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Abstract

Providing a regulatory framework for dozens of unlicensed wartime radio and television stations has been an arduous task for postwar Lebanese governments. Based on Lebanese media monitoring, a review of the Lebanese press, and interviews with media people in Lebanon, this study traces the development of broadcasting in prewar Lebanon, describes wartime changes, and discusses postwar broadcasting regulation in the country within the framework of civil society. Examining the factors that shaped regulation and the forces opposing it, this article calls for a more inclusive regulatory framework preserving national stability and media freedom.

Disciplines

Communication

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Broadcasting Regulation and Civil Society in Postwar Lebanon

Marwan M. Kraidy

Providing a regulatory framework for dozens of unlicensed wartime radio and television stations has been an arduous task for postwar Lebanese governments. Based on Lebanese media monitoring, a review of the Lebanese press, and interviews with media people in Lebanon, this study traces the development of broadcasting in prewar Lebanon, describes wartime changes, and discusses postwar broadcasting regulation in the country within the framework of civil society. Examining the factors that shaped regulation and the forces opposing it, this article calls for a more inclusive regulatory framework preserving national stability and media freedom.

Historically, developing countries have used the mass media to strengthen national unity and promote socio-economic progress, and broadcasting in these nations is generally the domain of government. The role of the electronic media in fostering national cohesion is especially significant for countries recovering from civil war, where broadcasting can play an effective role in national reconciliation and reconstruction. During the 1974-1990 war in Lebanon, private broadcasting flourished to the extent that by 1990, more than 50 television stations and more than 100 radio stations operated in complete anarchy. This situation was unique in modern broadcasting history (Boulos, 1996; Boyd, 1991). The 1990 Taef agreement, officially ending the war in Lebanon, explicitly stipulated that "the information media shall be reorganized under the canopy of the law and within the framework of responsible liberties that serve the cautious tendencies and the objectives of ending the state of war" ("The Taef," 1990).

This research explores the evolution of broadcasting regulation in postwar Lebanon, examining the factors that have influenced it and civil opposition to proposed regulatory frameworks. Postwar broadcast regulation in Lebanon is explored within the framework of civil society, a concept focusing on reconstructing societies divided by civil wars or authoritarian rule. After establishing the civil society framework, a brief historical overview of Lebanon is provided. The development of Lebanese media before the war is traced chronologically, and the changes brought onto Lebanese broadcasting during the war are described. Postwar broadcast regulation is examined. Finally, the development and regulation of Lebanese broadcasting are discussed and evaluated in light of the *civil society* framework.

Currently it is difficult to conduct systematic research in Lebanon, where broadcasting regulation is unfinished business and considered to be a highly sensitive subject. Several journalists and broadcasters declined to be interviewed until broadcasting regulation issues have faded in importance, and some cited fears of harassment. To supplement information from print sources, the author monitored Lebanese media during seven four- to ten-week visits to Lebanon between 1992 and 1998. The official Internet sites of several respectable Lebanese and U.S. media were also studied, and the Lebanese press reviewed.

Civil Society

The concept of "civil society" is associated with democracy (Diamond, 1994; Mato, 1997). A prevalent view defines democracy as an institutionalized arrangement in which different persons or groups participate in power sharing on the merits of their past or advocated future plans and acquire and exercise such power on the basis of free and regular elections (Dahl, 1956; Lipset, 1965; Schumpeter, 1962). As such, democracy has gained international legitimacy, as 118 of the world's 193 countries were democratic in 1997 (Kaplan, 1997), an increase from 65 in the early 1990s (Editorial, 1994).

Civil society, defined as the "realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules" (Diamond, 1994, p. 5), has several tenets. First, civil society concerns are public, not private. Second, civil society relates to the state without being a part of it, through pressure to redress policy and expose government corruption. Third, civil society is marked by pluralism and diversity, reflected by independent mass media and cultural institutions. Fourth, civil society is market-oriented and rejects central economic planning. A fifth distinction of civil society is that it holds that different groups represent different constituencies, and that no one can claim to represent the whole of society (Diamond, 1994). Beyond representativeness and pluralism, civil society plays several democratic functions, such as curbing state power, developing pro-democratic attitudes, creating alternatives to political parties, and strengthening independent media. Finally, civil society fosters the dissemination and exchange of information leading to social change and economic reform as well as the development of socio-economic interests that mitigate traditional political polarities (Diamond, 1994).

