (Human Development Index, 2012), reports about media performance for long considered media policy reforms as crucial indications of the regime's big failure (El-Issawi, 2012). In a special issue of the Carnegie papers entitled "Tunisian media in transition", Fatima El-Issawi described the previous regime's approach towards media outlets as that of "taking a carrot and stick" because it "rewarded those who praised it and sanctioned those who dared criticize it" (El-Issawi, 2012, p.3).

Indeed, these arguments were substantiated by the outbreak of the January revolution as the struggle to remove the increased press censorship and heavy

surveillance on information access were measured as important reasons for the outbreak of Tunisia's revolution (Esseghaier, 2013). Still, media freedom remains a major worry in the transitory period which may cause further obstacles to the democratic consolidation. Even though four years have passed since the revolutionary movement spread in Tunisia, reports on freedom of expression and liberties show that journalists still face harsh attacks and lawsuits against them (Freedom House, 2013).

Despite the fact that interim governments have made significant efforts to adopt policies, and issue a new constitution and legislations that guarantee freedom of expression, studies still do not provide adequate answers to why this regulatory framework is not implemented yet. This thesis aims to fill this gap in the literature while analyzing the challenges that may face media policy reforms in a country in transition from different perspectives related to the Tunisian model. This will help construct significant understanding that can be useful for policy makers and media professionals in the course of their implementation of media policies so that they can play an active role in the *transitology/consolidology* process (Pridham, 2002).

These terms (*transitology/consolidology*) refer to the comparative areas of study that “*look at the process of change from authoritarianism to democracy indicating the successive processes of transiting to and then consolidating new democracies*” (Pridham, 2002, p.1). The main interests of these studies are to relate “*different forms of simultaneous transformation with state and nation building*” (Pridham, 2002, p.3).

No doubt, the media policy reform in this framework energizes the dynamics of change. This requires “*credible outlets that enable citizens to access information they need to make informed decisions and to participate in society*” (UNDP, 2013).

Based on several policy change theories, this study calls the attention towards the function and the responsibility of media policies in the change process, whether it is that of a conduit or contributor. A conduit means that mass media transmit multiple beliefs of policy participants (Shanahan, McBeth, Hathaway, & Arnell, 2008). A contributor means that mass media supply “*consistent policy beliefs and support narrative framing strategies in their policy story*” (Shanahan, McBeth, Hathaway, & Arnell, 2008, p.2).

In seeking to answer the question about what media policies Tunisia needs now to consolidate democracy, this study will show that experiencing freedom of expression in fieldwork can provide a milieu favorable to furnish a dynamic multidimensional process of democratization. The research question will be explored across two main separate yet related domains: Press and TV channels. Qualitative research tools will be applied in this study including in-depth interviews and content analysis to provide comprehensive understanding so that to be able to formulate significant recommendations to answer this question. The interviews with media professionals will give rise to the relationships, interactions and constraints of the inquiry. They also document the perspectives of some media players during this transitional period concerning media changes, how they are impacted, and who are the main actors.

This thesis reviews multi-disciplinary literature to answer the research question. First, policy change theory is used to examine media policies in transitional periods and

locate the Tunisian transition in the theoretical framework. Theories of democracy study and regime change are also used to provide a theoretical framework to a further location of the Tunisian transition while narrowing the focus on the role of media policies in the multi-stage of Tunisia's democratization process. Theories of *transitology* and *consolidology* are essential here as media policies are key requirements for democratization. They can, at the same time, contribute to provide a milieu favorable to its successful consolidation. Concepts that are repeatedly used in the literature, such as "procedural democracy", "multi-stage and multi-dimensions", and "*transitology /consolidology*" process give several implications in the Tunisian model: policies are necessary but not sufficient factors; freedoms and plurality are crucial aspects of democracy as they most likely help determine a new regime's consolidation (Schumpeter, 1947, Dahl, 1984, & Kaldor and Vejvoda, 1997). This also can help understand policy making and the importance of integrating freedom of speech in the strategic frame to enhance democratization and make it applicable.

Additionally, media typologies will be used to locate the Tunisian media system in these classifications. Knowing the specific Tunisian media typology will help policy makers apply the suitable media reforms for this transition. As the early classic school of thought of Siebert-Peterson-Schramm and William Rugh can only be applicable when examining the background of the Tunisian media system, other typologies are suggested for Arab media systems in the transitional period and will be discussed to see if they are applicable to the Tunisian model in post-revolution (Iskander, 2007).

Examining other countries which witnessed political changes can lead to significant lessons to the Tunisian transition as they are important in showing that media

has severely been victimized in the polarization of politics while consolidating changes (Sang-hyun, 2008). The complex nature of the process of transition to democracy, in East Europe and South Africa for example, contributes towards a more comprehensive understanding of the types of policies and tools such as negotiations and concessions that Tunisia may need to consolidate its democratic process. Additionally, the different experiences of transition show numerous challenges that disrupt the formulation of sound policies and delay their implementation. A real transformation of the cultural and behavioral perspectives, the working conditions, and the professional skills are important dimensions that should support the implementation of policies in order to get rid of a heavy legacy of authoritarianism (El-Issawi, 2012).

Additionally, the concept of freedom of expression is examined through the standpoint of international conventions and communication theories. The relation between freedom of expression and democracy is also important here (Emerson, 1964). The theory of Schmitter and Karl (1994) suggests criteria for a true democracy including “freedom of expression and the right to seek out information without being harassed” (Schmitter, & Karl, 1994, p. 81).

This study also relies on various reports published by international organizations to collect data reflecting media policies adopted by interim governments during more than three years since the overthrow of Ben Ali in 2011. The new regulatory bodies such as the Independent High Authority for Audiovisual Communication (HAICA) and the National Authority for the Reform of Information and Communication (INRIC), the new constitution and other media regulations are keys to measure the guarantees of freedom of expression in the institutional reform process. Controversies about these policies and

the various challenges they face to be implemented are important as well; it can be an indicator of their success or defeat. Additionally, the struggle of journalists against the remaining restrictions is examined to give profound thoughts about the reform environment and what procedures are necessary to end a heavy legacy imposed by the authoritarian regime for decades.

In this examination of media policies in Tunisia, it is important to keep in mind that a time frame is being set and lies in the post-revolution years from 2011 and until September 2014. While there are several factors that are contributing now to implement democratic changes in Tunisia's transition, this thesis focuses only on media policies and their role in the process of democratization. Whereas the literature reviewed gave concern to several factors that should enhance the *transitology* process, this study will concentrate only on freedom of press. Also, the research will cover only newspapers and television channels. The reason for this limitation is to direct more examination to these types of media that the literature has not covered enough.

It should be noted that the interview sample is purposive depending on the researcher's choice of interviewees, according to their experience in the media field and the variety of their political views, who will best enable the researcher to answer the questions. It will cover media professionals because there are difficulties to access decision makers in period of transition, except a member of Tunisia's Independent High Authority for Audiovisual Communication (HAICA). The so-called Islamist journalists will be accorded more weight in the sample since they were not fairly represented in previous studies and they are increasingly seen in the new media outlets that have been established since the 2011 revolution.

The next sections of the introduction will define the research problem and questions, the objectives of this study and limitations.

A. Research problem and questions

Studying media policies in democratic transition within the Tunisian context is significant to media policy studies. However, the main research question to be addressed in this thesis is: What is the role of media policies in Tunisia post the 2011 revolution that makes a successful consolidation of democracy possible? Furthermore, the problem includes a close focus on freedom of expression and how it is impacted by the transition. This implies one more related question: what challenges do media professionals may face in quest of applying these policies?

Such areas of interest are behind the motivation of the analysis and any possible recommendations that this study can reach on Tunisia's democratization between *transitology* and *consolidology* during 2011-2014 under the wide-ranging theoretical framework of a regime change and transition to democracy.

Additionally, this study accorded further importance to the new Tunisian environment characterized by the non-stop collisions of political camps and the controversies about public policy reforms, especially media policies and its role in the consolidation of democracy. Attention needs therefore to be paid to the freedom of expression as an active factor that provides a milieu favorable to the consolidation process. Consequently, studying the obstacles that made freedom of expression fail in the pre-revolution era and the ones that remain in the post-revolution time can contribute to a

comprehensive understanding of this issue and its implementation path. This will help policy makers and media players in particular adjust the imperfections and fix the deficiencies of media policies so that to be applicable. Without doubt, a country in transition needs to develop a framework that helps to embrace the complexity of a multidimensional process for democratization.

As indicated, Tunisia has been involved since the 14th January 2011 in a consensual process of democratization following the fall down of Ben Ali's regime. The troika government, a coalition of three political parties that won the majority in the election of the Constituent Assembly after the revolution showed comprehensiveness towards political reforms; however, it did not make sufficient efforts to adopt new media policies and turn them out to be applicable. More, the country's opposing camps are now using "the mainstream media as a platform for propaganda, and media professionals are once again in thrall to political agendas" (El-Issawi, 2012). These political circumstances affect media independence and professionalism as well as media role to be the watchdog of society.

In fact, lessons derived from the past include additional concerns to this question. Tunisia had enjoyed a distinct model of development among Arab countries. Ben Ali managed to keep a comparatively good education system and progressive social policies, especially in the areas of women's status and family laws (United Nations, 2009). These are reasons among others that favored Tunisia to be in the high human development index according to the United Nation Programme of 2012 with the value of 0.712 points, very similar to Europe and Central Asia (0.771) and to Latin America and the Caribbean (0.741), whereas exceeding the regional average value of the Arab states (0.652) (HDI,

2012). These factors also made the Tunisian uprising different from other Arab Spring countries that have greatly suffered from extreme poverty, poor education, and high unemployment.

However, these relatively high human development indicators did not prevent the outbreak of the Tunisian revolution, as it soon became obvious that these reforms cannot be sustained without real freedoms. The constitutional guarantees and the press laws that promoted freedom of expression were only a façade for the regime to maintain the ruler's power for more than twenty three years. Ben Ali had been repeatedly shown on the list of the ten worst enemies of the press (Freedom House, 2011). He imposed an array of legal, penal and economic restrictions to silence the media; *“journalists and bloggers were detained, physically assaulted, fired from their jobs, and subjected to seemingly arbitrary police surveillance”* (Freedom House, 2011). So, the selective array of reforms that Ben Ali introduced were never enough guarantees to ensure the democratic process but only means to extend his term.

These concerns still remain in the post-revolution phase “though the groundwork is largely in place for free media landscape” (El-Issawi, 2012). It became obvious that they will remain unresolved unless policies and laws become not just ink on paper but applied in the media field. These concerns may increase such worries after reviewing what the literature has illustrated about the critical situation of the media environment in the post- revolution period as it is still a scene for manipulation, intimidation, and bias (Abrougui, 2014, & Theodorakis, 2013, & Chopitos, 2012). Equally, media outlets are becoming the main arena for the ferocious political and ideological clashes between the opposing camps: conservative Islamists and secular elitists (El-Issawi, 2012).

Finally, neither the quest for freedom of expression is new, compared to several sequences in the history of the country, nor the newly won freedom is at present unique compared to numerous attempts during the last decades. Journalists ran long struggles asking for free press; they “even enjoyed the comfort of criticizing Ben Ali’s regime during limited times of political openness” (El-Issawi, 2012, p.4). However, this freedom was later detected to be just a tool for calming socioeconomic tensions.

Again, these concerns about the historical background and the actual context of the Tunisian transition guide this thesis while investigating the crucial task at this time to adopt solid policies and carry on efforts to overcome challenges that media industry is facing in order to apply these policies and become independent and more professional.

B. Research Objectives

The overall research objectives are to identify and analyze the role of media policies in transitional periods, and then assess their effectiveness in the dynamics of Tunisia democratic transition that took place during the period 2011-2014. This comprises the portrayal of the new legal framework such as the constitution, media policies, and state institutions governing the media industry. Analyzing the critical challenges facing the implementation of these policies is also an important objective as it helps formulate pragmatic solutions to fix the execution’s problems. This may add a comprehensive understanding to the dimensions needed for a successful multi-stage consolidation process.

Based on this analysis, the demonstration of the constant quest for freedom of expression as an important determinant of democratization is a specific research objective. Therefore, while focusing on the relation between the continuous quests for free press and the dynamics of democracy, this research aims to establish a better understanding of the role of freedom of expression in the media framework and the consolidation of democracy.

C. Limitations

This thesis follows a time frame that is located in the post-revolution years during 2011 and 2014. Without a doubt, there are many factors that are contributing now to implement democratic changes in Tunisia's transition. However, the study does not focus on these factors or their impacts; it only focuses on media policies and their role in the process of democratization. While the literature reviewed gave concerns to several factors that should enhance the *transitology* process, this study will concentrate only on freedom of press as a dynamic dimension that can furnish the multi-stage process of democratization and make it applicable. It draws attention to freedom of press and how it plays an active role in the relation between *transitology* and *consolidology*.

Additionally, the research will cover only newspapers and television channels. The reason for this limitation is to direct more examination to these types of media that the literature has not covered enough; previous researches have concentrated more on social media and the electronic media in relation to the Tunisian revolution.

It should be noted that the interview sample is purposive depending on the researcher's choice of interviewees who will best enable the researcher to answer the research question. It will cover only media professionals because there are difficulties to access decision makers in period of transition, except a member of Tunisia's Independent High Authority for Audiovisual Communication (HAICA).

II. Theoretical Framework and Literature Review

This chapter focuses on two main subdivisions. First is the framework that this study relies on trying to clarify what kind of media policies that transitional periods need in particular. Second is the literature that this study has reviewed indicating essential theories of policy change, democratic study and communication theories, in particular media typologies.

A. Framework of Media Policies in Transitional Periods

The basic theoretical framework for this study relies on theories of transition and democratization. A special analysis of media policies in transitional periods offers explanations on the role of the media in reforming and consolidating democratization. It provides suitable frame in terms of which the Tunisian transition to democracy is analyzed.

Trying to answer the question about media policies in transition, it is noticeable that media policies during the twentieth century were closely related to the political regime types (Mughan & Gunther, 2000). Because of the increase of literacy and consequently the progress in communications technology, the mass media and in particular newspapers and television channels have become vital sources of information. They influence citizens' attitudes and shape their orientations towards politics. Accordingly, policy makers are extremely insightful to the media power and generate media policies to fit their ideologies and sets of political and social agendas.

However, media policies and government regulations differed significantly according to the role of the media in democratic and non-democratic structure. While media have been portrayed as “manipulative and subversive of individual freedom and political choice in authoritarian/totalitarian regimes”, they play the role of “guarantors of political liberties and government accountability” in democratic regimes as indicated by Neuman (1991) and Kinder and Sears (1985) (Gunther & Mughan, 2000).

Despite the fact that some scholars do not differ clearly between totalitarian and authoritarian regimes in controlling the mass media by strict censorship and heavy-handed measures to stop flows of information to the public, Juan Linz’s classic typology of authoritarian regime (1975) makes a clear distinction between their ultimate objectives and subsequently in policies and regulations structuring the media. This means that authoritarian regimes exercise demobilization and suppression of people aiming at enforcing political and social order whereas their real aim is maintaining their own power (Challand, 2013).

Totalitarian regimes, in contrast, manipulate the media to create a wide support of social-revolutionary goals as the same time as to create the super image of the new leader who is capable of building the utopian society model (Gunther, & Mughan, 2000). Different to these typologies, communication theories have depicted the mass media as means to guarantee the elite accountability and people’s control of government in democratic societies, as the well informed citizens are capable to ensure a responsive and responsible democracy (Carpini, & Kitter, 1996).

Applying this theoretical framework on Tunisia's transition, the literature does not provide answers about the kind of new political regime as it is still in transformation process. Accordingly, the media system and the role of the media in this transformation are not clear yet. The literature also does not provide enough support for effective policies and solutions that should be executed particularly in Tunisia to overcome multiple challenges in time of transition. It is true that Tunisia was exposed for the first time to *"the vast complex of international expert assistance for transitional phases"*, but the results showed that *"most Tunisians find the international influx and, at times, overwhelming"* (IFIT, 2013). Problems emerged in the relation between national and international actors concerning responsibility, priorities and coordination (IFIT, 2013, p.3). This opened debates about the changes and whether they are proportional or not to the time, efforts and fund invested.

