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## Forum

### The Arab Charter for Satellite Broadcasting – A Reply to Hussein Amin

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A little over a year ago, and virtually overnight, several editors of state-owned newspapers in Egypt came to the sudden discovery that there was pornography on the internet. In wordy overheated editorials, they each sounded the alarm regarding the dire effects free internet access could have on our morals, values and the very fabric of our society. One went further to point out that an insulting Dutch documentary on the Prophet Muhammad, which at the time had been creating a furore in the Muslim world, could be found on YouTube. Our young people, especially, were in grave danger. Sexual depravity, atheism and insults to Islam and the Prophet abounded on the worldwide web, ready to pounce on the innocent and unwary. Needless to say, the editors issued a unanimous call for state regulation.

The internet had been in Egypt for several years; already some 3 million Egyptians, most of them young people, were surfing the net on a daily basis. Why then the sudden panic? There was little mystery to the sudden concern, as it happens. The editors' warnings coincided not with an outbreak of an internet-related sexual revolution among Egyptian youth, but with the increasingly effective recourse of these youth to the internet as an instrument of political activism. At the time, some 75,000 internet users, mostly young people, had joined a Facebook group in calling for a national day of protest action to coincide with a textile workers strike in the Delta city of Mahallah. The moral of this story is that in an authoritarian context you have to look beyond the rhetoric; calls for regulation are almost always calls for increased political repression.

And it is this fundamental feature of the contemporary Arab political scene that Dr Hussein Amin seems to ignore in his no doubt highly articulate defence of the Arab States' Charter for Satellite Broadcasting, which he aptly titles: 'Responsible freedom'. Throughout the defence, Amin's basic thesis is that 'everybody does it'. Who, after all, would disagree with such rhetorical generalities as: there is no such thing as absolute freedom; or that freedom must come with responsibility? All states regulate the exercise of freedom, and not least freedom of expression, and

almost always such regulation involves controversy, Amin argues, neglecting all the while to note that the very concept of ‘regulation’ in a democracy is vastly different from that under a dictatorship, though both may be expressed in rhetorically very similar terms.

### **Now You See It, Now You Don’t**

In the example referred to at the outset of this reply, the Egyptian editors-cum-government apologists tried to sell their call for internet regulation to the public by noting a whole host of ills attached to unfettered worldwide web access – focusing especially on such of these as they know would find resonance with that same public, e.g. pornography, sexual deviance and insults to Islam; they largely ignored, on the other hand, the real reasons behind their call for regulation, notably the growing instrumentalization of the internet in anti-authoritarian political activism in the country.

Whether intentionally or inadvertently, Amin seems to resort to a very similar tactic. He thus stresses the need to adhere to ‘conventional principles of decency, religious and cultural values’. Moreover, since he is writing in English, and is therefore in the business of ‘selling’ the charter to a Western audience, the same device is deployed in such a way as to take that particular audience’s biases and sensibilities into consideration. Thus: ‘Arab satellite broadcasters should ... avoid content that promotes violence and/or hatred, provides support for terrorist activities, or endorses or promotes political viewpoints without providing balance and accuracy.’

He even goes on to cite the example of the US and the European Union having banned Al-Manar, the satellite TV channel of the Lebanon’s Hezbollah, which, he notes, the US has put on its list of terrorist organizations. He fails to mention, however, that no Arab state has adopted a similar position, or that most Arab states consider Hezbollah a heroic resistance movement, at least in public.

Amin brings up the theme of decency and religious values yet again, as he reminds his Western audience that ‘one size does not fit all’, and that ‘Arab culture is generally not as open as Western society, and Islamic society in general and Arab society in particular are notably defensive of their traditions and values.’

Mind you it is not only Arab societies, which are defensive of their ‘values’. Amin refers to the US Federal Communications Commission’s (FCC) prohibition of ‘language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory activities or organs’.

### **Threats to ‘Our’ Traditions and Values**

But does any of this refer to a real and present danger, so to say, in the Arab satellite broadcasting scene? To the best of my knowledge, no Arab-based satellite network broadcasts language depicting ‘sexual or excretory activities or organs’. With very few exceptions, Arab-based satellite networks are invariably either government owned or government subsidized. This is not the internet, where any young man or woman with a PC and a modem can publish whatever he or she likes. Satellite TV, needless to say, is a very expensive business, requiring enormous capital outlay. ‘Independent’ Arab networks, most notably Al Jazeera and Arabia are, in fact, wholly state subsidized, by Qatar and Saudi Arabia respectively. The few commercial networks there are, are no less sensitive to Arab ‘traditions and values’ than their governmental counterparts. Amin and the Arab information ministers should rest assured: there is no fear of pornography in Arab satellite broadcasting. Perhaps with the single exception of Egypt’s OTV, which is commercially owned, Arab satellite channels with Western programming regularly censor mainstream films and drama series, cutting out not just nudity or sexual scenes, but the most perfunctory of kisses.