Lebanon: A Historical Overview

Lebanon lies in Western Asia on the shores of the Mediterranean Sea. The country's 4,015 square miles, roughly twice the size of the state of Delaware, make it one of the world's smallest nation-states. The Lebanese constitution was promulgated in 1926 under a French mandate sanctioned by the League of Nations, but Lebanon did not gain independence until 1943. A July 1996 estimate put the population at 3,776,317 (Lebanon, 1997), and a total of eighteen religious groups are now officially recognized by the state. Arabic and French are Lebanon's official languages, but English is widely spoken. Historically, Lebanon has faced a fundamental identity dilemma between its Arab soul and Western veneer, leading to civil upheavals culminating with the 1974-1990 war.

The 1926 constitution clearly stipulated the democratic character of Lebanese government. Separate legislative, executive, and judicial branches were established. The constitution guaranteed voting rights for all citizens aged 21 and over, civil liberties, and religious freedom, stipulating that "Freedom of expression by word or pen, freedom of thought, freedom of holding meetings and freedom of association are equally guaranteed within the framework of the law" (Bustros, 1973, p. 2). Since its inception in 1926, the constitution has laid strong foundations for civil society, protecting private property and recognizing the right of Lebanon's plural civil constituencies.

The Development of Mass Media in Prewar Lebanon

Numerous scholars have noted Lebanon's unique experience with the mass media (Boulos, 1996; Boyd, 1991; Harik, 1994; Rugh, 1987). Historically, the press in Lebanon has enjoyed relatively high levels of freedom and has reflected the country's pluralistic character. However, the laws of September 14, 1962 sanctioned press freedom and set its limits, prohibiting the publication of news that endangered national security or attacked heads of states (Abu Laban, 1966). In spite of this legislation, Beirut was a safe haven for Arab dissidents who freely attacked Arab regimes in its newspapers (Mackey, 1987), widely read in the Arab-speaking world. As a result, Lebanese newspapers were banned in certain Arab countries experiencing political unrest,

and Arab governments frequently pressured Lebanese authorities to restrain the Lebanese press (Abu Laban, 1966; Boulos, 1996).

Broadcasting in Lebanon began when the French operated an anti-German propaganda radio station in 1937 (UNESCO, 1949), taken over in 1946 by the Lebanese government (Dajani, 1979). Radio spectrum remained limited until the early eighties, when dozens of non-licensed stations appeared on the airwaves. After a 1956 agreement between two young entrepreneurs and the government, La Compagnie Libanaise de Télévision went on the air in 1959, becoming the only privately operated Arab television. A second commercial television station, Télé-Orient, started in 1962, partially financed by ABC in the United States. The two stations merged in 1977 to form Télé-Liban, a half-private and half state-owned company (Boulos, 1996).

Changes in Broadcasting in War-Torn Lebanon

Broadcasting remained limited for several years after the outbreak of the war in 1975 but boomed during the mid-eighties, when dozens of private radio and television stations appeared on the airwaves. Initially designed to be direct instruments of political propaganda, these stations shortly became successful self-sustaining commercial corporations. Relying chiefly on pirated foreign programming, unlicensed radio and television stations prospered as militias carved Lebanon into self-administered enclaves. The most successful television station was the Lebanese Broadcasting Corporation (LBC), sponsored by the Lebanese Forces Christian militia, which first appeared on Lebanese television screens in August 1985. Shortly after LBC began broadcasting, its diverse programming grid, active news department, and sophisticated equipment allowed it to surpass Télé-Liban in audience ratings (E. Salibi [Director of the news department, LBC], personal communication, May 3, 1991). Private radio stations broadcast an eclectic mixture of Lebanese folk music, classical Arabic songs, French pop, Latin music, American rock, jazz, and blues. Television offered a diverse, mostly pirated, menu of American police series, French and American news, British comedies, Egyptian soap operas, German documentaries, and Mexican *telenovelas*. Local productions were restricted to news, public affairs, and game shows.