Besides the influence of the local and international actors, it is important to indicate that media policies are not the responsibility of interim governments only but also commissions and legal bodies that were created during the last four years. They consist of the National Authority for the Reform of Information and Communication (INRIC) and the Tunisian regulatory authority (Haute Autorité Indépendante de la Communication Audiovisuelle: HAICA). On the other hand, it is the responsibility of the government and its executive institutions to implement these policies. However, it is not clear why the successive efforts supported by interim governments are not placed into practice. For example, the INRIC adopted two Decrees No 115 and 116 which should govern the media. These decrees regulate the audiovisual sector and the allocation of publicity. They also end *"the imprisonment of journalists in cases related to freedom of*

expression” (INRIC, 2012). The INRIC also calls for “revising Decree No. 41-2011 in order to have access to administrative documents and accelerating the effective implementation of Decrees No. 115 and 116” (INRIC, 2012). However, there is no response from the government which reflects that major challenges face the implementation process and need to be clearly examined. .

While the theoretical framework provides some answers to such challenges by referring to international experiences, some particularities of the Tunisian experience on the other hand needs to be properly explored with special concentration on its context and exclusiveness. For this reason, this study will concentrate on these problems relating to the implementation of media policies and develop recommendations to help solve these deficiencies so that media policies can play an active part in democratization and answer truly the quest of journalists for freedom and independence.

Finally, the analytical chapter will take these concerns into consideration and will try to develop rigorous guidance for media reform execution.

B. Literature Review

This study relies on multidisciplinary literature to answer the research question and the relation between its variables. Policy change, democracy study, and mass communication theories are utilized for this purpose, with special regards to Tunisia in the transitional phase. The study also reviews the literature dealing with the concept of freedom of expression and the relation between free press and democratization. This

thesis refers mostly to academic researches, text books, pre-reviewed studies, articles, and reports that cover current events during four years (2011-2014).

1. Policy Change Theories

This section investigates policy change theories and the role of the media in this concern. Six theories of policy change are reviewed in particular referring mainly to the Organizational Research Services (Stachowiak, 2011) specialized in defining measurements for advocacy and policy change as well as defining indicators for measuring impacts. These six theories of change are: “Large Leaps”, “Coalition”, “Policy Windows”, “Messaging and Frameworks”, “Power Politics”, and “Grassroots” (Stachowiak, 2011). These theories rely on essential keys such as *“the ability to choose strategies appropriate to the context and issue, identify opportunities for progress, develop relationships, make midcourse corrections and communicate effectively”* (Stachowiak, 2011, p.14). For example, the Large Leaps theory suggests that genuine change is possible only when an issue is redefined/ framing, when the field witnesses new mobilized actors, or when the issue gets increasing media and public attention (Stachowiak, 2011, p.6). This will lead to a shift in social norms and political will to change policies.

The Coalition theory, on the other hand, indicates that policy change can happen only when a group of persons sharing the same policy beliefs act together to form allies that can strongly influence the political environment and the administrative officials (Stachowiak, 2011, p.7). While the Power Politics theory advocates that policy change is

possible only *“by working directly with those with power to place the issue on their agenda”* (Stachowiak, 2011, p.11), the Grassroots theory relies more on community to change policies and institutions and not individuals. The importance of these theories relies on the fact that they *“can help unlock the inner working of the policymaking process to explain how and why a change may or may not occur”* (Stachowiak, 2011, p.1). They assert that, most of the time, it is not enough to know the particular stages for ideas to become laws or regulations; most importantly is the immediate responsiveness to the means required for policy change progress as well as the reasons for the successful advance of certain policies and the failure of others.

Therefore, while these theories are important for the understanding of the policy making process, the main issue here for the policy change process is *“to focus evaluation efforts on the right outcomes, and avoid the “kitchen sink” syndrome of doing a little bit of everything and unrealistically expecting change in all areas”* (Stachowiak, 2011, p.14).

Moving to examine the role of the media in the policy change, the literature shows a growing interest of the policy sciences in media (Terkildsen, Schnell, & Ling, 1998). The different thoughts about the role of media in transitional phases are also inspected to analyze the intersection between the political system in the formative stage and the required media policies to be integrated during phases of transition (Baumgartner & Jones, 1993; Sabatier & Jenkins-Smith, 1993; Iyengar, 1997; Finkelmann, 2002). This will help policy makers formulate rigorous strategies of inclusive procedures to overcome several challenges that cripple the implementation of these policies.

Several theories reviewed in this thesis indicate that a country in transition goes through four main stages: pre-transition, transition, consolidation, and stable democracy (McConnell, & Becke, 2002). The media can provide support for democratization from the early time of the first phase, “while journalists are enjoying the new freedom” (McConnell, & Becke, 2002, p.1). In this context, it is important to notice that the policy change literature varies concerning the importance and weight of media reforms in the policy change process. Some policy scholars suggest that media policy should be “*a conduit for policy participants, with media accounts transmitting multiple policy beliefs of those involved in policy debates*”. Others suggest it should be “*a contributor in the policy process, with media accounts supplying consistent policy beliefs with congruent narrative framing*” (Shanahan, McBeth, Hathaway, & Arnell, 2008). However, this same study applied on the Greater Yellowstone Area suggests that “*media accounts are generally policy stories showing that the media’s role is more of a contributor than a conduit in the policy change process*” (Shanahan, McBeth, Hathaway, & Arnell, 2008, p.17).

On the other hand, the policy change literature emphasizes the importance of three main components of media policy which are theory, policy, and regulations. It indicates that all these levels should be accompanied by means of implementation (Cuilenburg, & McQuail, 2003). This requires that governments, while formulating the media framework, should take into consideration “*the appropriate policy measures of implementation (mainly embodied in law, regulation, and self-regulation or market practices)*” (Cuilenburg, & McQuail, 2003, p.183-184). The clear time schedule is also essential in the media policy project so that to accomplish the suggested goals.

The formulation of media policies is also influenced by dynamic forces such as political transition, economic conditions including information technology changes, and the increasing trend towards globalization (Cuilenburg, & McQuail, 2003). One of the principle values that energize the process of change is that of freedom of expression as it helps achieve balance of powers and governance (Cuilenburg, & McQuail, 2003, p.183). The literature shows that this value is sometimes lacking in periods of transition as policy makers focus on the economic reforms and highest levels of government while they give less attention to the media reform. For that reason, scholars claim that the media should be introduced in the reform process with the proper weight to best produce outcomes and help transform the whole environment towards a healthy democracy (Sabatier and Jenkins-Smith, 1993). This is a major guarantee to avoid repeating the same errors of the past regime.

2. Democracy Study

This thesis reviewed thoughts of democracy study, in particular those emphasizing the relation between implementing adequate media policies and consolidating democratization (Schumpeter, 1947; Dahl, 1986; Kaldor & Vejvoda, 1997; Gunther & Mughan, 2000; and Finkelman, 2002). This includes approaches in political science called *transitology* and *considology*. They are relatively new discipline in political science created by “*Latin Americanist and Southern Europeanists who compare the Soviet-East European political outcomes to those that characterized the end of authoritarian rule in their parts of the world*” (Pridham, 2000, p.4). They convey the assumptions of regime change, especially after the Second World War, which should not

be entirely involved in replacing the authoritarian regime by mainly economic reforms; transformations of a whole environment, with cautious consideration “to develop a framework that helps embrace the complexity of several dimensions”, is an urgent need to sustain democracy (Schumpeter, 1947; Linz and Stepan, 1978).

Additionally, the literature about procedural democracy, “*polyarchy*”, and substantive democracy are examined to look for certain criteria that can be used to assess the quality of policies in a country in transition. They give several implications when applied in the Tunisian model: Policies are necessary but not sufficient factors; freedoms and plurality are crucial aspects of democracy and are most likely to determine a new regime’s consolidation (Dahl, 1986, & Kaldor and Vejvoda, 1997).

For Robert Dahl, multi-stage and multi-dimensions of democratization should integrate multiple forms of freedom and pluralism for the expression of political preferences to assure the dynamic process of consolidation (Dahl, 1986). He listed in his study “Polyarchy, Pluralism, and Scale” at least eight institutional guarantees that should be required for a system to be strictly democratic, including freedom of expression and alternative sources of information (Dahl, 1986, p.230). They are bases for weighing the quality of a political system to be completely responsive to all its citizens. Dahl called this concept “*polyarchy*” when regimes furnish opportunities for effectively participating in influencing decision making and controlling the agenda, and when regimes provide as well a continuous responsiveness to the public contestations.

Based on the criticism of these schools of thought, functionalist theories, on the other hand, advocated that policy makers should rather develop “a framework” and

concentrate on building up the multifaceted short-and-long-term dynamics to provide a milieu favorable to democratization (Pridham, 2000).

Therefore, these sources transmit a very important message that is: the success of democratization relies on the correlation of its different policies and not only on economic ones; also, policy makers should at the same time accord a special consideration to a whole environment of multidimensional process of the consolidation.

Besides, transnational theories give more in-depth approaches to answer the question of what value and strength should be accorded in particular to media policy reforms and the freedom of expression in this frame (Pridham, 2000, p.8). These approaches will be applied when looking at the events happening in reality and what in theory is needed for democratization, including pluralism and freedom of expression as key requirements for its consolidation.

3. Communication Theories

This study reviews the literature of communication theories to be able to identify the Tunisian media system in order to address various challenges that face the implementation of media policies. A review of several typologies serves this objective. Looking at the classical theories, the Siebert-Peterson-Schramm typologies divided media systems into authoritarian, libertarian, social responsibility, and Soviet-Communist (1963). These classifications relied on the amount of control exercised by the state over its mass media. While these classifications are old and broad, the study suggests that they can only be applied to the Tunisian media system during Ben Ali's rule.

Examining other relatively modern media typologies especially after the Cold War, four groupings of national, private, public, and alternative are suggested by scholars (El-Nawawy, 2006). However, William Rugh varied the Arab World media systems from the previous groupings, linking them to the amount of control exercised by the state on media freedom rather than the ownership whether it is public or private. Rugh's groupings consisted of mobilization media, loyalist media, diverse media, and transitional media (El-Nawawy, & Iskandar, 2003). Still, Adel Iskandar, lecturer at the University of Texas-Austin, recently suggested other groupings for Arab media systems that can meet various changes in transition periods. Iskandar combined different concepts together and made them a kind of "mosaic of dissent, dissidence, loyalty, nationalism, consumerism and all things in between" (Iskander, 2007).

Again, these classifications are debatable when relating them to the Tunisian media system after the revolution, though some of their characteristics can be relevant to the media system before the revolution. Therefore, the question about the category of media typology that exists in Tunisia now remains unanswered by the literature due to the fact that transformation is still occurring in the ground. So, the transitional period in Tunisia needs further researches to be conducted in order to provide better understanding about its characteristics and particularities for policy makers. This includes exploring its media system and identifying links between the new context of political conflicts and the heavy heritage of authoritarianism that deeply affect the implementation of media reforms. This thesis, in its turn, will try to take into consideration these concerns when conducting the interviews with media professionals so that to develop as much knowledge as possible to fill this gap.

4. Theories of Freedom of Expression

The concept of freedom of expression is defined and analyzed through several schools of thought. First, according to the encyclopedia of human rights, the International Covenant on Civil and Political Right (ICCPR) states that Article 19 guarantees the “*right to hold opinions without interference*” and “*the right to freedom of expression*” including “*freedom to seek, receive, and impart information of all kinds regardless the frontiers, either orally in writing or in print, in the form of art or through any other media of this choice*” (Forsythe, 2009).

Moreover, Paul Finkelman’s theory indicated in his study “Speech, Press, and Democracy” the fact that freedom of expression is a right and duty at the same time. He said: “The heart of a free society is the right - and in fact the duty - of the citizens to discuss politics and to criticize the government” (Finkelman, 2002). This is a vital part of what Alexander Meiklejohn also called “the constitutional power of the people” (Finkelman, 2002, p.26).

While freedom of expression is fundamental to Finkelman for a dynamic state to function, it is even a basic human right according to Eric Barendt (Freedom of Speech, 2007), as mentioned by Catherine Petersson in her study “The Tunisian revolution and the transition to democracy” (2011). Petersson also referred to two theories of Richard Posner and Philip Henscher to give more evidence to the role of freedom of expression; both provided empirical arguments indicating that freedom of expression should embrace

rights to criticize the government policies in newspapers, and to freely discuss important issues without fear to be endangered (Petersson, 2011, p.11).

However, Petersson puts limits to freedom of speech, as “It can never be an absolute right”; she referred to what is commonly known in the United States Constitution as “the harm principle”, which implies that there is someone who wants to harm or threaten another. She explained: “*This principle requires weighing out the estimate results of the action of the freedom and the consequences of limiting the freedom*” (Petersson, 2011, p.12).

What can be considered new in this literature is the approach of Habib Ayeb indicating in his study “Social and political Geography of the Tunisian Revolution: The Alpha Grass Revolution” that the violation of freedom of speech, in particular the repression of journalism and the control of Internet, were a catalyst for the revolution to emerge, and then the revolution spread through mass media (Ayeb, 2011). This involves also another meaning about absence of freedom of expression at present and how it can lead to more troubles and revolutionary reactions in future if the government continues to ignore the urgency of this issue.

Therefore, the literature gives significance to the continuous quest for freedom of expression and its role in enhancing the process of change.

5. Relation between Democratization and Freedom of Expression

In addition to the previous synthesis, the intersection between the two variables, democratization and freedom of expression, is also reviewed through Schmitter and Karl’s theory. Philippe Schmitter and Terry Karl explained democracy as “a system of

governance that represents the people of the country and requires different criteria”, including the freedom of speech and the ability to access information and to organize independent political and civil organizations (Schmitter, & Karl, 1994). Additionally, Emerson sheds light on the importance of “freedom of expression for a stable democratic state” (Emerson, 1964). In other words, repressing the freedom of speech to hide the corruption and the deficiency of a regime’s policies does not create a stable state, but creates a state that is aimed for instability and chaos.

Noticing the huge criticism condemning the Tunisian Islamic government of infringing the rights of freedom of speech, a review of the literature that studied countries which witnessed controversial transitional periods is extremely important. For example, studies about post-Apartheid South Africa and post-communism in Eastern Europe showed that media freedom faced challenges as it tried to play an important role in assuring the democratic transition, though targeted by political players (Anas, 2012, & Sang-Hyun, 2008).

This approach supports the argument indicating that the struggle for free speech in Tunisia now cannot be considered as an exception in the context of democratization. What gives strong evidence to such conclusion is that *“Eastern countries and South Africa faced numerous problems at the beginning of their process for democracy, but progressively overcame them by consolidating this process with policies of good governance, rule of law, and civil liberties”* (Anas, 2012). The mass media acted in these democratizing countries as *“agents of transition supporting all these policy measures, while at the same time experiencing deep change”* (Challand, 2013).

Therefore, it is worthy to indicate that studying the Eastern European experience and particularly the South African path can provide reliable answers for policy makers when trying to arrange and adjust policies from transitology to consolidology. However, the Tunisian situation has some particularities that should be taken into consideration, especially its historic records of attacks on human rights and freedoms (Abrougui, 2014). This study will accord a special consideration to these particularities in the analysis section.

III. Research Design, Methodology and Data Collection

This chapter covers the research design and methodology used in this study. It also includes the means applied to collect data relevant to the topic investigated.

A. Research Design and Methodology

This study uses the qualitative research method, including data collection, data analysis, purposive sampling, content analysis, and the researcher's observation. These methods help increase the understanding of data and address the research questions from multi-disciplinary areas. The purposive sample constitutes ten interviewees reflecting a variety of political views as well as public and private outlets. More than half of the sample represents journalists who are close to Ennahda Islamist party. They are accorded more weight in this sample because they were not fairly represented in previous studies. Three women are used in the sample, including the only interviewee who represents policy makers; she is a member of the HAICA. The two others are the owner of a publishing house issuing two daily newspapers and a journalist with a long experience in the media field. The age category is well-reflected in the sample; the youngest interviewee is a member of the National Syndicate of Tunisian Journalists (SNJT).

