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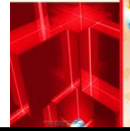
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## Middle East Media: Press Freedom in Kuwait

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### ABSTRACT

A good profession is prone to having rules that govern its practice. The same applies to journalism. Many countries have, at least, a semblance of press freedom guarantees articulated in their respective constitutions. This indicates that even countries with authoritarian, totalitarian, or communist regimes are not totally defiant of the merits of the concept. Rather, restricting press freedom serves self-interest or desire to have the status quo in place, thereby assuring continuity by virtue of the fact that opposition would be checked or simply quashed. Not with standing, journalists experience numerous man-made hurdles in the course of performing their duties. In Kuwait, however, practitioners of the craft are blessed to do so in a country that guarantees press freedom and is described as the most liberal press in the Arab World and North Africa. Despite certain restrictions to exempt the Amir (nation's ruler) or God from criticism, even journalists admit they enjoy the rights associated with press freedom. Then again, all is not rosy. Journalists find themselves fighting charges, revocation of reporting rights, or closure of media operations.

After all is said and done, there is one buoyant reason for optimism. The government of Kuwait does not shy away from handling tough, contentious issues pertaining to press law. And the players in the legal system, the government, parliament, journalists and journalism associations, as well as the public, are all on the same wavelength when it comes to addressing press freedom issues.

**Keywords:** Press, freedom, protection, journalists, constitution.

### 1. Introduction

Press freedom is a concept that has many perspectives, and the perspective that works in a certain country depends upon her political, social, economic, and cultural implications. To this end, many countries, despite their constitutional and sometimes articulated acceptance of the concept, interpret and apply the concept in ways that best serve the countries where it is practiced. Press freedom is, therefore, an elusive concept with no generally accepted form.

Not with standing, nations have largely benefited from those countries that pioneered the need for a press that is unimpeded in its reporting and whose press freedom is enshrined in the constitution. The French Revolution of 1789 was a lesson that, too much unchecked power was not only abusive, but also detrimental to statehood. Thus, the ensuing republic made sure that liberty, equality, and fraternity became the cardinal pillars of the new ensuing constitution.

And in the United States (U.S.), the struggle for independence in 1776 gave the framers enough ammunition to make certain that the new nation would not be ignorant, nor would it have a government that wielded power with impunity. This belief is manifested in the well known First Amendment to the U.S. Constitution, which emphatically states that, Congress “shall make no law abridging the freedom of speech, or the press” Altschul (1965), speaking about the First Amendment, says no doctrine announced by the new republic has been more widely cheered around the world than the declaration of free expression. He adds that the declaration has fueled the fires of every revolutionary movement for two centuries.

In today’s world, it would be hard to find a country that does not mention something about the concept of press freedom, although certain countries have the concept in writing than in practice. But as one champion of the concept, the U.S. emphasizes the public’s right to know as one of the central principles of her democracy, implying that it is freedom that works to serve mankind better. Americans resented the imposition of ideas and information on them by the British colonists, and preferred a concept whereby the power of knowledge would be placed in the hands of the people.

The U.S. Diplomatic Mission to Germany (2008), of course, espouses the concept of press freedom, stating that: Ever since, the First Amendment has served as the conscience and shield of all Americans. In those early days, the media, created by printing presses were few and simple newspapers, pamphlets and books. Today the media also include television, radio, films and the Internet; and the term the press refers to any news operation in any media, not just print.

The Mission also notes that U.S. press freedom has been determined principally by court decisions interpreting the nuances of the First Amendment, which have generally held that the press has “watch dog role over government and is not subject to prior restraint or registration.”

The World Public Opinion.ORG (Giving Voice to Public Opinion around the World), in a poll of nations conducted in 2009, found out that all nations support the concept of press freedom. On the issue of Internet censorship, a majority of countries said, “People should have the right to read whatever is on the Internet. 62 percent of respondents endorsed full access, while 30 percent said the government should have the right to prevent people from having access to some things on the Internet. The organization’s findings show that: In all nations polled there is a robust support for the principle that the media should be free of government control and that citizens should even have access to material from hostile countries. With just few exceptions majorities say that the government should not have the right to limit access to the Internet.”<sup>2</sup>

Robert Stevenson, professor at the University of North Carolina at Chapel Hill, recognizes the divergent definitions of press freedom, even among Western countries. To make it simple and market-based, he provides a cluster of four definitions on the principle that press freedom is the right to speak, broadcast, or publish without prior restraint or permission by the government, but with limited legal accountability after publication for violations of law. It may also encompass legal guarantees of reasonable access to information about government, business, and people; a right of reply or correction; a limited right of access to the media; and some special protection for journalists. Above all, Stevenson

believes freedom is balanced against other social values such as citizens' right to privacy, justice, and the nation's security.