The success of private broadcasting in Lebanon exposed the weaknesses of prewar official media. In the last four decades, scholars have pointed out that radio and television programs in Lebanon have always been sanitized by authorities to preserve the country's stability and national unity (Abu Laban, 1966; Boulos, 1996; Browne, 1975). Since its inception, Lebanese television has come under close official scrutiny to guarantee that no program undermining "national security" be broadcast (Boulos, 1996). Browne (1975) reported that in the early days of the 1974-1990 war, several television officials were told by the Ministry of Information to make sure "the Lebanese ... not sense (experience) the war" (p. 695). Often, this meant keeping citizens uninformed of dangerous security conditions (Boulos, 1996). Consequently, the Lebanese have distrusted official government media and sought information from emerging private media. A great number of Lebanese also turned to Radio Monte-Carlo, to the BBC and, to a lesser extent, to the Voice of America, where they believed they could obtain more reliable information (Boulos, 1996; N. Frayha [Associate Professor of Political Science, Lebanese University], personal communication, July 17, 1994). The unreliability of official media has been a major factor in the popularity of private broadcasting in war-torn Lebanon.

The Need for Broadcasting Regulation After the War

The 1990 Taef agreement that ended the war declared broadcast regulation a priority for Lebanon's government (Boulos, 1996). Unlicensed media were a symbol of wartime anarchy and tarnished the prestige of a state reclaiming its authority. Other technical, economic, and political factors mandated broadcasting regulation.

The Technical Problem of Interference

The proliferation of broadcasting outlets in war-torn Lebanon led observers to compare the radio spectrum in Lebanon to a crowded "tower of Babel" of overlapping signals ("Lebanon's tower," 1987). The chief executive officer of Télé-Liban, Fouad Naim, revealed that there was one television station for every 50,000 people in Lebanon, "[polluting] the airwaves of neighboring countries," and "[choking] viewers rather than expanding their choices" ("Interviews avec," 1993, p. 4). More dangerous implications of interference were exposed by a February 1995 incident, when the pilot of a Saudi Arabian passenger plane attempted calling the Beirut International Airport control tower but got through to an amateur radio operator instead. As a result, government officials demanded that measures be taken against private radio and television stations considered a threat to civil aviation ("Pilot gets," 1995). On personal visits to Lebanon between 1990 and 1998, the author observed overlapping radio and television signals. Interference was not a mere inconvenience; it was a major problem.

The Economic Implications for the Advertising Industry

Another factor motivating authorities to establish a regulatory framework for broadcasting was commercial. This was confirmed by both professionals (J. Khalil [Producer-Director, Murr Television], personal communication, December 14, 1997) and academics (D. Dabbous [Assistant Professor of Communication Arts, Lebanese American University], personal communication, August 4, 1997). Ever since the first advertising agency, Publicité Pharaon, began operating in 1935 (Darouny, 1994), the Lebanese advertising industry has been remarkably prosperous. In 1990, 30-second prime-time television commercials were priced up to \$2,000 (U.S.) each. In 1993, advertising spending in Lebanon was one-tenth of the \$600 million (U.S.) spent in the wealthier and more populated countries of the Persian Gulf ("Who spent," 1994). However, with Lebanon's population slightly above three million, the advertising pie was repeatedly cut, and slices became increasingly meager. In 1993, advertising rates plummeted, causing a panic in the advertising industry. There were instances of 30-second commercials on a national television station costing ten (U.S.) dollars, whereas radio spots were airing for one dollar apiece ["The audio," 1996]. The editor of *Arab Ad*, the region's prime communications trade journal, editorialized that "greed overcame common sense in ... a chaotic media market...in which [media] mushroomed out of all proportion to the country's real needs" (Azzi, 1994, p. 3). This slashing of advertising rates put some small advertising agencies out of business (Z. Sarruh [General Manager, Imagine Advertising], personal communication, June 20, 1995) and threatened to undermine the entire Lebanese advertising industry (personal communications, K. Darouny [President, Infomarkets, and Assistant Professor of Advertising, Notre Dame University], July 15, 1994; J. Henoud [Account Executive, Saatchi and Saatchi Beirut], December 14, 1997; and J. Khalil, December 14, 1997). The consolidation of the broadcasting industry thus became an economic necessity (Azzi, 1994; Boulos, 1996).

The Regional Implications of Satellite Broadcasting from Lebanon

The influence of Lebanese media has historically extended beyond Lebanon's borders, as Lebanese newspapers were used by Arab dissidents and feared by Arab governments. Similarly, broadcasts from Lebanon's private television stations spilled over the borders of such neighboring countries as Jordan, Israel, Syria, and Cyprus (Badran, 1991), often criticizing Arab regimes. For instance, LBC newscasts in the late eighties were known for their diatribes against the Syrian regime. With the advent of satellite broadcasting in the Middle East in 1991, national borders became more porous, and regional audiences more accessible (Barkey, 1996; Tagliabue, 1996). Many pan-Arab television stations broadcast from Europe in order to attract European and North American staff and to circumvent restrictive measures from Arab governments (Millichip, 1996; Tagliabue, 1996). Consequently, the ability of Arab governments, including Lebanon's, to control information and media dwindled considerably. According to Joe Saadé (former Director of Télé-Liban's news department and currently editor of *Lebanon Opportunities* magazine), a regulatory framework for satellite broadcasting was perceived as a tool to recover some government control over trans-national broadcasting (personal communication, August 8, 1997).