Several techniques are used in accordance with the different fields of study that have been examined. For example, the technique of the interview design is semi-structured and uses a non-random sample. Also, the purposive sampling technique is used according to the researcher's choice of a particular population that is of interest and can best enable the researcher to answer the research questions (Patton, 1990). Another

technique used in the interview is the flexible design of questions respecting psychological aspects of the interviewees who used to be the ones who ask questions and lead the conversation. Additionally, the thematic analysis is used purposely to develop new findings from the interviews' content.

These methods intend to increase the validity and reliability of the data gathered and analyzed. They try to add value to this specific topic in the Tunisian revolutionary atmosphere uncovered by the literature. Also, they document the perspectives of some media players in this transitional period.

First, a comprehensive search of theories that are most appropriate to the research question was conducted covering media policies and democratic transitions, and then narrowing the research topic on the quest for freedom of expression in the multi-stage transitional reforms, not only to be guaranteed in the constitution and laws, but also to be experienced by journalists in the fieldwork.

Policy change theories were firstly examined to locate the role of the media in the reform process. Theories about media policies in transitional periods are then used to show this interaction between media policy reforms and the consolidation of democracy. Democracy study theories were then inspected to explore what the necessary factors are for a democracy to succeed and applied them to the post-revolution period when reforms are taking place. Communication theories were also examined to understand the Tunisian media system, its dynamics, and implications on a nation in midst of crisis.

This thesis also looked at several concepts such as freedom of expression and democracy as well as the relation between these two variables. Moreover, the literature

about countries that witnessed revolutions and controversial transitional periods was used showing significant lessons which can be functional for further understanding of the Tunisian transition, paying attention to its uniqueness in order to design convenient policies. It may be reasonable to say that some lessons from other transitions are applicable to the Tunisian ones; yet, there may be myriad of roads to democracy that can be suitable for a state but not for another one (Rustow, 1970).

Also, Tunisian media regulatory bodies and the new constitution are examined regarding the amount of freedom of expression on the ground. Additionally, an assessment of media policy development in Tunisia's transition was employed based on UNESCO's Indicators (MDIs). This research refers to a report prepared in 2013 by the Intergovernmental Council of the International Programme for the Development of Communication (IPDC), presenting a unique evaluation of all aspects of the Tunisian media landscape after the downfall of Ben Ali former president.

A comprehensive search of identified databases about Tunisia post-revolution were conducted, focusing on several events related to the quest for freedom of expression such as a number of instances that showed the violation of freedoms and intimidations against journalists. These sources were carefully analyzed and a list of the most valuable to this particular study is to be prepared, considering academic literature to be of text books, academic studies, and well-credited journals and reports.

The limitation here is to focus on free press, covering only newspapers and television channels. It is also important to indicate that the time frame of this study lies mostly in the years 2011, 2012, 2013, and until September 2014. This means that this

this thesis does not cover the parliamentary and presidential elections starting on October 2014.

While the literature review does not provide sufficient arguments to explain how to overcome challenges that hinder policies' implementation in the specific Tunisian fieldwork, this study intends to fill this gap through ten purposive interviews with media professionals who may add significant findings to this issue by telling their real experiences and stories. A non- random sample was chosen to be interviewed according to several criteria such as experience, political representation, age, gender and the diversity of the media outlets. Semi-structured interviews were designed to allow informants the freedom to express their views and stories. This technique of interviewing maintains confidence between the interviewer and the interviewee and can provide reliable, comparable qualitative data (Bernard, 2006).

As a journalist, the researcher understands the psychological hurdle of media professionals who use to be the ones asking questions. For this reason, the researcher chose not to send questions to the interviewees and let them feel they were the ones who led the discussion while she implicitly directed them to address the research topic by using following up questions. Changes in the media environment, the policies suggested and the obstacles that hinder their implementation, as well as the quest for freedom of expression in the democratic transition were primarily vital points of interest. The agenda of the media, investors, the interim governments and/ or the political parties, and the likely interference in the editorial policies by any of them were examples of following-up questions during the interviews.

The qualitative analysis of the interview data uses a thematic structure. Four main themes are developed as key issues and then the knowledge produced is considered as series of interpretations based on new findings. Email account and Facebook mails consisted of a relatively short message designating the research and making the first arrangement for virtual meetings, then the interviews were conducted via Skype service (voice and video calls) starting from January 31, 2015.

B. Data Collection

To answer the question of media policy reforms in transition and the quest for freedom of expression, a comprehensive search of identified databases is conducted, with special regards to Tunisia in the transitional phase referring mostly to articles published during the last four years (2011-2014). The theories that are most relevant were examined then applied taking into consideration how media policy reforms play an important role in consolidating democracy. It is important to indicate that the researcher's direct observation is present throughout the study, relying on her experience in the field.

The theories this study has used to understand how policy change can be effective include "Pathways for Change; 6 theories about how policy change happens". To examine the responsibility of the media in transitional phase, this research referred mainly to the source "Conduit or Contributor? The Role of Media in Policy Change Theory" by Elizabeth A. Shanahan, Mark K. McBeth, Paul L. Hathaway, and Ruth J. Arnell (2008). Another source entitled "Media Policy Paradigm Shifts towards a New Communications Policy Paradigm", by Van Jan Cuilenburg and Denis McQuail (2003),

was then used to show the weight of media in the policy reform and the importance of implementing policies and regulations in the transitional periods.

The sources that this study used to cover theories about democracy study and transitional periods include “Democracy and the Media; a comparative perspective” by Richard Gunther and Anthony Mughan (2000); “A Preface to Democratic Theory, Polyarchy, Dilemmas of Pluralist” by Robert Dahl, and several other sources by Schumpeter (1947), Kaldor and Vejevoda (1997), and Finkelman (2002). All these references serve to provide different approaches of procedural democracy and suggest criteria for a true democratization; however, the weight of freedom of expression in the *transitology* process differs from one scholar to another. This is the most relevant factor of these sources to the research question about Tunisia transition.

Moreover, this research used several resources to look at concepts of democracy, transition to democracy, and freedom of expression including mainly “The System of Freedom of Expression by Thomas Irwin Emerson, “What Democracy is...And is not” by Schmitter and Karl, and “Speech, Press, and Democracy” by Paul Finkelman. These references investigated the reciprocal influence between the amount of power and control executed by the state and the dynamicity of media policy reforms to provide appropriate milieu to stop this state control over the media.

Furthermore, the study applied other sources closely related to the Tunisian media policy obstacles in transitional period, such as “Constitutional reforms in Arab countries in transition” by Bernard-Maugiron, “Tunisian Media in Transition by Fatima El-Issawi”, “Freedom of expression and the downfall of a regime: The Tunisian Revolution and the

Transition to Democracy” by Catherine Petersson, and many other references that significantly contribute to analyze the relation between Tunisia media system, its dynamics and deficiencies, and the political context of the post- revolution.

The research also used some peer-reviewed journals. Reports by Human Rights Watch, Freedom House, Reporters Without Borders, and others by non-governmental organizations were employed to demonstrate the quest for freedom of expression and how journalists are affected by the lack of law enforcement. The use of some statistics produced by these organizations can reflect the deterioration of Tunisia’s rank in press freedom index. The study has specifically examined some news articles and websites, yet with prudence regarding their bias. This aims to give a more accurate and complete depiction from inside and outside the country about the rapid and successive daily events that may affect Tunisia’s transition to democracy.

This thesis will follow an outline with several divisions respecting an appropriate arrangement of sequences and balanced chapters. In addition to the preceding partitions, the next chapters will focus on the definition of several useful concepts related to the research question and the detailed examination of media changes in Tunisia transition. The background about the Tunisian media sector will be as well inspected with special focus on media policies and actors, the assessment of media policies based on UNESCO Indicators and the recent occurrences related to prosecutions against journalists. The fieldwork findings and the conclusion with recommendations will be presented in separate chapters.

IV. Conceptual Framework

At this stage in the research, some concepts need explanations, and then accordingly, operational definitions are presented for the following concepts:

A. Democracy

The definition of democracy varies widely between scholars as “it remains a contested concept in the political sciences” (Sartori, 1987), but for the objective of this study, the definition provided by Diamond, Linz and Lipset (1989), which is also based particularly on Robert Dahl theory (1971, 1984), is explored here. They determine democracy as *“a system of government that meets fundamental conditions. The first is the significant competition between leaders to attain electoral votes, which consequently foster competition among individuals, political parties, and groups”*. The second condition is social pluralism versus government power; this guarantees the development of the democratic process and the non-return of a dictatorial government. The last one is liberties such as freedom of expression and press, access to information, associational autonomy, and free and fair election. These essential requirements can assure the political competition and effective participation.

Otherwise, this conceptualization of democracy is defined and called by Robert Dahl as the “polyarchy”. It theorizes the main values that the society must have the benefit of in a democracy: *“to formulate preferences; to signify these preferences to their fellow citizens and the government by individual and collective action; to have their preferences weighed equally in the conduct of the government”* (Dahl, 1984). The

institutions of the government should take several arrangements to make these opportunities possible which Dahl summarized in his theory as *“freedom to form and join organizations; freedom of expression; right to vote; right of political leaders to compete for electoral support; eligibility for public office; free and fair elections; institutions for making government policies depend on votes and other expressions of preference”* (Dahl, 1984, p.3).

Dahl’s theory of polyarchy was in fact only the beginning of a new drive in the democracy study as other scholars continue the “father’s work” and create new theories of democratization, trying to give more qualifications to Dahl’s initial definition. All these thoughts opened a wide debate between them about the policy change that actors can rely on in the course of the transitional process. The debate results in consistent critiques which profoundly evolved the study of political change.

One of these critiques was directed to that of the wealth theory, a branch in the developmental school in comparative politics, because it favors the economic development considered as a decisive factor for a state to create democratic ruling (Snag-Hyun, 2008). In fact, the failure of democratization may depend “on the choice of one sector -and no-one else- that deeply affects orientations conducive to democracy” (Snag-Hyun, 2008, p.36). Dahl, on the contrary, supports the multi- factors of change with equal weight in which the media, in particular freedom of expression, is a key in the institutional reform guaranteeing the democratization (Dahl, 1984, p. 3).

Besides, transnational theories give more in-depth approaches to answer the question of what prerequisites are necessary for a healthy democracy (Pridham, 2000).

On the other hand, functionalist theories advocates that policy makers should rather develop “a framework” and concentrate on building up the multifaceted of short-and-long-term dynamics to provide a milieu favorable to democratization (Pridham, 2000, p.8).

Therefore, these sources in spite of their differences, they transmit a very important message that is: The success of democratization relies on the correlation of its different policies and not only economic and political ones, as a special consideration should be accorded as well to a whole environment of multidimensional process of the consolidation.

In light of this conceptualization, it is assumed that the best integrated definition of democracy is that accompanied by a conduit to promote the sustainable and “high quality” democracy.

B. Transition to Democracy

Transition to democracy is defined as the change from an authoritarian, or sometimes totalitarian, political regime to a democratic political regime. The collapse of communism, the 1990’s revolutions in Eastern Europe and the wave of restoring democracies in Latin American countries led to the emergence of a set of thoughts that became known as “transitions literature” or “*transitology*”. Summarized by Guillermo O’Donnell and Philippe Schmitter in their book “Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies” (1986), these tenets form the core of this discipline in political science called “*transitology*” and “*considology*”. Despite

their agreement on the core meaning, definitions of these concepts are given further criteria according to each school of thought. For example, Latin Americanist and Southern Europeanists compared the political outcomes that distinguished the end of totalitarian rule in their countries to those of Soviet-East European (Pridham, 2000). They claim that transition to democracy should not be entirely involved in replacing the authoritarian regime by mainly economic reforms; transformations of a whole environment in the transitional phase with cautious consideration “to develop a framework that helps embrace the complexity of several dimensions”, is an urgent need to apply a true democracy (Schumpeter, 1947; Linz, & Stepan, 1978).

Within the Tunisian context, the concept of “transition to democracy” involves the change of an authoritarian regime, characterized by “the worst kind of police and mafia dictatorship” to a new developing president-parliamentarism system (Duverger’s concept) in a “régime semi-présidentiel” according to the new Tunisian constitution (2014), where the prime minister and cabinet are accountable to the president yet in respect to the assembly majority.

The main element of “*transitology*” is what Dahl called “the elite’s bargains” (1984). This factor is widely seen in the Tunisian model where the elites are currently bargaining; they represent the political actors of the former regime and the opposition forces, the civil society, and international actors trying to back up the progress of the transition to democracy. This negotiation in transitional periods led to the resignation of the Troika government and the appointment of Mehdi Jomaa as Prime Minister with technocrats as members of his cabinet. Under this consensus, the new government is the caretaker of the presidential and parliamentary elections starting on 26 October 2014.

With this same consensus, Ennahda Islamist party and the secularist parties in the constituent assembly (CA) succeeded to adopt “*the constitution giving way to compromise in many critical aspects of the text such as the protection of women’s rights and freedom of expression and religion—key values for urban middle class Tunisians who see Islamists endangering their lifestyle and convictions*” (Mersch, 2014). Despite the advantages of this consensus leading to the adoption of the constitution, some observers argue that “*compromises are turning the constitution into a text full of contradictions, called schizophrenic by experts of constitutional law*” (Mersch, 2014). These are kinds of dilemmas that challenge the consolidation of the Tunisian democracy that this thesis will enlighten more in the next sections.

C. Freedom of Expression

Freedom of expression is a keystone of freedoms and democratic rights. This study relies on international human rights law and standards, and theories from democracy study to define the concept of freedom of expression. First, there are several international mechanisms that determine standards for the protection of the right to freedom of expression. For example, The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly on 10 December 1948, and established thirty articles that protect human rights principles for states members including the fundamental rights for freedom of speech. Article 19 states that “*Everyone has the right to the freedom of opinion and expression which includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers*” (United Nations Website).

Additionally, these principles are also protected by the International Covenant on Civil and Political Rights (ICCPR) that was adopted in 1966 by the General Assembly of the United Nations and then entered into force in 1976. Article 19 of the ICCPR requires 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 involves 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 (ordre public), or of public health or morals.”* (United Nations-Treaty Series, 1976, p.178).

Another international instrument that may be useful to determine standard for the protection of the right to freedom of expression in the Tunisian context is the Declaration of Windhoek approved on 3 May 1991 by the General Conference at its twenty-sixth session (UNESCO, 1991). This declaration is the product of a deep examination of the media landscape, especially in the African countries which have suffered from serious violations of freedom of expression. That is why its articles closely relate between the role of free press and sustainable democracy in developing countries.

The declaration stipulates that: *“1) The establishment, maintenance and fostering of an independent, pluralistic and free press is essential to the development and maintenance of democracy in a nation, and for economic development; 2) By an independent press, we mean a press independent from governmental, political or*

economic control or from control of materials and infrastructure essential for the production and dissemination of newspapers, magazines and periodicals; 3) By a pluralistic press, we mean the end of monopolies of any kind and the existence of the greatest possible number of newspapers, magazines and periodicals reflecting the widest possible range of opinion within the community” (Declaration of Windhoek, 1991).

These principles can be the exact remedies for the Tunisian context to restructure media and fix problems.

The relationship between freedom of expression and democracy is dialectical where each conception is affirmed /affected by the existence or the absence of the other one. Robert Alan Dahl in his book “Polyarchy Participation and opposition” specifies freedom of expression as one of the eight institutional guarantees that are required for a system to be strictly democratic (Dahl, 1984).

Applying this concept of freedom of expression to Ben Ali’s authoritarian era, it is obvious that this regime tried to maintain its power through suppressing any opposition by limiting freedom of expression, circulation of information and access to Internet (Reporters Without Borders, 2010). Taking into account this heavy legacy of violations against journalists, the concept of freedom of expression when applied in the transitional phase still incarnates major concerns as *“there were several reports about violence and harassment of security officials against journalists during street demonstrations and protests”* (United States Department of State, 2011).