This is not to say, nevertheless, that perceived threats from satellite TV to our ‘traditions and values’ have not been the source of controversy. Indeed, there is one feature of Arab satellite programming that has continued to generate often heated controversy: the video-clip. Video-clips of Arab male and female singers have evolved very much in the mould of their Western counterparts, and as such abound with scantily clad women, often engaged in vaguely, or expressly erotic posing or dancing. But here is where it all falls apart. The great bulk of the production, distribution and broadcasting of these controversial, yet extremely popular entertainment products, are Saudi owned. So Saudi, in fact, that the owners invariably are members of the royal family.

The Arab information ministers may gather and issue as many charters as they like; no one is about to shut down a Saudi-owned satellite TV channel, or to ban the products of any of the giant Saudi-owned entertainment conglomerates.

### **Religious Intolerance?**

If it’s not pornography, or similar encroachments on Arab traditions, sense of decency and religious values, then what is it? Could it be the no doubt laudable prohibition of incitement to racial hatred, or, as Amin claims as well, the call for regulating ‘content that would offend most adherents of not only Islam but other religions as well’? Yet again, we find it difficult to give credence to such claims. Religious, namely Islamic, broadcasting accounts for an enormous percentage of

satellite TV programming in the Arab world. Religious channels, devoted solely to preaching Qur'anic recitation and the issuing of *fatwas* are too numerous to count. Almost inevitably, their programming includes content that is both offensive to other religious groups, particularly Christians and Jews, as well as all forms of incitement to the hatred of such groups. Amin, who is also troubled by the proliferation of *fatwas* by sheikhs 'preaching violence and intolerance, and programmes promoting superstition bordering on black magic', must also be aware that the great bulk of such religious satellite TV channels are either directly owned, or financed by Saudi Arabia. As such, he should be equally aware that, charter or no charter, no one in the region is about to ban, censor or shut them down.

### **And What of Incitement to Violence?**

And then there is 'incitement to violence'. The charter does indeed call for a prohibition on 'the satellite broadcasting transmissions material that would incite violence and terrorism', yet in the very same clause makes a clear distinction between such incitement and 'resistance to occupation', which tends to make it a difficult sell to a Western audience. As noted above, Amin refers to the US and Europe banning Hezbollah's Al-Manar TV channel, while neglecting to mention that few, if any Arab states can do the same, at least on the same grounds.

Again, I'm not aware of any Arab-based satellite TV channel that openly incites violence against another Arab state or population, but a great many of them will laud, applaud and call for violent resistance against the Israeli occupation, whether in the occupied Palestinian territories in the West Bank and Gaza or in Lebanon and the Golan.

Equally, a great many Arab TV channels of all sorts, including government-run terrestrial channels in such 'Western-friendly' countries as Egypt have made no bones about applauding violent resistance to the American occupation of Iraq. Indeed, the editor of an Egyptian state-owned newspaper once called upon Iraqis to transform a million of their number into 'human bombs' directed against the occupation. Recourse to violence against military occupation is widely accepted, indeed, applauded, by Arab public opinion, and is moreover, a much favoured instrument of distraction used by Arab rulers and their apologues to divert domestic discontent towards a foreign enemy.

### **Balance and Accuracy?**

In his defence of the need for regulation, Amin asks us to make a rather odd leap of faith; thus he takes us, within the space of one sentence, from the need to prohibit programming that offers 'support for terrorist activities', to programming that 'endorses or promotes political viewpoints without providing balance and

accuracy'. And while it is laudable to call upon the media to adopt high standards of balance and accuracy in their news coverage, such matters clearly lie outside the realm of regulation. Or is it that we expect a pan-Arab committee of some sort to pass judgement on, say, Arabia's coverage of the invasion of Iraq, as opposed to that provided by Al Jazeera? It should go without saying that it is only when lack of balance and accuracy involves libel that regulation steps in. The Arab states have nothing to complain of in this respect, since most of them enjoy some of the most repressive libel laws anywhere in the world, and regularly hand out jail sentences for alleged libel offences.

'Political opinions', however, is really what the whole fuss is about. Authoritarian systems of government dominate the Arab political landscape, even as they show a great variety in the intensity and forms of political oppression wielded under them. And authoritarian regimes are by their very nature hostile to 'political opinions' that diverge from the 'party line' or that dare to criticize the ruling elite and its political practices.

Yet, is the fact that some of these regimes have come to tolerate a wider space for political diversity and dissent by now means sufficient grounds to speak of 'authoritarian media traditions' in the past tense, as Dr. Amin seems to do? Authoritarianism, in all its forms and in all fields of social interaction, particularly the media, is very much in the present tense in today's Arab world.

### **And Then Came Al Jazeera**

Having commented on some of the salient arguments presented by Amin in defence of the charter, we might now deal in brief with what that bizarre document is really about. Some context is needed.