The Struggle Over Broadcasting Regulation

On March 23, 1994, the Lebanese Council of Ministers, headed by Rafik Hariri, adopted a resolution prohibiting privately owned radio and television stations from broadcasting news and political programs. The Council of Ministers also outlawed the Lebanese Forces, the predominantly Maronite Christian political party that owned the LBC, because of their alleged involvement in a church-bombing incident. These charges were vehemently denied by the Lebanese Forces, who accused the government of shutting down political opposition and muzzling Lebanon's top private television station ("No more," 1994). The Lebanese Forces were a pro-Israel, anti-Syria political body. This embarrassed the Lebanese government in its "special" relationship with Syria, the main power broker in Lebanon, and put pressure on Lebanese authorities to clamp down on the Christian party.

Several months of intense political debate on broadcasting regulation ensued. Finally, on July 14, 1994 the Lebanese House of Deputies unanimously voted against the March 23, 1994 Council of Ministers' resolution banning news and political programs on privately owned broadcast media. On July 15, the Lebanese press was in a festive mood, succinctly summarized by the headline, "House avenges broadcasting" ("House avenges," 1994). Newspapers celebrated the return of freedom and the Hariri regime's failure to control private media. Hariri was perceived to be trying to bring all broadcasting activities in the country under his control (Dennis, 1994; K. Darouny, personal communication, July 15, 1994). A Fortune 500 billionaire, Hariri purchased several media in his first six months in power, launched his own television station, Future Television, and acquired all private shares in Télé-Liban. The fact that he had enormous stakes in the broadcasting industry and at the same time was decisively influential in regulatory matters was a flagrant conflict of interest according to his opponents, who argued it was not acceptable for anyone to be a player and a referee in the same game (Dennis, 1994). This hostility to Hariri's activities gave political and media support to the House of Deputies' vote against Hariri's ban on news (N. Frayha, personal communications, July 17, 1994).

The 1994 "Audio-Visual Law"

Discussions continued until a broadcasting law, the so-called "Audio-Visual Law," was passed on October 19, 1994. The law, the first of its kind in Lebanon, provided an urgently needed regulatory framework for broadcasting in the country. It legalized private broadcasting and revoked Tele-Liban's monopoly on television in Lebanon but maintained that channels were the exclusive property of the state and could only be leased. It re-affirmed media freedom within the framework of the constitution and mandated more local production. Broadcasting licenses were to be issued by the Council of Ministers, who set requirements and a two-month application deadline. Finally, the law established the National Council of Audio-Visual Media (NCOAVM) with the task of laying down technical conditions, monitoring broadcasting, and recommending the suspension and closure of media violating the law ("An Audio," 1994).

Technical standards were set to eliminate interference, and financial requirements were imposed to reduce the number of stations and consolidate the advertising industry. In spite of the new law's affirmation of freedom of information, journalists, advertisers, and politicians criticized the Audio-Visual Law for failing to address some of their concerns and for ambiguous wording of some key provisions. In fact, Boulos (1996) revealed that contradictions in early drafts were not rectified in the final text. Article 40 stated that "all the matters related to the subject of advertisements that are not mentioned in this law are to be regulated by a special law" ("An Audio," 1994, p. 37). Advertising executives feared a future "advertising law" restricting their industry and argued that Lebanon should maintain "a free advertising industry at the service of a free economy" (Boulos, 1996, p. 237). Instead of a law, advertisers advocated a code of ethics and the creation of an Advertising Verification Bureau to monitor the industry (Boulos, 1996).