Hence, experts have called for the inclusion of provisions ensuring freedom of expression in the new constitution. They have also urged the government and all actors to

engage in constructing comprehensive policies providing a landscape of free, independent and pluralist media in accordance with the international norms on fundamental freedoms (UNESCO, 2012). The different steps taken by both the interim government and the Troika government, such as removing previous press restrictions and the Ministry of Information, were considered important strides, yet not sufficient to guarantee good governance of media field unless they are followed by real execution.

D. Conceptual Model

The conceptual model presented in figure 1 is a kind of map for this thesis describing its components and their relationships. The diagram includes three main divisions which are placed on the top indicating the main bodies that frame the media. They involve the constitution which is the supreme law guiding the government, the local actors which are mainly represented here by two authorities (INRIC, HAICA) responsible for formulating media policies and regulations, and finally the international actors represented here by countries such as EU and USA, and worldwide organizations providing expertise. The complementary relationships between these factors guide/control the development of effective media policies.

On the left, two main components are placed and used to best locate the research question. The first are theories referring to policy change, democracy study and mass communication. This theoretical framework is used to answer the question: What is the role of sound media policies in transitional periods? The second is the assessment model referring to UNESCO Indicators. These standards include several requisites in

accordance with the principles of the United Nations. They can effectively lead to free press and more democratization if applied. Examples of these requisites are a system of media regulations conducive to freedom of expression, plurality and diversity of this system, transparency of the media outlets' ownership, a good level of journalistic professionalism and a solid infrastructure for the media.

On the right, the policies formulated during the Tunisian transition are placed as well as policies that still need to be completed. The major path ways are shown with arrows. The lines with irregular dots demonstrate that the work is incomplete and needs implementation to be effective. Examples of these policies which are already created are: Institutions (media authorities), Decrees 115 and 116, and constitutional guarantees for freedom of expression and the HAICA. The policies that need to be accomplished are the job Security regarding salaries and protection against dangers, and professionalism through training and media skills. Additionally, the regulation of audio-visual media and the allocation of advertising are incomplete.

A transition trajectory guide is suggested by some international actors to set Tunisia's priorities during the transition and to direct the international assistance so that to work on these concerns and to coordinate their efforts for more effective outcomes. The successful trajectory depends on three main tools: Linkage, governance and leverage. They convey essential means such as the correlation between policies, a responsive system of governance and the necessary fund and exertion for implementation. Media policies depend on this suggested trajectory and become effective only when it is executed.

The implementation of media policies is a key in this study and the analytical part provides some explanations for this absence of execution as well as recommendations to accelerate the pace of implementation. Executing media policies can consolidate democratization.

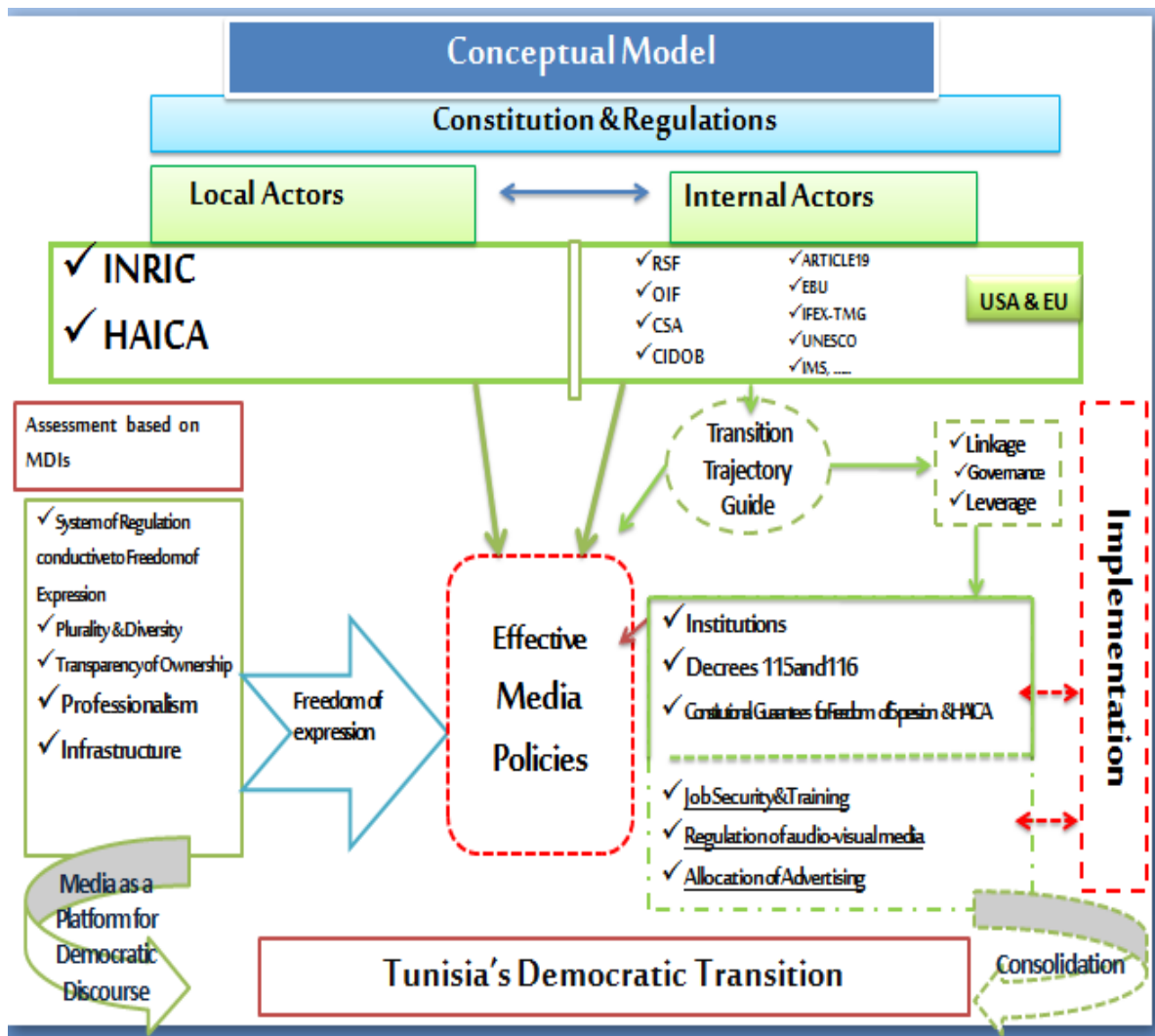


Figure 1: Conceptual Model

V. Examining Media Policies in Tunisia's Transition

This chapter is divided into several sections. The background of Tunisia's political system will be presented first, and then followed by an examination of regulatory bodies that were created after the downfall of the previous regime. A special regard will be accorded to the new constitution, and in particular, the provisions about freedom of expression. The international actors, the increase in prosecutions against journalists and the UNESCO's assessment of the Tunisian media policies during the transition will be successively presented and analyzed.

A. Background

After the fall of Ben Ali regime on the 14th of January 2011, several changes have occurred, especially regarding the emergence of a huge number of new media outlets, as was indicated before. Journalists have started again their struggle to reclaim the "lost" freedom of expression. The media sector which has suffered from "*a long-suppressed and eager appetite for publishing was finally emancipated; the previously rigidly regulated industry was destroyed*" (El-Issawi, 2012). More than 228 newspapers and magazines arose after the uprising; yet, most of them "*are not currently in operation, with many vanishing soon after being launched*" (El-Issawi, 2012, p.6).

The researcher's observation during a visit to Tunis in summer 2011 showed how newsstands in Habib Bourguiba main Capital Street provided a wide spectrum of newspapers and magazines critical of the policies provided by the president, the government and all members of the cabinet. This observation met what other researchers

mentioned about the media indicating it has acquired a margin of freedom of expression that did not possess before January 14th (El-Issawi, 2012); they call also the government to underpin these gains with policies that have clear purposive vision. In fact, the early multiple measures that have been taken by the interim government were aimed to enhance freedoms starting with “delinking media sector from state control” (IFIT, 2013).

An example of these measures was the restructuring of the state-run press owned by Ben Ali family such as Al-Sabah newspaper, Shams FM Radio and the religious radio Zeitouna. Whereas the newspapers owned by the ruling party (RCD) —al Hurriya and Le Renouveau—were dissolved and their staffs joined the state-run media (El-Issawi, 2012). The public broadcasting landscape comprises now two television channels and nine radio stations.

Another example of the media reforming measures was the creation of a sub-commission which was an affiliate of the “Haute Instance pour la réalisation des objectifs de la révolution, de la réforme politique et de la transition démocratique” (HIROR). The main role of this said technical sub-commission was “to review” Ben Ali-era press codes” (Internews, 2012). HIROR specialists on information issued two main decrees regarding the information and communication field, particularly: “*Decree Law 2011-41 of 26 May 2011 on the right of access to administrative documents, as amended by Decree Law 2011-54 of 11 June 2011; Decree Law 2011-115 of 2 November 2011 on the right to access information, the confidentiality of sources and anti-monopoly stipulations; and Decree Law 2011-116 of 2 November 2011 on freedom of broadcasting and the creation of the High Authority for Audiovisual Communication (HAICA)*” (UNESCO, 2013).

More importantly, the documents ended the intervention of the Ministry of Interior in the industry; the registration process of new publications can be achieved by a simple notification sent to the judiciary. The law Decrees also abolished prison sentences, except for a number of offenses related to religious hatred and racial discrimination along with terrorism.

Another important Law Decree issued by the government was Decree N° 10- dated 2 March 2011- to create the National Authority to Reform Information and Communication (INRIC). It was the product of long negotiations between the government on the one hand and journalists and civil society representatives on the other hand. Seven out of nine of INRIC's members were media professionals. This authority aimed at making a diagnosis of the information and communication sector and proposing significant policies to reform the media landscape in conformity with international norms. Its policies primary objective is to regulate the communication industry and establish objective criteria for the licensing of radio and television stations (INRIC Report, 2012).

Early before this step, the interim government presided by Prime Minister Beji Caid Essebsi had decided to abolish the ministry of information “which had served as the former regime's main organ of censorship” (United States Department of State, 2011). An independent Electoral Commission (EC) has also been established by the same government to monitor the election process (Internews, 2011, p.5). Besides, Prime Minister Essebsi had prepared the country's Constituent Assembly (CA) elections. The CA was mandated to draft a new constitution and appoint a new government, a so-called Troika government. It was a coalition of parties whose members filled the positions of the President of state, the Head of the Assembly, and the Prime Minister.

The Troika government, led by Ennahda for the first time on 13 December 2011, has announced in several occasions its commitment to support and sustain this process of democracy, including freedom of expression, despite the fact that it has faced various challenges (Challand, 2013). While criticism of the government became frequent in print media and TV channels, there were still instances showing that the authorities continued to arrest journalists and threaten them during protests. For example, security officials assaulted more than 13 journalists and run after them near their offices of the daily newspaper La Presse (United States Department of State, 2011). Another example was the arrest of Samir Feriani after he published a letter in the newspaper Alkhabeer (L'expert) "accusing an unnamed ministry official of participating in an attack on popular demonstrations in Sidi Bouzid and Kasserine" (United States Department of State, 2011, p.7). As a result, the police arrested him and he was charged "with defamation and causing public disorder" (United States Department of State, 2011, p.8). Such violations have not disappeared and have been reported from time to time over the past three years. This means that media continues to be "a venue for political manipulation and intimidation" (El-Issawi, 2012, p.2).

Many observers are confused as they couldn't understand the real attitude of Ennahda government in power, whether it has a real will for democratic reforms including good policies for media freedom or it uses media only as a democratic façade. The answer to this perplexing situation for many lays in the transition bubble's atmosphere itself where the fierce political and ideological battle between the country opposing camps intensified and the media became the stage for this conflict. It is relatively true that Ennahda Islamist party leading the country after the downfall of the

old regime showed good intention for democratic change compared to other Arab Spring countries; yet, there was on the other hand a clear problem of changing the Tunisian media system from a strongly dominated weapon in the hands of the regime to a real watchdog of a democratic society. One possible explanation provided by researchers indicates that the nature of the transitional periods from dictatorship to democratization *“in Tunisia and elsewhere, entails not just regime change at the top but changes in all the regime’s institutions”* (El-Issawi, 2012, p.3).

Therefore, all these measures taken by the provisional government confirmed the fact that Tunisia has pursued a consensual path towards achieving media reforms, as the policy-making does not only depend on the government, but is also attended by all stakeholders. Promising democratic reforms were launched producing important outcomes, mainly in the field of media regulatory framework such as *“press regulation, freedom of expression, access to information and audiovisual media services regulation, including the creation of an audiovisual regulatory authority”* (Internews, 2012, p.2).

However, the real challenge now is to guarantee an effective execution of the policies because *“Tunisia still does not have an administrative and judiciary structure ready to apply democratic laws and to perform according to non-authoritarian principles”* (Internews, 2012). Also, the calls for abolishing prison sentences for journalists continue especially that they remain targeted. Besides, the media community firmly persists in opposing the government’s decision to appoint directors of public institutions.

In the next sub-divisions, the study will highlight the role of regulatory bodies and the external actors in the Tunisian transition.

B. National Authority for the Reform of Information and Communication (INRIC)

On February 2011, the National Authority for the Reform of Information and Communication (INRIC) was created after several meetings between the interim Prime Minister Mohamed Ghannouchi and independent journalists and activists from civil society committed to freedom of expression and civil liberties. The committee was responsible for developing suggestions about important policies to enhance media performance and proposing a new structure for print and broadcast media. The objective of INRIC was *“to ensure that international standards on freedom of experience be the reference point and the essential foundation for the reconstruction of information and communication enterprise in Tunisia”* (INRIC, 2012, p.17). It also aimed at keeping the media out of the political quarrels.

Despite the fact that the president, the prime minister and the president of the Constitutional Assembly received a copy of the general report submitted by this authority on April 2012, they did not adopt any of its recommendations. The report included a detailed description of the media landscape and some sound recommendations *“to raise this sector to the height of the goals of the revolution and the expectations and aspirations of the Tunisian people”* (INRIC, 2012, p.2). It criticized the government

policy as “a wait-and-see policy” showing “obvious hesitation on the side of the new government to answer these aspirations” (INRIC, 2012, p.7).

Though the recommendations were totally ignored by the government, it is important to mention that some suggestions were taken into consideration by CA members while devising the new constitution. Some of these INRIC recommendations focused on the following principles:

-“The principle of freedom of expression, press, information and digital communication and the right of access to data are the guarantees for the free exercise of these rights and the assurance that all restrictions comply with international covenants and conventions and practices prevailing in democratic regimes” (INRIC, 2012, p.21)

- A constitutional status should be given the HAICA.
- To ensure an access to administrative documents “to clarify certain contested issues and decrease the limitations and exceptions set forth” (INRIC, 2012).

However, the head of the INRIC commission, the veteran journalist and human rights activist Kamel Labidi, resigned after two months of the submission of the final report because it did not receive any attention from the government (RSF, 2012). He also accused Ennahda government for going back to “censorship”, the same practice of the old regime (El-Issawi, 2012). Labidi mentioned during “Tahrir Dialogue on media reform” on May 9, 2012 at the American University in Cairo, attended by the researcher herself, that the government violated article 9 of law 116, which gave INRIC the right to comment on the appointment of heads of radio and television broadcasting entities, who the government gave leading positions to only its supporters without any consultation

with the INRIC. In addition to the government attempts to control the public media, Labidi pointed out “the alarming increase” in attacks against journalists that he considered all indicators raising substantial doubt on the future new won-freedom.

Until now, many recommendations evoked by Labidi during the AUC conference are not yet implemented, which is an issue of large criticism to the government. It showed that the adoption of good laws and the development of reasoned policies are not an end goal if they do not meet the need to practice them in real fieldwork.