Until the revolutionary appearance of satellite broadcasting, Arab governments, with possibly the single exception of Lebanon, had total control of the airwaves. Terrestrial broadcasting was and, almost invariably remains, a government monopoly. But, as Amin rightly notes, satellite broadcasting has meanwhile taken the Arab world by storm, giving unprecedented access to alternative media sources to tens of millions, from the great urban centres to the remotest of hamlets. The print media, by contrast, remained in practice an elite phenomenon, which fact seems to explain the Arab regimes' greater tolerance for critical and dissenting opinion in newspapers and magazines than on the airwaves.

The Arab regimes' erstwhile monopoly of the broadcast media, especially TV, collapsed suddenly, but it was not pornography, sexually explicit content or the abundance of religious preaching and *fatwas* (which verge on black magic, but have no bearing on politics) that gave rise to profound and intense misgivings among

the regimes; rather it was the emergence of alternative sources of news and political opinion, including – of course – religiously garbed political opinion, these ubiquitously and most prominently expressed by the overwhelming, overnight pre-eminence of Al Jazeera.

At the outset of his article, Amin notes *en passant* that Qatar has yet to give its approval to the charter, but neglects to mention that Qatar, in its capacity as the host and provider for Al Jazeera, was possibly the foremost object of the whole exercise. In fact, the space for dissent and freedom of expression in the Arab satellite media, is essentially made up of the cracks and fissures among Arab states. Qatar, small enough not to matter in the larger order of things in the Arab world, yet – for some reason – keen to play a regional role beyond its size and natural capabilities, as well as peeved by the suffocating predominance of its Saudi neighbours, hit upon Al Jazeera, which once set up – drawing a great deal on BBC resources and traditions – seemed to have a life of its own, soon becoming a great irksome thorn in the side of most Arab regimes.

### **Why a Charter?**

But why go to the trouble of drawing up a common pan-Arab Charter that is ultimately unenforceable? The Arab League possesses no enforcement mechanisms in this as in all other areas of common Arab action. We might note the following possible reasons:

1. The Charter may be viewed as an attempt by the Arab governments to reach a sort of ‘gentlemen’s agreement’ not to malign one another. As noted above, free expression in the Arab-based satellite media largely exists in the spaces created by inter-Arab contradictions, and it makes sense that they would try to set certain limits on their dissidents utilizing these contradictions to advance their various causes. After all, they all share a common interest in safeguarding authoritarian government, of whatever shape or form.
2. Arab regimes rarely need a pretext to exercise repression, but it helps to have one or two. The charter, as such, provides a sort of general umbrella under which the various governments may move against the satellite networks of other countries. Thus, reference to the charter could be, and has been, used to shut down local offices of Al Jazeera, hound its correspondents, deny them broadcasting services and facilities and so on.
3. It could provide a template for national legislation regulating the licensing and operation of satellite TV networks at home. This, like point (2) above, is by no means necessary. Arab regimes need little excuse to pass repressive legislation in any area they deem fit. But it helps, by providing that little bit of extra legitimacy and defensibility.

### **Not Everybody Does It**

Amin claims that the charter's attempts to regulate Arab satellite broadcasting are in line with other regulatory examples in America, Europe and elsewhere, but the differences embodied in the following clauses of the charter should be ample proof that only authoritarian governments do it in just this way:

- Article 4, clause 5 stipulates 'ensuring that no harm shall be made to social peace, national unity, public order and general propriety'.
- Article 7, clause 3 stipulates that satellite broadcasting entities will 'abstain from broadcasting anything that would contradict with or jeopardize Arab solidarity and promoting pan-Arab cooperation and integration'.
- Article 7, clause 4 further stipulates 'Objectivity, honesty and respect for the dignity and national sovereignty of states and their people, and refraining from insulting their leaders or national and religious symbols.'

The above articles are in fact very much in line with well tried and tested pieces of repressive national legislation. Harming social peace and national unity has put hundreds of Egyptians in prison over the years, while it is patently laughable to stipulate that broadcasters will not report anything that may harm 'Arab solidarity', etc. Does, say, reporting the mutual insults exchanged by Arab governments amount harming Arab solidarity?

Amin, of course, could not help but try to defend the most indefensible of the charter's stipulations, that which prohibits insults to Arab states' leaders, and national and religious symbols. Amin's argument here is that 'insulting' (and how do you define an insult?) Arab heads of state is something akin to sexual permissiveness; it runs counter to our 'traditional' Arab culture. Does one need remind Amin that, for a long time, it also ran counter to Western 'culture'. It was called *lèse majesté*. More to the point, however, criticism of heads of state and so-called national and religious symbols is the very stuff of a democratic political process, in the Arab world as everywhere else, and, despite punitive measures, Arab publics do it on a daily basis, everywhere.