The 1994 Audio-Visual Law was also criticized for considerably enhancing the power of the Minister of Information. According to the law, the Minister of Information was to audit the records of both advertising and television stations to verify rates and to check the financial soundness of private media. The law prohibited any television station from operating at a financial deficit for a protracted period. According to observers, only two of Lebanon's television stations could meet that condition ("An Audio," 1994). This expansion of prerogatives put the Minister of Information in a position to sanction television stations that were not "government-friendly" while turning a blind eye to more obedient stations, even if they did not meet financial criteria (J. Saadé, personal communication, August 8, 1997). The power of the Minister of Information was also enhanced by the fact that the prerogatives of the NCOAVM were purely advisory, reduced to policy recommendation (Boulos, 1996). The extent of the power of the Minister of Information raised fears that broadcasting regulation would be greatly influenced by the personality of the minister in office.

Many broadcasters struggled to meet the financial requirements and technical specifications of the Audio-Visual Law. Rumors of a government plan to reduce television stations to three or four circulated within the Lebanese media industry ("The Audio," 1996). It now appears that executives at the LBC aware of the station's past political record, felt they had to take action to survive. On September 6, 1995, the LBC, renamed the Lebanese Broadcasting Corporation International (LBO), announced a thirty four million dollar (U.S.) capital increase. New shareholders included several members of the regime and prominent Christian and Muslim politicians, making LBO a key contender for the few licenses to be awarded to private stations

("Lebanon's top," 1995). Mergers and acquisitions consolidated the broadcasting industry, awaiting the decision of the Council of Ministers on licenses.

Restructuring Private Broadcasting

On February 2, 1996 the Lebanese Council of Ministers, allegedly upon the recommendation of the NCOAVM, reduced private television from 60 to 4 stations and reduced radio from 150 to 10 stations. Only four private television stations were licensed ("Lebanon to slash," 1996). The Council's decision was met with strong objections culminating in a general uproar against the "audio-visual guillotine blade" ("The Audio," 1996). Members of the Chamber of Deputies joined journalists, religious leaders, students, and labor unions in protest. More important than the reduction of the number of broadcasting outlets was the fact that all but one of the stations granted licenses were owned by people holding government positions. The television stations allowed to remain in operation were: Future Television, owned by Prime Minister Hariri; MTV (Murr Television), owned by the family of deputy prime minister Michel El Murr; the LBCI, saved by its size, popularity, and the presence of government officials among its shareholders; and finally NBN, a station that did not yet operate and whose name was not known beyond its acronym, allegedly owned by Speaker of the Chamber of Deputies Berri (J. Khalil, personal communication, July 15, 1996). The Council of Ministers may have contributed, along with economic woes, to one of the worst postwar socio-economic crises in Lebanon. Strikes and demonstrations called for an end to the curtailment of freedom of speech, of the press, and of association but were met with government intransigence and curfews ("Demonstrators face," 1996).

For some time, the issue of broadcast regulation was eclipsed by more important local events, such as the 1996 legislative elections and violent military clashes in Southern Lebanon. On September 17, 1996, the Council of Ministers confirmed that four television stations and 11 radio stations had been granted licenses, but that other stations would be allowed to "clarify their qualifications" before November 30 of the same year, at which time all non-licensed stations must cease broadcasting. All non-licensed stations were ordered to stop broadcasting news and political programs starting from the evening of September 18. The Council granted an exceptional status to Al-Manar [The Lighthouse] television, owned and operated by the Islamic guerrilla party Hezbollah, allowing it to broadcast news of anti-Israeli resistance in Southern Lebanon until Israel withdrew from Lebanese land it occupied ("Media," 1996).

The Council of Ministers' decision to grant broadcasting licenses to such a small number of stations was met with objections from union leaders, broadcasters, journalists, and intellectuals. On November 12, 1996, ten members of the Chamber of Deputies introduced a motion calling for the extension of the deadline by which non-licensed stations had to shut down from November 30, 1996 to the end of April, 1997. Despite initial legislative backing, the motion was completely ignored by the Chamber of Deputies while Prime Minister Hariri adamantly refused to put the issue on Council meeting agendas ("Committee," 1996). Non-licensed private stations were ordered to cease broadcasting on July 29, 1997, and most complied (monitored by the author who was conducting research in Lebanon at the time). The police used force to shut down recalcitrant private media, and in one case opened fire on protesters, killing at least one person ("Lebanon cops," 1997).