C. High Independent Authority for Broadcasting Communication (HAICA)

The High Independent Authority for Broadcasting Communication (HAICA) is a self-regulatory authority with executive powers responsible for the regulation of the broadcast of advertisements and the formulation of the codes of ethics. It was considered as *“the concrete footstep in the reform of the Tunisian media envisioned by Decree-Law 116-2011 and was officially announced on 3 May 2013 and seen as the first fruit of journalists’ struggle”*, noted Reporters Without Borders’s Secretary-General Christophe Deloire (RWB, 2011). Also, *“this statutory body is allowed to settle disputes related to the launch and operations of television and radio stations”* (El-Issawi, 2012, p.14). Most importantly, the HAICA is considered as *“a tribunal of first instance since it has powers to sanction offenses perpetrated by outlets “with penalties ranging from infringement notices to fines and ultimately to the suspension or even withdrawal of operating licenses”* (El-Issawi, 2012, p.10).

However, the HAICA, since its installation, has been facing various challenges as major structural reforms are not implemented yet. These challenges include sorting out the situation of the new radio and TV stations which are the fruit of the new era after the fall of Ben Ali regime, yet some still broadcast illegally. More than seven new stations were launched during 2012 and 2013; whereas 19 projects were waiting for permissions (Freedom House, 2013).

More challenges are also facing establishing terms of reference and conduit for commercial and community radio and TV stations so that licenses can be properly settled. There are other challenges related to the appointment of heads who run the state-owned media as well as “revising the controversial appointments already made by the coalition government since January 2012” (Teodorakis, 2013).

It is important to indicate that the HAICA should intercede with the government in order to agree on arrangements for the media to follow during the upcoming elections of the president and parliament on October and November 2014, and to ensure that the public receives freely-reported, transparent, diverse and independent coverage (INRIC, 2012).

Finally, much criticism was accorded to the HAICA by the owners of media outlets. They rejected the powers given to this body such as the penalties “which range from reprimand notes to fines and the suspension or even removal of operating licenses” (El-Issawi, 2011, p.21).

D. Freedom of Expression in the Tunisian New Constitution

Noticing the political divergence of the three parties in power and other parties outside this alliance, it is obvious that “the media became the main arena for political debates and ideological fracas between Islamists and liberals” (Zeghal, 2013). This was also the main challenge that the construction of the constitution has faced since disputes between these opposing parties extended to the articles of the constitution, especially articles about freedoms that effect directly media performance. However, the reality on the ground “has finally forced the Islamist coalition government to work with other secular parties in order to survive” (Morrissey, 2013). This consensus was obvious during the voting of the National Constituent Assembly on the articles of the constitution.

The CA finished the ratification of the new constitution on 23 January 2014 by approving several articles on fundamental freedoms. For example, Article 30 guarantees freedom of expression, Article 31 guarantees freedom of information and Article 48 “restricts the limits that can be placed on fundamental freedoms to the principles of proportionality and necessity” (Centre for Law and Democracy, 2013). Article 30 of the new Constitution states that: *“The freedoms of opinion, thought, expression, information and publication, shall be guaranteed and these freedoms shall not be subject to ex-ante control.”* (Constitution of the Tunisian Republic –Unofficial Translation, 2014).

Additionally, Article 31 confirms the responsibility of the state to guarantee the right to information and the right of access to information. Article 48 stipulates: *“The law determines the limits and their application on rights and freedoms guaranteed under this Constitution, without interfering with their essence. The limits shall only be used where deemed necessary by a democratic and civil State and only in order to protect the rights*

of other, for reasons of public security, national defence, or to protect public health or public morals. The principle of proportionality with its limits and justifications shall be respected. The court system shall ensure that the rights and freedoms are protected from infringements. No amendment shall affect the human rights and freedoms under this Constitution” (Constitution of the Tunisian Republic –Unofficial Translation, 2014, p.12).

Articles 30, 31 and 48 were approved by over a two-thirds majority of the CA members’ votes which was considered a strong cornerstone in favour of freedom of expression and freedom of information in the new Tunisia (UNESCO, 2014). For example, the director-general of UNESCO, Irina Bokova, described the adoption of Article 30 and 31 in particular as “a victory for democracy”. She also indicated that the recommendations of UNESCO were reflected in these articles. Furthermore, other recommendations have been issued by four human rights organizations (Al Bawsala, Amnesty International, Human Rights Watch and The Carter Center) urging CA members to guarantee basic rights and freedoms and to conform entirely with international norms (Human Rights Watch, 2014).

It is indeed of significance to mention that Tunisian activists had lobbied enthusiastically “for the last-minute passage of amendments to safeguard media independence” (Freedom House, 2014). The HAICA issued a statement that disapproved two articles of the draft constitution (Articles 122 and 124) for menacing the “independence” of the media. The statement also denounced reducing the power of the HAICA “by giving it an advisory role rather than true regulatory authority and requiring its membership to be elected by the parliament” (Freedom House, 2014). This was

perceived by many activists as an attempt by the Troika government to “politicization of this authority”. For example, the head of the syndicate of Tunisian journalists, Hamrouni Nejiba, held a meeting with the president Marzouki and members of the CA. She “threatened” to organize with members of the syndicate and human rights activists protests at the building of the assembly unless the delegates vote on the proposed changes (African Manager, 2014).

Without this effective lobbies of local as well as international actors that encouraged civil society, not only journalists, to mobilize before final voting on articles, “the new constitution might have been received as a major defeat for freedom of the press” (Freedom House, 2014). With no doubt, Tunisia has accomplished a major objective with the adoption of the new constitution. However, this step is “only the end of the beginning” and attention is needed to make sure that “the promise of the constitution is fulfilled in practice” (Freedom House, 2014).

E. International Actors

Since January 2011 revolution, international activities of assistance for transition have widely increased. Experts from Europe, United States, and other countries have provided their well- structured expertise about transitional policy issues that reflect lessons they learned from countries which experienced similar transitions such as Eastern Europe, Central and Latin America, Southern Africa and others.

A report published by the Institute for integrated transitions (IFIT) on April 2013 about “International Expert Assistance in Tunisia” indicated that the media was identified

among four policy sectors. They included security, judicial and youth “as they are priorities into the dynamics of the country’s democratic transition” (IFIT, 2013). International organizations even prioritized the media reform and found it easier to apply training programs than the three other sectors according to the same report. More than twenty international organizations have offered assistance intending purposively to train journalists who “continue to operate without appropriate resources and training, and often under questionable professional standards” (El-Issawi, 2012, & IFIT, 2013).

The IFIT final report named the main international actors which are present for more than three years until now in Tunisia to provide considerable programs for journalists. These organizations are : Amnesty International (AI); Article 19; BBC Media Action; Canal France International; Deutsch Welle Akademie; International Federation of Journalists (IFJ); Fondation Hirondelle; France2; France 24; Friedrich Naumann; Foundation for Freedom; The International Freedom of Expression Exchange (IFEX); Institut Panos Paris; Institute for War and Peace Reporting (IWPR); International Media Support (IMS); International Press Institute (IPI); Radio France Internationale (RFI); Reporters Sans Frontieres (RSF); Word Association of Community; Radio Broadcasters (AMARC).

Several other organizations have delivered their expertise to local actors representing governmental bodies, trade unions, associations, independent bodies and media outlets (IFIT, 2013, p.36). The same report, that assesses the experience of this international expert assistance, indicated numerous challenges residing “in the context of an Islamist party-dominated-government and secular-dominated-press” (IFIT, 2013, p.13).

Add to these controversies, the government seemed to be reluctant to enforce the two decrees 115 and 116. This caused fear among journalists that “media freedoms will be short-lived”, and that government will turn again to use old mechanisms of control and censorship (IFIT, 2013, p.13).

Other challenges facing the mission of International assistance were deduced by the researcher herself during informal discussions with Tunisians. They view suspiciously Western governments, especially when trying to provide external assistance to reform policies that Tunisia in transition needs to materialize promises of democratic governance. Various questions emerged during these discussions with Tunisian citizens such as: why should the EU and US actors be more involved now in supporting Tunisia’s democratic transition? This kind of questions reveals, in fact, their fears of possible interference in their domestic affairs similar to the past. They believed that Western governments had been backing for a long time Ben Ali’s corrupt regime and had been welcoming his onslaught on Islamists. They indicated that “the West” hailed the so-called liberal policies especially the advances on women’s rights while turned a blind eye towards the authorities’ persecutions of the opposition and journalists who criticized corruption and mismanagement.

Similarly, the government used in some instances the same slogan about “interference” when it received “bad” comments about freedom restrictions by western countries’ experts or officials. This was the story with the United States when their ambassador to Tunisia “*criticized the judicial ruling that penalized a television station’s executive for showing a film that does not respect the divine as published in Washington*

Times in 2012 indicating that Tunisian government has been critical of that situation, and viewed it as interference in its domestic affairs” (Dandashly, 2012).

A study published by the Transformative Power of Europe entitled “The Holy Trinity of Democracy, Economic Development, and Security; EU Democratization Efforts Beyond its Borders -The Case of Tunisia” suggests for such problematic situation that the Tunisian government, together with civil society representatives, prepare a transition trajectory guide. Its main objective is to enable national actors to receive the maximum help from the international expert assistance machine (2012).

This was one of the obstacles that this study contemplated when assessing EU democratization efforts in Tunisia transition. This may reflect the importance of building reciprocal confidence with Tunisian political elite and citizens so that to make the EU assistance more effective. The best guidance to outfit the domestic environment while applying democratic policies according to this study is that EU will use two methods “linkage and governance” to consolidate democratic transition and wait until recuperating trust to apply the third method which is leverage (Dandashly, 2012).

However, diplomats said that EU will provide maximum support for the consolidation of the emerging democracy in Tunisia. While the total amount of aid for Tunisia in the 2011-13 period raised from €240 million to €400m, as declared José Manuel Barroso, the president of the European Commission, it is not clear how much aid was accorded to arrange workshops enhancing press skills and guaranteeing freedom of expression (Dandashly, 2012).

Nevertheless, the contribution of International actors in the work of INRIC was enormous, as they were listed in its final report. For example, experts from Belgium, France, UK, East European countries and South Africa participated in a large number of workshops held by INRIC “focusing essentially on structuring the audiovisual sector, monitoring the media during elections, and establishing regulatory bodies” (INRIC, 2012). Also, the experience of the BBC “*in the implementation of the public media concept was attentively examined as well as the experience of countries with comparable milieu such as the Czech Republic, Poland and South Africa*” (INRIC, 2012, p.8).

Additionally, several International media experts and organizations shared views on the required policies and administrative instruments to ensure a successful consolidation relating to information and communication field. Examples of these organizations as listed in INRIC final report are: Reporters Sans Frontières (RSF); the International Francophone Organization (OIF); Article 19; the CSA Belgium; the Open Society Foundation (OSF); the Barcelona International Study and Documentation Center; the CSA France; the World Association of Community Radio Broadcasters (AMARC); International Media Support (IMS); the European Broadcasting Union (EBU); the group of observers on freedom of expression in Tunisia (IFEX-TMG); UNESCO (INRIC, 2012, p.9).

UNESCO alone invested huge efforts in Tunisia “*by providing policy makers and representatives of civil society expertise with workshops tackling issues about fundamental values of democracy and freedom of expression*” (UNESCO, 2012). This International organization also opened a Project Office in January 2012 based in the capital Tunis “*to accompany reform of the media in collaboration with partners and the*

national authorities towards a public service model” (UNESCO, 2012, p.3). Two experts from UNESCO were invited by the Tunisian public television during four months from July to October 2012 to review its performance and make a report about its operation, functioning and status with proper recommendations about how to reform the two state-run channels. A UNESCO expert conducted a workshop on code of ethics on September 2012 in the Tunisian Radio and attended by representatives of diverse departments of the radio stations. Additionally, UNESCO organized workshops discussing access to information and freedom of expression on July 2012; members of the CA attended these workshops and learned from experiences of South Africa and Indonesia how to furnish the constituent with international standards (UNESCO, 2012, p.9).

The US government as well is concerned in the development of media landscape in the Tunisia’s democratic transition. It invested efforts and money to help Tunisian policy makers “establish institutions of democracy and governance and build capacities of media professionals by providing training to approximately 200 journalists and editors as well as linking Tunisian journalism students with internships at American news” (US Department of State, 2012). Ambassador Gordon Gray said during a visit to the Institut de Presse et des Sciences de l’Information (IPSI) “much of our effort focused on responding to calls from the Tunisian media for training on political elections reporting” (US Embassy in Tunisia, 2012). Ambassador Gray also pointed out in the same speech in the IPSI’s event that US government “*brought journalist, Lisa Bryant, to Tunisia to provide training on elections reporting for dozens of journalists in Tunis, Sousse, and Sfax and followed this with a two-week program on the basics of covering elections, journalistic ethics, and the fundamentals of fact-based reporting*”. At the same time,

Ambassador Gray declared that *“the U.S. Government has provided IPSI with \$480,000 in assistance, either through direct contributions or via cooperative programs”* (US Embassy in Tunisia, 2012).

To summarize, the Tunisian media industry has opened up in front of a huge number of international actors to organize dozens of workshops to train local media professionals and provide assistance to reform media institutions. While many consider the training sessions and workshops fruitful to give understanding of fundamental journalistic ethics and performance, some others criticized the training courses for not being properly tailored to the specific needs of media professionals (El-Issawi, 2012). For example, journalists sometimes appeared perturbed and “don’t want to hear them any more” (IFIT, 2013, p.22). Also, journalists from all kinds of reporting sections attended the same training sessions according to the head of the Union for Young Journalists, Abdel Raouf Bali. He criticized the fact that *“journalists covering sports were invited to training on political journalism, indicating that organizations just wanted to fill the sessions and to implement their programs.”* (El-Issawi, 2012, p.19). More is the lack of coordination between these tens of actors as “the assistance came all at the same time and with little or no follow up” missing a map of collaboration to enable them to work together effectively (IFIT, 2013, p.14).

Accordingly, the national actors need to know who the international experts are, what they can offer and how they can collaborate (IFIT, 2013, p.30). At the same time, nationals should bear more responsibility in defining their priorities and preparing a plan of action and conduct so that it can facilitate their work with internationals. The recommendation of IFIT draws the attention of international actors to urge them to shift

their approach about expert assistance from the classic model of conferences and huge numbers of trainees towards purposive workshops. With very restricted number of chosen applicants and supported by real partnership programmes, the training courses will be more effective and fruitful (IFIT, 2013, p.23).

To conclude, the calls for coordination between all actors is a key factor suggested by various assessment reports reviewed here because it can reduce the defections between different expert assistance missions so that to achieve more progress in the transitional phase. Local actors should assume more responsibility in directing the relation with internationals by identifying their own future requests and accepting only the offers that meet their needs; yet previous to this step, they should define the next stage of their transition and allow cooperative internationals to support them on.

The next section will assess media policy development in the Tunisian transition based on UNESCO's Media Development Indicators (MDIs).

F. Assessment of Media Policies in Tunisia's Transition

This attempt aims to assess media policy development in Tunisian transition relating to the quest for freedom of expression based on UNESCO's Media Development Indicators (MDIs). The research refers to a report prepared in 2013 by the Intergovernmental Council of the International Programme for the Development of Communication (IPDC) presenting a unique assessment of all aspects of the Tunisian media landscape after the downfall of former president. The report suggests fifty recommendations "relating to the media regulatory system, media diversity, the role of

democratic debate in the media, professional training and available infrastructure” (IPDC, 2013). The report’s objective is “to guide the efforts of different actors working for media development, as well as the formulation of policies in this field” (IPDC, 2013).

The MDIs framework was adopted in 2008 by the 26th session of the Intergovernmental Council of the International Programme for the Development of Communication. It comprised five categories of the indicators that allow a comprehensive system for assessment of the media landscape. These five categories are: 1) A system of regulation conducive to freedom of expression, pluralism and diversity of the media; 2) Plurality and diversity of media, a level of economic playing field and transparency of ownership; 3) Media as a platform for democratic discourse; 4) Professional capacity building and supporting institutions that underpins freedom of expression, pluralism and diversity; 5) Infrastructural capacity is sufficient to support independent and pluralistic media.

Under these five indicators, there are key sub-indicators measuring legal and policy framework, regulatory system for broadcasting, defamation laws and other legal restrictions on journalists and censorship. Also, other sub-indicators intend to evaluate media concentration, the diverse mix of public, private and community media, licensing and spectrum allocation, taxation and business regulation and the advertising policy (IPDC, 2013).

