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Media in constitutional documents in Arab spring countries

(Egypt- Tunisia-Morocco-Yemen)

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Media plays a crucial role in the era of globalization either in transferring information or creating the conscious of spectators. Mass media had an important role in the Arab Spring revolutions, in which open space contributed in curbing control of authoritarian regimes over media and information. In past times, media was controlled completely by the state until revolutions and then these countries faced chaos in mass media. That's why constitutional documents after the Arab spring came to try to organize the democratic transformation process.

First: Main Structure: The constitution of Yemen does not include detailed articles concerning media, yet it tackles the issue while talking about freedom of speech. Unlike the Yemeni constitution, The Egyptian and Tunisian constitutions tackled the issue of media in specific details. Yet the situation in Yemen changed because of the National Dialogue Document and it stated many articles about freedom of media.

Second: Freedom of expression: The Tunisian constitution assured explicitly guarantees for freedom of expression, thought, journalism, and publishing. It banned any prior censorship over media (chapters 31, 33, 42). While the Egyptian constitution, assured freedom of expression, thought, journalism, and publishing, it banned as well censorship over media yet with exceptions in cases of war and public mobilization (article 71). The Moroccan constitution assured as well freedom of mass media. As for Yemen, the National Dialogue Document tackled freedom of mass media and criminalized spying on citizens. It as well stated the necessity of a law that shall protect journalists and guarantee their independence.

Third: Right to access to information: The Tunisian constitution tackled that right (Chapter 32) assuring the role of the state in guaranteeing it. As for the Egyptian constitution, it tackled this right as well (Article 68) assuring that information and data belong to the people and the state is committed to provide them, yet this right is restricted according to the law without mentioning clear standards to restrict it. The Moroccan constitution stated in (Article 27) the right of the citizen to access to information yet it is also restricted by the law. The Yemeni constitution did not mention anything concerning that right, yet the National Dialogue Document stated it.

Fourth: Organizing Mass Media: The Tunisian constitution stated the establishment of "The Independent Higher Authority for Audiovisual Communication" to be responsible for the media sector and guarantee its plurality and integrity. The Moroccan constitution tackled as well the issue of organizing mass media and stated the establishment of "The Higher Authority for Audiovisual Communication". As for the Egyptian constitution it divided structure of organizing media into three agencies: Higher Council for

Journalism, Higher Council for organizing media, and the National agency for Media. The Yemeni Constitution did not tackle the issue of organizing media, yet the National Dialogue Document stated the establishment of The Higher Council of Journalism and Media.

Conclusion: The Egyptian constitution stated plurality of communication and media agencies because of its particular situation that is oscillating and because of the situation of journalists in Egypt. It also stated that the role of The Higher Council for Organizing Media is to set particular standards for all mass media according to ethics of the profession and National security and that is similar to the Moroccan constitution. As for the Tunisian constitution, it did not put restrictions upon media except for integrity, plurality, and neutrality.

Articles tackling media in constitutional documents of those four countries clarify developments that took place in the countries towards more freedom and transparency.

[This paper is available in Arabic](#)