In the meantime, satellite broadcasting in Lebanon has taken the country and the region by storm. The 1994 Audio-Visual Law allowed transnational satellite broadcasting from

Lebanon ("An Audio," 1994). On December 12, 1996, the Council of Ministers permitted Future Television and LBCI to broadcast news and political programs via satellite on the condition the programs were cleared by official censors. The two politically well-connected stations gained transponder space on the Arabsat-2A satellite and quickly became popular from the Gulf states to Morocco ("LBCI suspends," 1996). On March 27, 1997, LBCI broadcast an interview with an eminent Lebanese legal expert during its national newscast, in which he severely criticized repressive information policies in the Arab world and government censorship of news and political programs broadcast via satellite. Immediately, LBCI was contacted by government officials who requested the interview not be broadcast via satellite, since it could harm relations with neighboring countries. LBCI executives replied they would comply with government instructions, then learned that government forces had stormed the Juret AI Bailout earth station and disconnected them from ArabSat 2A ("Et maintenant," 1997). On March 28, 1997, LBCI filed an official complaint with the Shura Council, Lebanon's highest court, claiming the illegality of the government's actions and listing damages to the station including "loss of professional credibility" ("Censure: La," 1997). As of late 1997, LBO's complaint remained unanswered (personal communications, J. Saadé, August 8, 1997 and J. Khalil, December 14, 1997), but satellite broadcasts have resumed.

Media, labor, and political voices accused government officials of systematically violating the Lebanese constitution, which protects freedom of speech, of the press, and of association. These claims were part of larger charges against the Council of Ministers headed by Prime Minister Rafik Hariri, accused of establishing an oligarchic system in Lebanon, benefiting the wealthy, and concentrating economic and information resources among them while completely disregarding the working class ("Toufayli invite," 1997). In brief, opponents accused the regime of turning Lebanon into a dictatorship, clamping down on democratic institutions and procedures, and harassing the media. Even supporters of regulation cautioned authorities against using double standards and urged them to be fair and impartial in the implementation of the Audio-Visual Law ("L' Application," 1997).

Discussion

The concept of civil society is well-suited to the Lebanese context for three interrelated reasons. First, the concept of civil society focuses on reconstructing societies that have been through major crises, such as wars. The second consideration is the strength of "civil" constituencies in Lebanon. This was especially the case during the war, when non-governmental groups took charge of public services, including broadcasting. The advent of a strong civil society during the war was symptomatic of the inability of Lebanese authorities to provide social and economic services and to regulate the workings of social, cultural, and economic institutions. "In Lebanon ... civil society is stronger than the government," as Harik (1994, p. 51) put it. Militias and political parties established hospitals, schools, employment offices, public transport, and cooperatives, providing a full range of social services. Religious leaders reinforced their authority over their constituencies, and international phone lines were illegally sent through the neighboring island state of Cyprus, circumventing unreliable and monopolistic government telecommunications services. Entrepreneurs set up electricity generators and supplied power to entire neighborhoods as an alternative to sporadic and unreliable government power services. A culture of autonomy emerged in the country, whereby civil organization or private entrepreneurship, legal or not, replaced inefficient, and sometimes absent government services.

Third, the strong tradition of Lebanese private enterprise□ bolstered by a free wheeling economy, a powerful banking industry, and low tariffs and taxation□ is a strong mark of civil society.

It has been within this context that political parties, militias, and entrepreneurs launched private electronic media. The emergence of an unlicensed private broadcasting industry and its economic survival throughout the war is testimony to the strength of Lebanese civil society. Private broadcasting emerged as a result of a regulatory vacuum, political fragmentation, and physical destruction. Politically, the total disintegration of the state legislative structure and the failure of government operated media to provide reliable news made alternative media desirable. Consumer taxes imposed by militias in the regions under their control provided capital that made private broadcasting economically possible. Finally, private broadcasting became necessary because of the disruption by the war of normal communication channels such as postal services and the telephone.

At the official end of the war in 1990, broadcasting regulation was urgently needed for several reasons. First, private broadcasting was a fruit of war-time anarchy and had to be regulated if the government was to reclaim official control over the country, Second, the large number of stations caused gridlock on the airwaves, affecting the quality of broadcast and telecommunications signals and posing serious threats to civil aviation and maritime navigation. Third, a consolidation of the broadcasting industry and the reduction of the number of stations have rejuvenated the advertising industry by keeping prices and quality high. The political situation has been highly charged, and economic reconstruction is underway. There is a need to exercise control over the media to avoid sectarian flare-ups. Even Western democracies, including the United States, have provisions whereby freedom of speech and of the press can be suspended if they threaten national security and stability, and broadcasting systems in Western democracies have elements that contradict democratic tenets (Etzioni-Halevy, 1988).