There are also sub-indicators which measure whether the media reflects diversity of society or not and to what extent the goals of public service broadcasting are legally defined and guaranteed including independent and transparent system of governance. In

addition, the safety of journalists is accorded special importance and is examined to see if “they can practice their profession in safety and if media practice is not harmed by a climate of insecurity” (IPDC, 2013, p.71).

The IPDC report also draws important conclusions concerning the transitional phase in Tunisia. It underlines the significance of “*adopting constitutional guarantees of the right to freedom of expression, access to information and media freedoms consistent with the international standards*” (IPDC, 2013, p.23). However, it indicates some deficiencies such as “*the lack of transparency and independence in the appointment of heads of public media organizations and the absence of a framework for independent regulation of the audiovisual sector*” (IPDC, 2013, p.25). The report also criticizes the fact that “*defamation remains a criminal offence in Tunisia*” (IPDC, 2013, p.26); yet it welcomes the progress made in authorizing new radio and television services (IPDC, 2013, p.8). It also welcomes the increase in the number of independent newspapers. On the other hand, the report “*expresses concerns about the economic challenges they face due to the lack of reform of systems for the allocation and distribution of public advertising to newsstands*”. It also expresses concerns about the absence of the implementation of a regulatory framework for private and community broadcasting, set out in Decree Law 2011-116. Additional concerns are expressed relating to the control of broadcasting infrastructure which remains centralized.

Reviewing the performance of the media as a platform for democratic debate, the report indicates that “*the majority of Tunisians are satisfied with the performance of the media but there has been a lack of a structural reform of the public broadcasters to ensure their independence from the government*” (IPDC, 2013, p.9).

It criticizes the absence of arrangements ensuring “*self-regulation for the media sector and the lack of mechanisms for handling complaints from the public*” (IPDC, 2013). Moreover, the report expresses major concern about the safety of journalists as attacks on media organizations by religious extremists have increased without punishment. Therefore, the report calls public authorities “*to take concrete measures to ensure the safety of journalists and media professionals*” (IPDC, 2013, p.10).

About providing journalists with professional skills, the report indicates that several institutions play this role with perfection, yet stresses “*the importance of safeguarding the independence of these institutions*” (IPDC, 2013, p.11). Examples of these institutions are the Institute for Press and Information Sciences (IPSI), the African Centre for Training of Journalists and Communicators (CAPJC) and multiple civil society organizations that provide media training.

Finally, the report assesses the quality of media infrastructure and new information technologies (ICT). It emphasizes the need for more investment to introduce services of public media institutions and reassuring complete access to the internet. It underlines “*the urgent need to revise the national ICT policy to reflect commitments to the internet freedom and the abolition of systems for internet censorship*” which enrich the press freedom (IPDC, 2013, p.10).

The next division will assess the increase prosecutions against journalists at the same time when media reforms try to find the way towards a real role in this democratization.

G. The Increase in Prosecutions against Journalists

While journalists are making pressure to accelerate the pace for change, they face various lawsuits that have been filed against them; most of the cases made by Ennahda government's supporters and based on religious grounds. They are accused of violating Islamic values and disturbing public order. For example, three journalists from Attounissia newspaper faced trial *"on morality charges after publishing a photograph of a footballer frisking with a nude woman"* (RWB, 2012).

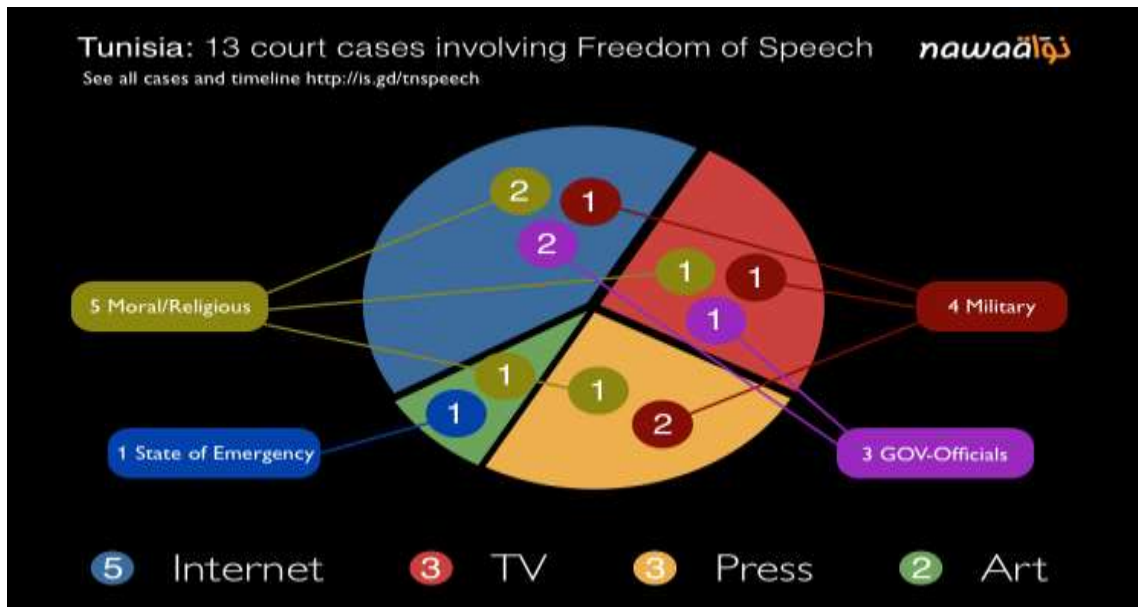
Another example after few months of this trial, journalists were arrested while they were participating in a demonstration outside the office of the prime minister *"after the appointment of government officials and editors to state television positions without consultancy of the HAICA"* (Freedom House, 2013).

It is noticeable that the struggle between the new ruling power and the "rising" watchdog goes on over the last three years. Journalists have declared various strikes accusing the Islamist government of limiting freedom of speech. For example, on October 2012, the strike was the biggest since the uprising and involved journalists at state televisions and the news agency (TAP).

The feedback on the local and international levels was very large and the government called for negotiations with representatives of the journalists syndicate, promising them to implement several major changes. Earlier that week, Human Rights Watch accused the government of failing "to crack down on Islamist violence" against advocates of secularism including journalists and artists (Anas, 2012).

The implementation of decrees 115 and 116 were key demands by journalists. As indicated before, the decrees affirm a free press and call for the execution of an independent framework allowing the audiovisual media, radio and television stations licenses. However, defamation is still a crime although it got rid of prison sentences as a punishment for it while maintaining fines. In Al Mahdiya governorate, for instance, journalist Gazi Mabrouk was charged under Article 86 of the Communication Law with “criminal defamation” and “spreading false news on the Internet”, as indicated by Tunis Centre for Press Freedom noting that Mabrouk could be sentenced to up to two years in prison (2012). The charges came from an article published on August 2011 on an internet site named Tunisia Votes about workers suffering at the “Boumerdès” clothing factory.

This is almost the same situation with TV satellites. As example, Nabil Karoui, the director general of the privately owned Nessma TV station and two of his employees, “faced trial for showing Persepolis, the French-Iranian film, whose animated depiction of God outraged conservative Salafi Islamists” (El-Issawi, 2012). Karoui was accused of “violating sacred values” and “disturbing public order”. He was eventually fined around \$1,500 with the court reluctant to impose the maximum sentence of three years’ imprisonment demanded by ultra-conservatives. As a result, much criticism pointed out that the government has gradually returned to Ben Ali’s regime tactics (Challand, 2013).



**Figure 2: Court cases involving freedom of speech published by Nawaat
(Independent collective blog)**

<http://nawaat.org/portail/2013/01/08/timeline-threats-to-freedom-of-expression-in-post-revolution-tunisia/>

On the other hand, journalists continue to refuse these policies, and a group of seventy well-known Tunisian journalists has launched in November 2013 a partially self-funded new television station, Telvza TV, from the colloquial Tunisian word for television. The station, which broadcasts from the NileSat and Hotbird satellites, is seen as “an important initiative that aims at challenging state censorship and trying to present a new media line daring and abandoning the known media model” (Freedom House, 2013).

Telvza TV is an example of how journalists think in a positive way: they contribute to form their own media environment and do not wait until the government

implements fundamental reforms, avoiding any compromises in favor of the political players. This initiative gives also birth to untraditional solutions that generate from everyday reality. This perspective will be enlightened in the next section while examining the experience of media personnel.



Figure 3: A group of journalists are striking out on their own, forming a new television station “Telvza TV”

<http://directinfo.webmanagercenter.com/2013/11/23/tunisie-medias-photos-lequipe-de-telvza-tv-en-tournee>

VI. Fieldwork Findings and Discussion

The analysis of ten interviews conducted is divided into research themes. Content analysis of the transcribed interviews revealed the following main repetitive themes: “Laws are dead letter” or “Ink on paper”; The first year of democracy not complete for sufficient transition; Victimization of journalists in the political polarization process; and journalist named as “*Azlam*” of Ben Ali regime: “*Dégage*”, and “Volunteers” of the new regime: “*Sayyeb Salah*”. The following sections will provide detailed explanations to these categories.

A. “Laws Are Dead Letter” or “Ink on Paper”

The establishment of (HAICA), (INRIC), and the new constitution are a consistent framework for media policy reform; however no implementation is seen in the reality. The majority of interviews describe these policies and laws as “dead letter” or “ink on paper” as they are not executed yet. The reasons for the absence of media policies implementation are the subject of large debate between interviewees.

The interviewee, member of the HAICA, emphasizes that the media sector, as well as the political area, are still getting accustomed to the policies that enhance freedom and democracy. She, who uses terms of “alerts” and “warnings” in the interview, apprises journalists:

“Half of the journalists would go to prison If the government and courts applied law.” (Interview 7)

The same interviewee also considers that the abuses and numerous breaches, which have amounted to chaos, have colored the media product sometimes with negative overtones; she explains this negative side as not the result of “ink on paper” laws or policies, “unlike some pretend”, but as the consequence of journalists lacking an understanding of the craft and the ABCs of dealing with political affairs and the commitment to professional ethics consciously or unconsciously. She again forewarns Tunisian journalists:

“They got used to a press of propaganda, but they need now a real transformation from a flattering press to the professional and independent press. This is the priority reporters should work hard on until they become skilled enough.” (Interview 7)

On the other hand, she emphasizes that there is no fear about media freedoms in the future as the constitution guarantees these rights. Media performance then will genuinely develop as long as journalists acquire more professional skills and get rid of habits that were firmly established during more than two decades.

On the contrary, an interviewee, member of performance committee in journalists syndicate, indicates that the implementation did not start. The adoption of a new constitution is not itself a guarantee; the Tunisian constitution in force before the revolution safeguarded freedoms on paper but in reality they were violated every day. He expounds also his arguments based on what actually happens:

“The Tunisian media is theoretically governed by two decrees (115and116) adopted after the revolution and designed to guarantee media rights and freedoms as well as regulate the audio-visual sector; however, the public prosecution continues to rely extensively on the penal code inherited from the Ben Ali ousted regime, under which press offences can be punished by jail terms.” (Interview 4)

In fact, several cases still condemned journalists to prison, even after these legislative reforms were adopted. The literature indicates unlimited numbers of these cases that were reported against journalists, including Human Rights Watch report (2014). This same report puts in plain words:

“Judicial authorities prosecuted many journalists, bloggers, artists, and intellectuals on account of their peaceful exercise of freedom of expression using penal code provisions criminalizing (defamation, offenses against state agents and harming public order), all of which can result in prison terms. The Constitutional Assembly made no effort to abolish or suspend these Ben Ali era provisions, and the courts did not rule them inconsistent with international human rights law” (Human Rights Watch, 2014, p. 617).

The interviewee, with a long experience in covering regional circumstances, adds another example:

“The prosecutor sentences Zouhaer al-Jiss, a reporter, for conducting a radio program in which Tunisia’s president, Marzouki, was criticized by a participant during the discussion”. (Interview 1)

Also, the interviewee, member of the syndicate of journalists, gives one more example:

“Zied al-Heni, a well known journalist, who called for immediate release of a cameraman who filmed an egg-throwing attack on the culture minister, was arrested on the 9th of September 2013 and he spent several days in prison before being freed on bail.” (Interview 2)

On the other hand, the interviewee, managing director of a news network, addresses another issue relating to what he calls “dead letter” of the new constitution. He confirms:

“The new constitution which was adopted couple of months ago ensures easy access to information, yet not enabled.”(Interview 6)

Similar to the previous argument, an interviewee, known by his closeness to Ennahda Islamist party, also confirms:

“Dozens of newspapers, web pages, new channels are still not subject to regulation and still don’t have a regulatory authority; we should ask the HAICA why.” (Interview 8)

He criticizes the HAICA because it cannot differentiate between making media policies and blocking and stopping the media. He reproves:

“It does not understand its role. What it is doing now is stopping the transmission of programs and issuing sanctions and warnings against media outlets and journalists. We need a real independent media body!” (Interview 8)

As both the interviews and the literature show conflicting attitudes towards the concept of policy reforms and the process of implementing these policies, there is on the other hand a tacit agreement on the importance of negotiations to assure more success to the transitional phase.

The interviewee number four reaffirms this fact:

“The establishment of (HAICA), (INRIC), and the new constitution are fundamental to the media framework now; however, to see the implementation in reality, a new round of negotiations between media actors needs to restarting again and agreeing on the concept of media reform, the priority and schedule of the implementation of these policies so that to attain a consistent outcomes.” (Interview 4)

Drawing on this argument, one can assume that the media is now at a crossroad; the first steps are built and further ones are needed for more valid consolidation.

An interviewee, owner of a private publishing house, summarized the final key situation. She notifies:

“Either the media moves towards true freedom, including freedom of expression and addressing people’s concerns, or turns into a propaganda mouthpiece on behalf of political and economic actors. It depends on media performance within the coming months, as Tunisia now lives difficult throes.” (Interview 3)

In this context, The INRIC final report not only condemns the government for not implementing the existing laws and regulations but also criticized the reluctance of the new government to adopt new media policies that suit the expectations for dynamic democratization (INRT, 2012).

The interviewee number one expresses big fears of returning back to dictatorship, though she admits that the “margin of freedom is better now than before due to this plurality of outlets”. But, what are the reasons for her fears? She answered:

“There are many. First, the government has shown little engagement towards media policies’ implementation. For example, it appointed heads of public media institutions without seeking the advice of specialized bodies, as the regulation has suggested such consultation. Second, some media organizations are not yet free from the legacy of the past. Also, some journalists as well work not only for the government’s interests but also for political leaders and businessmen.” (Interview 1)

Therefore, the call here is for more training to empower journalists to be able to perform in the way that protects their major rights for free press and more independence. The experience of journalists in the literature during the Tunisian transition has revealed that only with pressure through strikes, protests and other lobbying tools that interim governments went to negotiations with media representatives and could show engagement.

Consequently, the lesson once more derived through the literature as well as part of the interviews is to continue this long struggle. Also, there is an urgent need for envisioning a strategic plan containing a multi- procedural process ensuring the real

implementation and an enduring body to assist this execution. This should take into account the integration of new curricula in l'Institut de Presse et des Sciences de l'Information (IPSI) and the continuous trainings of journalists. This can help enhancing freedom of expression through a gradual implementation regarding its vital role for the consolidation of this democratization.

B. The First Year of Democracy Not Complete for Sufficient Transition

Since Ben Ali's regime had limited media freedom and was named "Predator of Press Freedom" (RWB, 2011), real changes after his downfall need a long time to take place and build up the free environment for journalists and the public to discuss issues in a real open forum. The heritage of twenty three years of the authoritarian regime has impacted the political landscape. This heavy legacy needs longer time to get rid of since "we are still in the first year of democracy", as some interviewees notify. They also indicate that "the dictator" is still present in thoughts and behavior of all the players, including journalists.

As the interviewee representing the journalists' syndicate explains:

"It is necessary to get rid of the dictator inside everyone. It cannot be achieved in "the first year of democracy". This may need to stop first the "dispute" between these partners in order to build confidence. It may also need another longer process: we must re-educate ourselves in schools as well as in our homes and the society as a whole to the new culture of democracy and freedoms." (Interview 4)

Polis research fellow, Fatima El-Issawi summarizes the complexity of this problem that implies special concern for policymakers; she says: “*Old practices die hard*” (El-Issawi, 2012).