## **2. Middle East Press Freedom**

To have a clear understanding and appreciation of press freedom in Kuwait, it is necessary to consider the concept as practiced in the Middle East, the country's geographical region. Samar Fatany, a Saudi radio journalist based in Jeddah, writing for Arab View, refers to a seminar held recently in Amman, Jordan, with representatives from Bahrain, Kuwait, the United Arab Emirates, Oman, Saudi Arabia, and Yemen to discuss press freedom issues. The seminar was organized by the Center for Research and International Exchange (IREX), an international non-profit organization engaged in strengthening independent media and in fostering pluralistic civil society development and the Center for the Protection and Freedom of Journalists in Jordan.

Richard Winfield, chairman of the World Press Freedom Committee and professor at Columbia University and Fordham University, made the connection between law, free press, and economic growth in developing countries. He stressed the need for laws that protect a free and independent press and laws that ensure a sense of transparency that can help the press contribute to a nation's economic wellbeing. "A free press is an engine for economic growth. Corruption at the governmental, judicial and corporate levels stands as a major obstacle to economic development,"<sup>3</sup> he said, adding that the practice kills foreign investment and discourages local businesses from growing and becoming prosperous.

IREX seminar participants made seven recommendations designed to bring about press freedom in the Gulf and the rest of the Middle East. The recommendations are: to work with civil society and encourage organizations to present reports to international committees concerned with freedom of expression and to provide suitable Arab and international expertise to ensure efficiency; establish a Gulf council to monitor violations against freedom and to draw a united strategy to defend journalists and media professionals; to organize a series of debates to assess the legal direction of the media and to ensure the implementation of media laws – these debates would measure the level of media conformity with international principles of freedom of expression laws; provide opportunities for professional international exchanges to educate Gulf lawyers about the mechanisms of defending media professionals and in applying media international principles to upgrade national laws; to raise the awareness of media professionals and develop their legal skills by offering and conducting workshops; to establish legal assistance units to defend media professionals who possess the courage and skills to speak the truth against corruption; and to organize a series of debates with members of Parliament (MPs) to stress the importance of a free press to support the political reform movement and emphasize the role that media play in improving the lives of citizens and importance of the law in helping the media perform that role.

The participants intended their recommendations to reflect the conviction that political reform and development cannot succeed without press freedom and easy access to information as a right for all citizens. The target date for realizing this goal in respective countries was 2009. However, many of the recommendations are yet to reach their desired stages of implementation.

Another conference on the subject took place in Doha, Qatar, in 2010, under the theme, “Freedom of Information: The Right to Know” Naseer Homoud, Good-will Ambassador and Permanent Observer to the United Nations, said the occasion provided an opportunity to affirm the importance of freedom of expression and press freedom, a fundamental human right enshrined in Article 19 of the Universal Declaration of Human Rights. He lauded the sometimes-arduous work of journalists, which brings independent and quality news and information to nations around the world. “The powerful position which media enjoys [sic] should be channelized [sic] for ultimate benefit of the mankind” he said. “It was an irrefutable axiom that no society could be totally free without a free press. It was only through a free press that it was possible to hear the voice of the weak and the small.”<sup>4</sup> Homoud cautioned that a free press has the responsibility to provide a voice to citizens and to create an environment where all major issues of consequence can be discussed.

In Libya, despite the fall and forceful removal of Moamar Kaddafi from power in September 2011, the light is yet to turn green on press freedom. In 2007, journalists in that country issued a statement decrying the status quo and advocated for a private free press after decades of government monopoly. At the core of the statement was the need for press freedom and expression and professionalism, as well as creating a press that upholds journalistic ethics and values. The statement reads in part: We believe that the press in indeed in need of restructuring and reorganization, we truly would like to emphasize that the most important problem suffered by this press is not lack of technical or artistic talents, but in the nature of press content which is dependent solely on propaganda and positive government messages. This has caused it to lose all the characteristics of a real press content that works in tune with the needs of this global era.<sup>5</sup>

A survey on press freedom conducted in Jordan by the Amman-based Center for Defending the Freedom of Journalists (CDFJ) provides a dazzling picture. Despite the country’s stated commitment to freedom of expression, only a miserable two percent of the 500 journalists surveyed said they were satisfied with the state of press freedom in the kingdom. “Over and over again, speeches on media freedom have not been coupled with practical procedures in spite of all the clear royal messages addressing this issue”, said Nidal Mansour, head of CDJF. A fifth of those questioned said they had been exposed to attempts to “contain” them and that co-option is a common practice that can be far more effective than intimidation. The vast majority of journalists admitted that journalistic favors in return for gifts and bribes were common.