Today, regional circumstances put Lebanese authorities under pressure to control pan-Arab broadcasts via satellite emanating from Lebanese stations. Postwar Lebanese authorities are highly dependent on Arab countries, politically and financially. Politically, Lebanon is fully aligned with Syrian foreign policy. Syria, with 30,000 troops in Lebanon, is the main power broker in the country, enjoying a "transparent hegemony over Lebanese affairs" (Harik, 1994, p. 53). Financially, Lebanon's reconstruction efforts are dependent on investment and aid from oil-rich Gulf countries such as Kuwait and Saudi Arabia. These political and economic considerations pressure Lebanese government officials to restrict satellite broadcasts from Lebanon, because programs offensive to Arab leaders may have direct repercussions for the Lebanese regime.

On the other hand, government control of the media is at odds with Lebanon's claim for long being the only democratic system in the Arab world with a history rich in strong, independent media. When regulation is used as a tool to reward allies and punish foes, there is a conflict with national equity and stability. Shutdown threats against LBCI and demands for a public declaration of allegiance to the regime in February 1994 can be understood in that light. In such situations, the line between regulation and authoritarianism becomes blurred.

The legitimacy of the government's actions is undermined by the fact that the four television stations granted licenses and allowed to broadcast news were owned by members of the regime, directly in the case of Future Television, Murr Television, and the National Broadcasting Network, and indirectly in the case of LBCI. This media monopoly suggests that the Lebanese regime indeed has become an oligarchy where political power and media

ownership converge. The struggle over broadcasting regulation between Prime Minister Hariri and Speaker of the Chamber of Deputies Berri in 1994 was in fact not a democratic battle between executive and legislative government branches. Rather, in light of later events in which Berri obtained a broadcasting license for a nonexistent station, it can be argued that the 1994 struggle was a successful attempt by the Speaker of the Chamber to secure for himself a broadcasting outlet he did not have at a time when a broadcasting law appeared imminent. On August 12, 1997, Berri himself acknowledged--on live television--that "broadcasting in Lebanon has been monopolized by members of the regime." Berri's own NBN was licensed in February 1996 but did not begin broadcasting until August 1997. Hence the derisive puns, "Nabih Berri Network" and "No Broadcasting Network" (J. Khalil, personal communication, July 15, 1996).

The convergence of political power and media ownership at the expense of civil society constitutes a threat to democracy in Lebanon. Whereas in 1970 Lebanon had the only democratic government in the Arab world, by 1994 seven countries--Egypt, Kuwait, Jordan, Yemen, Tunisia, Morocco, and Mauritania--had achieved measures that put them on a track of democratization with, in the case of Morocco, accelerated privatization of sectors previously controlled by the government (Harik, 1994). The authoritarianism with which the Lebanese regime deals with broadcasting regulation in the country suggests that Lebanon has not followed the recent trend of democratization in the Arab world. The situation of private broadcasting has become a rallying cry for Lebanese civil society. Intellectuals, academics, students, union leaders, media professionals, and journalists coalesced around what has become a symbol of their struggle against repressive government intervention.

In fact, official handling of broadcasting regulation appears to be part of a larger authoritarian policy towards labor unions and journalists, accompanied by a shift in economic policy towards increased central planning. This was clearly demonstrated by the government's clampdown on the General Labor Confederation, Lebanon's main labor union, and the imprisonment of its leader in June 1997. Some observers predict more civil upheaval in the country ("Toufayli invite," 1997). In addition, the banning of some imports and the imposition of large tariffs on other products alienated one of the last constituencies supportive of Hariri's government: businessmen and entrepreneurs ("Les associations," 1997). According to observers, Lebanon's free-wheeling economy and its tradition of private enterprise are threatened ("Dirigisme économique," 1997).

Diversity, pluralism, and free enterprise are Lebanon's most prized distinctions, and the wartime proliferation of private broadcast media is a direct reflection of this reality. This is not to say that pluralism and diversity should be equated with chaos and anarchy, since such an equation has harmful political and economic consequences. In order to strike a balance between unity and diversity, and freedom and order, Lebanese government authorities and civil society constituencies need to begin a genuine dialogue. An important goal should be to reach a mutually acceptable working definition of "freedom," a freedom, in the words of Jean-Claude Boulos, one of Lebanon's television and advertising pioneers, "with a long leash around the neck, but a freedom that is not muzzled" (1996, p. 307).

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