This concept, in fact, is not shared by all the interviewees. The interviewee number one disagrees indicating that “democracy is not a school rather than a way to work and nothing exists under the first year of democracy”. She criticizes the Troika government members because they often use these emblematic words to justify their failure and to flee from the responsibility they should assume.

Fatima El-Issawi also evokes in her study what she called “the dual struggle” of journalists. She points out:

“They are facing the authority of the owners of the media outlet or the editors who used to be followers of the regime, as well as the problem of public opinion accusing them of being responsible for the corruption of the media and partners in it” (El-Issawi, 2012, p.19).

Therefore, the newly acquired freedom shows it constitutes “more of a burden than a gift for journalists” (El-Issawi, 2012). Many studies reviewed in the literature have emphasized that transitional governments have played a critical role in protecting the old practice of the dictatorship that has pertained after the revolution; they slackened the implementation of suggested policies and tried to use the media for their interests. A lot of criticism in this context pointed out that the government gave licenses to its supporters to open new stations to voice indirectly its political views while disregarding many other demands waiting for reconciliation. Apparently, the Islamist government finds that it is not always possible to use the influence of the national media without being accused of

turning to the same tactics of Ben Ali's regime as additionally noted by Fatima El-Issawi (2012).

The interviewee number one indicates that Ennahda government with Islamic movement's supporters created what they called "alternative media network". Its objective is to dismantling the old media landscape. She gives more details:

"They established six new satellite channels, three newspapers, websites and many periodicals as well as dozens of social pages without counting foreign channels which broadcast from outside Tunisia and serve the Brotherhood agendas." (Interview 1)

Unlike the previous attitude, the editor in-chief of a weekly newspaper told to be expressing Ennahda agendas, emphasizes the fact that new outlets are struggling even more than others because they lack resources. This proves, according to him, that they are not backed. He gives examples to support his argument:

"Adamir newspaper is a weekly edition; we don't have money to convert it to a daily basis. Al Moharer newspaper of the experienced journalists Salahuddin Jurchi and Abdul Latif Fourati, though they are big names, closed down and did not succeed as well to provide adequate finance. This confirms that they are not the government's tongue." (Interview 9)

However, many argue that other political, economic and religious agendas are as powerful as the government ones. They are easily seen in the media showing that it becomes an area of a polarized conflict in which each part tries to gain more power.

The interviewee, owner of a publishing house, agrees on this interpretation and adds that these agendas are present in different ways. She explains:

"All players are trying to profit from the open space to serve their agendas. Though the agenda of the Tunisian interim government led by Ennahda Islamic

party has been under the light since the downfall of Ben Ali, others are playing from behind the curtains.” (Interview 3)

More is what some interviewees called the “marriage” between business and politics which adds a new power for them but further challenges for the media, as they are trying to use journalists to serve their interests. Still, the government tries to be the most influential through its control over public stations by imposing the nomination of their heads, and its indirect support of some new outlets voicing its political views. Yet, still the control is not assured and the weight of power is not often in the hands of the Islamist government only, as the interviewee working for long time in a public station explains:

“In May 2012, Zitouna TV station was launched, seen as pro-government as it is run by Osama Ben Salem, son of a well-known leader in Ennahda party. Slim Riahi, a Tunisian businessman and founder of the Free Patriotic Union party, launched three TV channels: Ettounsiya Al-Oula, Sport and News. Other examples: Laarbi Nasra, who founded Hannibal, the first private television station since 2005, now leads a political party, and Nabil Karoui, co-owner of Nessma TV station, also launched a new political party, Tahya Tounes. So, the government may succeed with a few of them, but never succeeds to control all of them.” (Interview 2)

The director of the religious Zitouna channel impulsively comments:

“I do not have problems when the channel is said to be Islamic oriented or radical; more importantly, the channel has its religious identity and the Tunisian media needs plurality.” (Interview10)

Another interviewee close to Ennahda as well reconfirms the idea mentioned before about creating alternative media to introduce the government ideas. He declares:

“We try hard to offer an alternate media because the reality, if seen well and clearly, could contribute well to the progress of Tunisia’s democracy.” (Interview 8)

He adds that there is a lack of technical and financial facilities in private channels, indicating that the channel, he manages, owns only eight cameras which results in limited coverage; he admits that “the channel chooses topics based on the importance of the event”.

Noticing the huge criticism condemning all the players in the media field, as it is to be demonstrated in the next part, several studies suggested lessons about media reform in countries that witnessed revolutions and controversial transitional periods to be used in the current situation of Tunisian revolution. One main important lesson suggested by Anas in his study “Changing profile of media in the Arab states” stated that people in post-Apartheid South Africa and post-communism in Eastern Europe learned how assuring freedom as a gain for all parts as it participated to build the democratic process (2012).

Drawing on this, Challand in his study entitled *“Citizenship against the grain: Locating the spirit of the Arab Uprisings in times of counter-revolution”*, suggests the same conduit for Tunisia transitory: *“Today’s Tunisian revolutionaries want to see how they did it. They are studying the Eastern European experience and particularly the South African path”* (Challand, 2013).

On the contrary, the interviewee from Tunisian news network, said to be Ennahda’s close allied media, argues that “Tunisians don’t need outside experiences as they can learn from their rich stories that they have already produced”. He gives an

exemplar that “has inspired people inside and outside Tunisia” suggesting that the syndicate of Journalists can learn from. He says:

“Tunisia’s Labor Union(UGTT) has been playing a pivotal role in helping settle disputes between political parties; it succeeded to solve several deadlocks between Ennahda and secular parties: after assassinations of opposition leaders, during the drafting of the new constitution, the appointment of a technocratic government and the agreement on the dates of parliamentary and presidential elections.” (Interview 6)

Again, the interviewee number two asks all stakeholders to continue the consensus based decision-making process so that to make a “cease-fire” and carry on the formulation of vital policies. He adds further explanation:

“We cannot expect after 23 years of a dictatorship in Tunisia that everything would be perfect in a short time, we need peace to be able to think, fix media problems, and work for the sake of a promising future.” (Interview 2)

As freedoms are new comers, it is assumed that policy change actors should carry several patterns partly social, cultural and behavioral, besides the political pattern that shows first. This may need a longer process to learn these concepts through experiencing them in real life.

The interviewee, owner of private publishing house, introduces the concept of “learning together” which can be a vital tool, yet demands huge collective efforts and time. She explains:

“I think the real change needs more time and a continuous work of the journalists syndicate, the owners of media outlets and the INRIC members. These bodies can together regulate the field to reach more professionalism and freedom rather than continue foolish and ignorant disputes.” (Interview 3)

In the same context, the interviewee number six conveys the same idea of learning together; he asserts:

“Freedom of expression is a culture and we do not want to force it because we don’t like forced ideas. Adopting accurate policies to regulate media field can accelerate building this culture.” (Interview 6)

On the other hand, the long-experienced interviewee avers that no organization or policy makers can guarantee freedom of expression before electing a president and a cabinet that is not “transitional”. She adds:

“The HAICA which was nominated by the Tunisian presidency after more than seventeen months of delay was tasked with quite a set of missions. However, little is done.” (Interview 1)

The same interviewee also mentioned the ambitious tasks of the HAICA that include the regulation of the audiovisual media sector, creation of a press council to govern print media, supervision of media during electoral campaigns, nomination of directors of public radio and television stations, and finally formulation of other media policies to omit political control on the media. She criticized the board members of this authority as they were not chosen according to their experience and specialization but to the political balance factor which affects its performance.

According to the new constitution, she adds, this body is no longer legal and a new independent authority is an urgent need just after altering the decree that regulates its tasks to make it suitable, transparent and elected. She claims:

“It should be empowered to be able to take care of the implementation process of laws and all regulations adopted along with new media policies referring only to the public and journalists interests as well as the international standards.” (Interview 1)

The interviewee, member of the Independent High Authority for Broadcasting Communication (HAICA), provides explanations for such deficiency. She says:

“The electoral law hampered the role of this authority in the enactment of laws and in deciding penalties for the outlets violations during the elections such as the fine imposed on Nesma TV and a public Radio station. I agree to uphold Decree 116, yet improve it.” (Interview 7)

All these debatable issues take back the analysis to the initial research question addressing the problem of permanent institutional changes that are required to govern the media in the next stage of democratization. This is also the demand of some interviewees who ask the journalistic community to make hence pressure on presidential candidates until they get a promise from them before being elected. They should give words, indicates the interviewee number four, to adopt real policies for a true liberalization of the media sector, independent elected authority to regulate the field and a degree of job security to perform in better conditions.

Therefore, the valuable knowledge in this section is the concept of “learning together” that some media professionals considerably believe in. This conception interweaves with the concept of political consensus. Both rely on the will of collective powers to reach successful outcomes peacefully.

C. Victimization of Journalists in the Political Polarization Process

The Tunisian media landscape has changed rapidly since Ben Ali’s ouster. The new outlets reflect plurality of thoughts, including “Islamism”, liberal or what is sometimes called by interviewees “the secularism”, as well as the “business”. These conflicting “agendas” highlight the issue of media independence and freedom of the press. Journalists became victimized by these different agendas that used them to serve the conflicting interests of these players.

The interviewee number four explains this serious dilemma:

“The Islamist’s agenda represents the MBs government and its supporters, Salafist, and Salafist/Gihadi. The seculars’ agenda is reflected by the syndicate of workers, the political parties, the elites, and the NGOs. The business’ agenda is mixed now as they became politicians themselves. At the end, journalists are the ones who should obey all these actors!” (Interview 4)

Indeed, the media at this stage has more enemies and new victims. Malika Zeghal in her study “Competing ways of life: Islamism, secularism, and public order in the Tunisian transition” notes:

“Media outlets became the main arena for all these players, reflecting political debates and ideological fracas between Islamists and liberals.” (Zeghal, 2013).

Besides, financing media through advertisements is now in the hands of a few actors; it can be used to “punish” media outlets if they do not obey either the government or the other lobbyists’ agenda.

The interviewee number one condemns these practices; she indicates that these conditions led to poor media performance. She explains:

“The media environment is horrific now where a large number of channels and journalists used insults, indecent assault, dissemination of rumors, and inaccuracies.” (Interview1)

The poor performance can also be explained otherwise. Both the lack of expertise and awareness among journalists complicate more the problem and weaken the role of media watchdog. This problem may be seen widely by the journalist who works in a public station as he indicates:

“What we notice now is that journalists want to be in the side of the people and reflect their interests and at the same time support the regime or promote its policies. This controversy makes these agendas in clash. The objective is to formulate our own agenda for the sake of people’s welfare. This can be done only by more training to acquire necessary skills.” (Interview 2)

In this concern, the interviewees as well as the literature emphasize again the fact that the greatest threat to the promising media diversity is the lack of financial support and expertise.

As Fatima El-Issawi demonstrated in her study, several new radio and TV stations are unprofitable and depend on financial aid from businesses which affects the quality of their work (El-Issawi, 2013). More, not only the lack of financial means is here a serious challenge for the independent media performance and then democratization but also skills and expertise that empower reporters, as the member of the performance committee of the journalists syndicate explains:

“The courage to fulfill journalism’s actual duty needs finding and researching topics which those in power want to keep under wraps.” (Interview 4)

As indicated in a previous section, the literature assessing the contribution of international actors has shown that a lack of coordination between them weakens the final outcomes. To avoid this problem, a plan prepared in advance by the government is the right solution including all the international assistance in its framework. This plan should also enclose a new policy to reform the system for *“media concentration, the diverse mix of public, private and community media, licensing and spectrum allocation, taxation and business regulation and the advertising policy”* (IPDC, 2013).

Therefore, with all the above arguments and evidence, it is obvious that major obstacles still thwart journalists from contributing to the democratization of their state.

The findings here revolve around recommendations, which are also wishes, about the non-stop struggle for free and independent press to strengthen media watchdog function to sustain democracy.

The member of the performance committee of the journalists syndicate defines their strategic plan and envisions the future. He says:

“The Tunisia's journalists are still trying to find their feet as critical and independent reporters. They will never give up. It is “a mission with vision”; we should carry on acting as a control authority of Tunisia's changes. They look for inconsistencies and ask where the money goes. This is a basic task of journalists who see themselves as “watchdogs of a democracy.” (Interview 4)

Taking all these factors into consideration, there is no doubt that the implementation of new media policies along with the constitution and other regulations related to free press are important keys here to end the victimization of journalists in the political polarization process.

D. Journalist Named as “Azlam” of Ben Ali Regime: “Dégage” and “Volunteers” of the New Regime: “Sayyeb Salah”

These are kinds of messages that several interviewees, especially who are closely related to Ennahda party, keep repeating in their discussion with the researcher. The terms used here, such as “dégage” meaning “get out or leave” as well as “Azlam” meaning “stooges” or “remnants” belong to revolutionary lingo. The “cliché” “Sayyeb Salah”, a typically Tunisian dialect word meaning leave me alone, is introduced to the conversations by young Tunisians. It becomes then among many other slogans used by journalists during their protests claiming free press. Some interviewees used this slogan

“*Sayyeb Salah*” to declare their attitudes towards the so-called Islamists journalists who “often associate themselves to morality, fairness and independence”. On the contrary, they think that the “*Islamists journalists are neither neutral nor fair because they are voicing Ennahda political views only*”.



Figure 4: Journalists action for a free press

<http://nawaat.org/portail/wp-content/uploads/2010/05/mimouna-267x300.jpg>

What may appear out of this context is the slogan “volunteer” because it usually connotes a positive activity that someone makes on his or her own accord. The definition of “volunteer” according to merriam-webster is to give (something) without being forced to or without getting paid for it. However, the term volunteer used here illustrates journalists who are “the trumpet” of any regime coming into power.

The interviewee of Zeitouna religious TV channel criticizes these volunteers as he thinks “they are slaves of the regime”. In another context, he describes them as “they are monarchists more than the king”. Another surprising phenomenon is that this slogan, volunteers, was currently used by journalists in both opposing camps to describe each other, those who are known by their support to Ennahda versus those who implicitly expressed to the researcher their sympathy with the so-called secularist parties such as *Nidaa Tounes* and *Algabha*. Each side calls for the purification or “*Tat’hir*” of the other one from the media scene. Additionally, each camp blames the other party for delaying the adoption of sound policies.

The interviewee number eight representing Alfajr newspaper calls journalists who are against Ennahda as “crippling diseases” which make the government “inoperative”. He even nervously uses the term “annihilation” expressing his wishes to defeat the leftist lobbies.

The interviewee number nine representing Adamir newspaper, close to Ennahda Islamist party, similarly claims:

“The cleansing up (Tat’hir) of Tunisia from the enemies of the revolution, supporters of dictatorship, is a must; we should say (dégage)- leave- to these (Mortazaka)- mercenaries- who dominated the media before the revolution and continue now to perform as (dancers) according to the tunes of all systems. If we

need a new policy, it would be a law banning these dancers from their hypocrisy which spoils leaders.” (Interview 9)

He gives an example of “*Azlam*” -stooges or remnants- in the media field who control the newspapers distribution; they deserve “not a better word than *dégage*”, he points out. The same interviewee gives more explanation:

“There is only one monopolist who controls this business in all over the country. His nickname is (Da’daa), or the so called the (one-man-show) distributor. He dominates the market with no competitors and one day he sells 500 copies and the next he sells only 3000 copies; this is according to the message that he wants to convey on behalf of the police and the disciplining system.” (Interview 9)

Another “cliché” introduced by the interviewee number eight is the “purple” media referring to Ben Ali favorite color. He describes the “*Azlam*” journalists as using the same “purple” –or mauve- journalism to highlight the activities of old regime remnants and even the presidential candidate (Béji Caid Essebsi) while criticizing Ennahda and the President Moncef Marzouki. He exemplifies:

“Essebsi recently received a gift from the UAE, (an armored car). There was no reaction from the press at all while when Turkey donated cars to raise garbage, the step faced stinging criticism besides the loan from Qatar. Additionally, Turkey is constantly portrayed in the media as the Ottoman Empire.” (Interview 8)

In the same context, the interviewee number nine also criticizes the lobbies that have been controlling the advertising market and the allocation of publicity.