Certainly, there is a problem in the Middle East brought about by limitations to press freedom. The question that lingers is this: Why is press freedom compromised in the Middle East? Diab (2010) says press freedom still lags in the Middle East through a common thread, which is, the general lack of legitimacy and accountability of the region’s regimes who, therefore, view the free circulation of ideas as a fatally dangerously folly.<sup>6</sup> Another reason is the volatility of the region and the numerous conflicts that plague it, the ethnic and regional fault lines which increase tensions, and foreign meddling.

But Middle East instability is not just a reason. It serves as a convenient excuse because governments use the shadow of external threats, both real and concocted, to intimidate and silence opposition and resist policies and reforms that run contrary to their vested interests. “True press freedom in the Middle East cannot occur in a vacuum. In addition to wide-

ranging political reform, the region needs to overcome its endemic culture of paranoia and distrust”<sup>7</sup> conclude Khaled.

The International Federation of Journalists (IFJ) has made public a 2010 report calling for an end to media repression in the Middle East and Arab World. Entitled “Breaking the Chains: Middle East and Arab World Press Freedom Review,” the report documents the violations of journalists’ rights with a focus on the use of the law to punish journalists for their work. It reveals that despite commitments to respect press freedom, tens of journalists are still being prosecuted and jailed across the region each year. “This report reveals not only the continued abuse of the law by the authorities, but also more importantly, how journalists and their unions are fighting back to create a free and democratic media environment,” said Aidan White, IFJ general secretary.

The report comes at a critical time when, say, Yemeni journalists have continued to suffer from the growing instability of the country, with reports of beatings, abductions, and threats. Among them is Mohamed Al Maqaleh, abducted by armed men in September 2010, and disappeared for four months during which period he was beaten, tortured, and was subjected to fake executions. He was fortunate in that the government later admitted holding him and then released him. Morocco has witnessed an alarming rise in charges against journalists, imprisonment, and seizure of newspapers, while harassment and prosecutions have reached astonishing levels in Iraq.

### **3. Press Law in Kuwait**

Twenty years after Kuwait was liberated from Iraq, it remains one of the most liberal states in the Middle East with regards to press freedom. As a matter of fact, the government does not engage in official censorship. The Kuwaiti citizens enjoy relatively wide margin of press freedom and are allowed to purchase and use satellite dishes with no restrictions. Kuwaitis are quick to transition to new information and communications technology with acute adaptation and use. Technological sophistication is not a problem in that citizens are generally challenged, excited, and enthusiastic about being acquainted with new devices and applications.

Although media generally subscribe to such international news agencies as Associated Press, Agence-France Press, and Reuters, the Kuwait News Agency (KUNA) was founded in 1976 to spearhead media’s independent establishment. KUNA transmits news bulletins in Arabic and English. International network giants operating in Kuwait include the British Broadcasting Corporation (BBC), Cable News Network (CNN), and Middle East Broadcasting Company (MBC).

The Kuwaiti constitution guarantees freedom of speech and press freedom. For example, Article 36 states: Freedom of opinion and scientific research shall be guaranteed. Every person shall have the right to express and propagate his opinion verbally, in writing or otherwise, in accordance with the conditions and procedures specified by law.”<sup>8</sup>

There are some exceptions to press freedom. These include Section III of the Printing and Publication Law (PPL), which was issued in 1971 under the reign of the late Amir Sheikh Abdullah Al-Salem Al-Sabah. PPL guarantees freedom of printing, publishing, and writing with the following limitations: Article 23 prohibits criticism or comment on God, other

religious personalities; Article 24 prohibits publishing official state secrets not previously published unless permission is granted by the department of prints and publications. It also prohibits writing that may jeopardize relations between Kuwait and other Arab or friendly countries; Article 25 declares that any news or information that may affect the value of the national currency or economic situation is prohibited; Article 26 states that any news or information that violates public morality, or a person's personal freedoms, is prohibited from publishing, as well as any secrets which might affect the reputation of an individual, their wealth or commercial name. Additionally, publishing matters that may threaten the individual and result in blackmail is prohibited.

The PPL establishes the criteria for issuing or renewing permits for journalists, correspondents, and news agencies, and ensures that printed materials are within the limits of the law. For instance, in order to begin publication of a newspaper, the publisher must obtain a license from the Ministry of Information. Individuals must also obtain permission from the ministry before publishing any printed material, including brochures and wall posters.

A recent study carried out by the Gulf Strategic Studies Center in Cairo revealed that the press in Kuwait is freely practicing all forms of social, administrative, and political criticism, thus remaining under a special and successful self-censorship.<sup>9</sup> The study attributes this success to each newspaper's independence and the country's unique constitution which protects journalists and guarantees press freedom, including an engaged parliament determined to maintain information flow for the citizens.

However, contraventions are closely monitored and appropriate action taken. In each case, the Printing and Publications Department refers the matter to the office of public prosecutor. And the National Assembly takes part in enforcing the law by imposing questions to the Minister of Information for review or advice. Any citizen, organization, company, club, or civic organization has the right to appeal to the public prosecutors' office, Ministry of Information, or the National Assembly.

A prominent case of enforcement involved the former Minister of Information, Sheikh Saud Nasser Al-Sabah, who was officially questioned by three MPs for permitting an allegedly un-Islamic book into the country. The MPs claimed that the book, which had failed the censorship litmus test, was displayed at a book fair in 1991, thereby posing great danger to Kuwaiti society. Eight years later, Ahmed Al-Baghdadi, political science professor at Kuwait University and regular columnist for the Arabic daily, Al-Seyassah, was sentenced to one month in prison for blasphemy. Upon criticism and appeal by the Kuwaiti Journalists Society, Professor Ahmed Al-Baghdadi received a pardon by the Amir.

The PPL has once restricted press freedom when the National Assembly was dissolved in 1985 and law 35/85 was issued to limit press freedom. These restrictions remained in force until 1992 when a new parliament was elected and democracy was restored in Kuwait. While the law was in effect, it stipulated that each newspaper must have a censor appointed by the Ministry of Information and required pre-censorship for all publications. But in 1998, the National Assembly nullified the law because it was deemed unconstitutional.

In early 1990s, the PPL took action to limit press freedom in the interest of national security. It closed the local operations center of Al-Jazeera, Qatar-based television network, a day after airing reporting that a portion of Kuwait's territory had been sealed off to make way

for US-Kuwaiti military maneuvers. Defending its rare action, the government affirmed that the Al-Jazeera report undermined the country's interests.<sup>10</sup>

#### **4. Press and Government Relations**

Cognizant of national concerns and Arab nationalist considerations, the government maintains direct lines of communication with the media organizations and media practitioners. The private media abide by this policy by applying high and responsible journalistic ethics and standards, while state run media and KUNA follow the government policy accordingly. Meanwhile, the government, through non-coerced and informal censorship, attempts to pressure publishers and editors who are believed to have crossed the line in attacking government policies or inappropriately discussing sensitive subjects that include Islam, tradition, or State interest. Journalists in the private sector practice self-censorship as a form of protection.

Unions, societies, and civic organizations also play a role in influencing the media. The Graduates Society, Lawyers Society, and Women's Societies are among groups that function to promote their causes through the media in an effort to raise awareness in civil society. The influence of civil society organizations and non-governmental organizations (NGOs) is more pronounced in the privately owned dailies than in state-owned print or electronic media. An example was concern a few years ago over air pollution in a residential area from an industrial plant. A protest was staged by a group over the issue and widely reported in the dailies, including splashy front-page stories. Conversely, there was no mention of the incident on state media.

#### **5. Kuwaiti Press in Action**

There are currently 15 newspapers in Kuwait; 14 television outlets that include channels that distribute content; seven FM (frequency modulation) and six AM (amplitude modulation) stations; and 10 Internet news media. As a country, Kuwait does not boast about the prevalence of press freedom. Rather, observers, and those who have studied the concept from a Middle Eastern perspective, do the talking.

KUNA (2010) reports that researcher Eman Arafat researched press freedom in Kuwait from 2003-2007 for her Ph.D. dissertation at Cairo University. In her findings, the doctoral candidate found out that press freedom in Kuwait goes beyond the 2006 press law that liberalized the press. She discovered that Kuwaiti writers could criticize the cabinet's performance as long as they do so when they first consider the country's interest, noting that writers cover news, analyze them, and participate in directing society's viewpoints. "The Kuwaiti Constitution grants journalists press freedom in a number of articles, whereas the law issued in March 2006 was the breaking point in the history of Kuwaiti journalism," she said.