“The “Azlam” of the lobby of Ben Ali political adviser, Abdelwahab Abdallah, change their political stands according to the person in power; these same players, called (moutalawinin) –changeable-, are now working for Essebsi campaigns as they have nostalgia for the media of November.” (Interview 9)

The “Media of November” or “Novemberist Media” is, in fact, the same “cliché” often used by interviewees close to Ennahda, referring to 7 November 1987 when Ben

Ali seized power. These journalists who serve the new leader are also described by the other clan of interviewees as “shameful media”.

This environment of insults and rebukes is frequently observed during the interviews and reflects that they are split into two opposite camps. Hence, the antonyms are frequently observed in the language used. On the one hand, pro-Ennahda interviewees use terms like (shar’iyya- thawriyyah- intikhabiyya- shaba’biyyah) –legitimacy- revolutionary- electoral- youth. On the other hand, anti-Ennahda interviewees use (shar’iyya tawafuqiyyah) -consensual legitimacy.

Similarly, the description of opposite speeches portrays antonyms: the first clan uses the word “eradicating” contrary to the second that uses the word “consensual”; “shameful media” vs. “alternative media”; “despair” or “*takriz-kobi*” vs. hope and optimism; “orphans” of the ousted vs. “sons of ignorance” or “*banou jahl*”; “despised- reviled” people vs. “conspirators” or “*kambassah*”. The most inappropriate word depicted here is that of “*Hiwis*”, used by the interviewee number eight, close to Ennahda Islamist party, to describe the remnants of the old regime still controlling the media. The term “*Hiwis*” refers to those who served with Nazi Germany to persecute victims after World War II.

Therefore, this lingo which reveals most of the time revenge and hatred conflicts totally the literature of smooth democratic transition that this study reviewed, yet meets the researcher concerns expressed previously about the Tunisian media in this transitional period and how the heavy legacy of the past hampers its advance. It is then blatant that the findings confirm the idea of journalists who are unable to keep away from belligerent

political conflicts affecting their discourse and primarily their role of supporting independent and accountable media in democratization.

This atmosphere leads to a critical question about the future of the media: Will the newly won freedom guide the way to more independent and solid media, based on responsibility, accountability and ethics in the future, or will it continue to be the fierce stage of “agenda wars” between media players and then becomes again victim of the new regime’s voracious appetite that tries to keep it under the thumb and serve only its interests?

The answer to this question can definitely be the objective of further studies to assess the situation of media policy execution after electing a new president and selecting a non-transitory cabinet.

VII. Conclusion and Recommendations

As stated in the opening sections, the objectives of this thesis are to analyze the role of media policies in the Tunisia's transition to democracy and assess their effectiveness in the dynamics of democratization that took place during the period 2011-2014. With the theories used, the analysis of the portrayal of the new legal framework such as the authorities governing the media industry now, the new constitution, and local and international actors have provided a better understanding of the media scene. Critical challenges such as the interference of political players in the media to protect their agendas and the lack of the journalists' professionalism were also depicted showing that they deeply hamper the implementation of these policies during the transitional process. Supporting media policies by introducing them in the reform multi-phases can overcome these challenges. Only through real implementation the media policies can produce outcomes of high-quality that furnish democratization and all activities associated to its fully functioning governance, such as rule of law, anti-corruption and the development of civil society arena.

Definitions of requisite concepts this thesis relies on, such as democracy, transition to democracy and freedom of expression, show the intertwined relationship between these conceptions. The freedom of expression is an essential factor that contributes in the consolidation of democracy. The assessment of the Tunisian media policies based on UNESCO's Indicators (MDIs) offers a model that can be applied in the transitional phase to solve several deficiencies while empowering the advantages already adopted.

The qualitative analysis of the interview data based on thematic structure develops key categories that add comprehensive understanding to the media landscape and gives evidence to the literature, yet with special “flavor” of the experience’s particularities of the Tunisian transition. This original “aroma” is accordingly reflected in the jargon of the interviews, and initially in the thematic categories that are classified as such: “laws are dead letter” or “ink on paper”; “the first year of democracy” or “learning together”; “the victimization of journalism in the polarization of politics”; “*Azlam*” of Ben Ali regime: “*Dégage*” and “volunteers” of the new regime: “*Sayyeb Salah*”.

This conclusion section refocuses, therefore, on the findings and possible implications of the media policy’s assessment during the Tunisian transition to democracy, as well as the recommendations developed in this regard to fix the execution’s problems and consolidate a healthy democracy. As media performance in Tunisia had for long shown that media policy reforms were indications of the Ben Ali regime’s big failure, the analysis of the media sector in post-revolution, on the other hand, reflects that this heavy heritage continues to hamper the progress of policy reforms.

Despite the fact that the mass media since the revolution are trying to participate in building the public interest versus interests of lobbying groups and political parties, some of the newspapers and TV channels showed that they were often used by groups and parties’ special interests. The concern here is that the media is aggravating the various problems instead of enhancing the policy arena to create policy outcomes that support a culture of political diversity and public interests. For that reason, the media should receive much more attention from the government and the policy makers than the reforms taking place at the highest levels of government. Hence, the findings call for the

importance of introducing media policies in the reform process with a proper weight so that to produce better outcomes (Sabatier and Jenkins-Smith, 1993).

In this perspective, it is necessary to notice that the policy change literature is contrasting when it deals with the exact value and weight of media policy in the multiple dimensions of policy reforms. The split of thoughts revolve around two approaches: Whether the role of the media in transition should be that of a conduit or a contributor. To relate this debate to the Tunisian current circumstances, this thesis suggests that media policies should play the role of “contributor” to help transform the environment and build consistent policy framework (Sabatier and Jenkins-Smith, 1993). Only in the course of this contribution, the media can receive much more attention than the reforms taking place at the highest levels of government.

This is an important guarantee to avoid replicating the same mistakes of the past during Ben Ali as he accorded less importance to implement real media changes. As indicated before, this thesis aims to call for more attention to media policy reforms because they are as important as other fields to the outcomes of the transition process.

More important is what the literature suggests about policy change theories which “can help unlock the inner workings of the policymaking process to explain how and why a change may or may not occur” (Stachowiak, 2011). It is assumed that it is not enough to be familiar with meticulous stages for ideas to become laws or regulations; most significantly, the immediate responsiveness to the tools that progress policy change and reasons for the successful advance of certain policies and the failure of others. Consequently, the focal point here for the policy change process is to evaluate the right

outcomes, and avoid what is called “kitchen sink syndrome” of providing incomplete solutions to every sector and romantically expecting reform in all sectors (ORS, 2011p, .14). Again, the call here is for policy makers to formulate a multi-dimensional plan. Schedules for the implementation process are a key as well as short-and- long range assessment activities relying on both international standards and particularities of the Tunisian model.

The UNESCO’s Media Development Indicators (MDIs) can be useful for a proper and guided assessment of the Tunisian media policy reforms. This thesis refers to the report prepared in 2013 by the Intergovernmental Council of the International Programme for the Development of Communication (IPDC) which provides fifty recommendations “to guide the efforts of different actors working for media progress, as well as the formulation of policies in this field” (IPDC, 2013). These recommendations are premised on several indicators such as the media regulatory system, media diversity, the role of democratic debate in the media, professional training and available infrastructure. Other sub-indicators related mainly to the journalists’ safety and censorship index.

The report draws important conclusions that meet with the interview findings such as “*the lack of transparency and independence in the appointment of heads of public media organizations and the absence of a framework for independent regulation of the audiovisual sector*” (IPDC, 2013, p.25). Also, defamation which continues as a criminal offence in the new Tunisia’s judiciary receives much criticism. Both the IPDC report and the interviewees demand the implementation of Decree 2011-115 which includes ending imprisonment charges against journalists.

Besides, the lack of self-regulation for the media field and the absence of a system to take care of public complaints are common remarks by IPDC report and interviewees. Additionally, same concerns are expressed by both sides to highlight economic challenges that new outlets are facing due to the lack of reforms related to media systems for the allocation of public advertising and the distribution of newspapers to newsstands. Similarly, they criticize the absence of the implementation of a regulatory framework for private and community broadcasting, set out in Decree Law 2011-116. Additional concerns are stated à propos the safety of media professionals which requires concrete measures that should be taken by public authorities “to ensure the safety of journalists” (IPDC, 2013, p.10).

Moving to the training issue, while the findings of the interview analysis emphasize the importance of continuous training courses for journalists, the IPDC report draws attention to the interference of Tunisian authorities in the work of organizations and asks the government to safeguard the independence of institutions providing governance assistance (IPDC, 2013, p.11).

In this context, the literature provides a wide variety of sources depicting international activities of assistance for transition that have widely increased since January 2011 revolution. This thesis refers to the report published by the Institute for Integrated Transitions (IFIT, 2013) providing an appropriate assessment of the experience of this international expert assistance. Several challenges are depicted through this assessment showing that the political environment of “*an Islamist party-dominated-government and secular-dominated-press*” has deeply affected the media performance (IFIT, 2013, p.13). The report also criticizes the government reluctance to implement the

two decrees 115 and 116 which leads to more fear among journalists; they believe media freedom is in jeopardy because the government is going back to the same tactics of control and censorship similar to Ben Ali's era. All these concerns are equally voiced by interviewees.

On the other hand, additional challenges facing the mission of international assistance are depicted by the researcher during informal discussions with Tunisians indicating their fears of probable interference in their domestic affairs. It is obvious that some people are suspicious towards Western governments as they had a long history of supporting Ben Ali's corrupt regime. To resolve such problematic issue, the "Transformative Power of Europe" suggests in a recent study that the international expert assistance machine should follow a transition trajectory guide previously prepared by the government and civil society representatives according to their priorities and their shared concepts. Additionally, the same report urges the national actors to formulate both short-term and long term policies taking into consideration the importance of changing standards and roles as long as regulations and laws (Dandashly, 2012).

Therefore, final recommendations here suggest a better coordination between both international and local actors to diminish any defections between them. Still, local actors should identify first their potential requests according to their needs and pre-prepared plans.

Related to the above, the Tunisian transition cannot be separated from other previous transitions and worldwide experiences. Democracy study and policy change theories furnish significant lessons about East Europe and South Africa transitions

indicating that media had severely been victimized in the polarization of politics while consolidating democracy (Sang-hyun, 2008). In contrast to this approach, the interview findings suggest a local model that lies originally in Tunisia's Labor Union (UGTT) urging the National Syndicate of Tunisian journalists (SNJT) to emulate UGTT's successful role in crisis times when only negotiations and concessions can reach solid outcomes.

Considering the pivotal role of UGTT in resolving several deadlocks, interviewees call for serious negotiations led by the SNJT to reach solutions concerning the media policy reform that should be formulated and implemented by the government. This may initially involve nominations of independent heads of public outlets after consulting the HAICA and the amelioration of journalists' poor conditions including decent contracts and job safety.

At this point, both the literature and interview findings emphasize the importance of a real transformation of the working conditions and professional skills as they are vital dimensions that should support the implementation of policies; it is assumed that liberalizing the media is unachievable without introducing these reforms in order to get rid of a heavy legacy of authoritarianism. The cultural and behavioral perspectives are assigned a special importance by the interviewees. The original concept of "learning together", depicted through the thematic analysis, appears as exceptional to the Tunisian transition. This is the "terrific" solution that interviewees innovate to inspire a coherent unity rather than fragmentation and "war agendas". It conveys the necessity to struggle against the "dictator" inside everyone as old "journalistic instincts" die perseveringly.

However, what seems strange is the meaning of “exclusion” that has been reflected through the lingo used by different clans of interviewees. It defiantly contradicts the previous meaning of mutual coexistence between all opposing groups. Several other synonyms such as purification (*Tat’hir*), eradication, and even “annihilation” characterize the lingo of some interviewees mainly sympathizing with Ennahda.

Similarly, the interview analysis portrays antonyms indicating most of the time feelings of vengeance which contradict the will for change. Examples of antonyms are seen in these terms or clichés: “purification” or “*Tat’hir*” vs. “consensus”; “shameful media” vs. “alternative media”; “despair” or “takriz-kobi” vs. “hope and optimism”; “remnants” or “orphans” of the ousted vs. “sons of ignorance” or “*banou Jahl*”; “despised- reviled” people vs. “conspirators” or “*kambassah*”. The most improper term depicted resides in the word “*Hiwis*” referring to Nazi Germany.

This war jargon revealing revenge and hatred contradicts totally the literature of smooth democratic transition. On the other hand, it meets the researcher concerns expressed previously about the critical challenges facing the Tunisian media in transition as it threatens the stable democratization. It is thus obvious that the partisan alignment of journalists between opposing camps has transformed the mainstream media into a stage for the fierce political and ideological battles with media professionals once again in thrall to political agendas; journalists are incapable of driving out from political quarrels which deeply affect their speech and role to support the accountable media in the democratization process. As a result, further concerns are still present about the media performance in the future and whether freedom will lead to more independent and solid media or it will carry on to be the platform for aggressive political conflicts.

It is important also to notice that the researcher observation depicts different media players with contradicting goals; even within the same clan, they pursue a variety of ideologies and plans. While this diversity can be healthy for democratization, it may lead to the dispersion of decision-making by pivotal actors. Hence, the shift in expectations and strategies can be explained in this context. So, to overcome these problems, it is important to establish a real coordination between all actors based on their agreements concerning priorities so that to have integrated efforts

To summarize, this thesis formulates the following main recommendations for policy makers to apply in order to avoid further complications of the current situation:

- A strategic approach rather than blueprint should be revised to offer permanent guidance for authorities and judiciary so that the government elected engages in implementing this strategy disregarding its ideology and to what extent it differs from the previous cabinet.
- Several components should be visualized in this strategy such as defining indispensable goals including the role of the media in the democratization process, mapping the media sector, identifying media actors and finally designing strategies including media laws, professional trainings and eliminate barriers (Center for Democracy and Governance, 1999).
- This trajectory should be sustained by “*extensive public consultation, before the adoption or modification of any law relating to freedom of expression or the media*” (UNESCO, 2013).
- Mapping the jointly international expertise in accordance with the priorities of local actors to avoid being as part of the problem where as they should be

responsive to challenges previously outlined and lead to successful outcomes (IFIT, 2013, p.29).

- A separate law should initially be formulated for the right of access to information based on “*international standards and with much wider scope than a simple right to access administrative documents*” (UNESCO, 2013, p.50). The creation of an independent body to ensure access to information is indispensable since it “can assess appeals against decisions”.

- An independent body should exclusively be responsible for the regulation of broadcasting as stipulated in Decree Law 2011-116. The procedure of issuing broadcasting licenses must be clearly stated in law. The appointment of executives to head the public media must follow a fair and transparent process bases.

- The government should remove “*the penalties of imprisonment contained in Decree Law 2011-115*” and abolish “*defamation contained in the Penal Code as it should be a civil offence only*” (UNESCO, 2013, p.50). Authorities must create guidance and procedures to guarantee the protection of journalists and media institutions against threats and physical attacks.

- The true transformation of journalists working conditions and the improvements of their professional skills are important measures for their job safety

- The syndicate of journalists (SNJT), inspired by the Tunisian Labor Union (UGTT), should carry on negotiations with the government and other media players in order to implement collective measures for their economic and social interests.

- The cultural and behavioral perspectives need continuous trainings of journalists so that to apply this acquired freedom into professional media performance and overcome entrenched habits of authoritarianism.

Finally, the implementation of these recommendations is of great importance to the function and responsibility of media policies in the change process. Media policy reforms are necessary but only when implemented. Freedom of expression is a crucial factor for democratization and a fundamental requisite to contribute to the consolidation process. Though some of the previous challenges remain noticeable, especially the growing greed of the new regime for using the media to protect its interests and the journalists' failure to distance themselves from political players, the crucial task for the consolidation of democracy now needs *“vigilance on the part of the media community itself, and an awareness of its role as the barometer of the country’s new democracy”* (El-Issawi, 2012, p.25).

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