Kaposi (2010) describes press freedom in the country. In a 2010 interview with the International Press Institute (UPI), the American University of Kuwait (AUK) professor admits there are certain limitations to press freedom in Kuwait, such as leveraging criticism on the Amir and Crown Prince. On the whole, however, she is amazed at the freedom journalists and related organizations enjoy when it comes to protecting journalists and their right to information, even when it concerns criticism against government action.



Kaposi (2010) uses the example when the government proposed amendments to the press and audiovisual laws aimed at eroding aspects of press freedom. Media response was ferocious and unrelenting. She describes the confrontation as follows: The front pages of newspapers carried headlines screaming protests. The points the Kuwait Journalists Association, the editors-in-chief of newspapers, and the directors of satellite channels stressed is [but] one element in the on-going political struggles between the legislative and executive branches in Kuwait. But at least the politics surrounding press freedom is quite widely and openly discussed in the media.”<sup>11</sup>

The professor believes that the 2006 press law is very important in the gathering and dissemination of information in that it was passed, specifically, to make sure that not only the well connected, powerful, and well placed individuals or families would own, control, and publish newspapers, but others, too, who may be less affluent or marginally placed. And equally important is that the 2006 law includes a provision that no journalist can be jailed, and no newspaper can be shut down without final court action. In another display of press freedom, Shamael Al-Sharikh, staff columnist at Kuwait Times, commented in 2009 that Kuwait is playing host to a heated debate between MPs and some local newspapers.

The center of debate is press freedom. To this end, some newspapers have given their writers and columnist’s *carte blanche* to criticize whomever they desire in the most brutal way possible, with the exception of slander. The targets of these criticisms are mostly MPs, and not surprisingly, the criticisms have met with disdain by MPs. In retaliation, the parliamentarians have launched a political campaign against targeted newspapers accusing them of propaganda on behalf of wealthy business families, or that concerned journalists are paid from government coffers.

Al-Sharikh points out those MPs have continuously used the term red line to illustrate the belief that their job performance should be immune from vicious criticism. In this vein, they contend that quality newspapers should not cross the red line and that they should maintain a sense of respect when writing about elected officials. The problem, though, is that there is no red line in the Kuwait Constitution regarding criticism of MPs, adds Al-Sharikh, and that, “Freedom of speech in Kuwait is a right for both Kuwaitis and residents, and the only three entities that cannot be criticized in writing are God, Prophet Mohammad and His Highness the Amir. Everyone else is fair game.”

Press freedom does come with traditional woes. As a result of competition, newspapers have resorted to heavy reliance on advertising sales and border yellow journalism. While these practices are perfectly legal, some of the writings are clearly cheap shots directed at MPs with whom writers or columnists have had an axe to grind, or simply reflect sheer xenophobia or ignorance. Truly, some of these pieces should never have been written or printed as they fall below ethical and high journalistic standards.

Yet it is the price Kuwait pays for press freedom. They stand as a perfect testament to the press freedom for even men with substantial political clout are not immune to public criticism. As a result, Kuwaiti newspapers continue to show that the country has the greatest freedom of speech of record in the Gulf region. Al-Sharikh ends his appraisal of press freedom when he says, “There are very few things going well in Kuwait at present, but our freedom of the press is one characteristic of Kuwait life that we, the people, are unwilling to surrender.”<sup>12</sup>

Yet mutual existence, that is, citizens and the press, does not mean mutual silence. There are those who would rightly criticize or question, and there are those who would try to make certain that their voices are neither muffled nor thwarted. Such is the conundrum with Islamic channels, which Ahmad Abdulrahman Al-Kous, writing for Al Watan, condemns. He makes the argument that, it is completely wrong to shut down channels just because they promote good values and are advocates for the virtues of morality. Ahmad Abdulrahman regrets the action that he attributes to the will to silence Islamic channels that pose a challenge and competition to the major Arab and foreign satellite channels. Contrary to competitors, he states, the channels have simplified the provisions of the Islamic religion and true faith, helped spread the spirit of monotheism and eliminated age-old superstitions and legends. "No matter how hard the enemies try to stifle the voice of the Islamic satellite channels and intend to crush them, they will never be able to achieve their goals especially since the viewers have finally realized the irrefutable fact," he asserts.<sup>13</sup>

Kuwaiti media are pluralistic and enjoy greater freedoms than some of their regional counterparts. Tareq Metri, Lebanese Information Minister, while on a visit to the country in October 2009, referred to Kuwait media as "free and developed," adding that, "Kuwaiti media scene had progressed a lot recently and it [sic] created a model for others to follow." Even other nations have noticed the unique place of Kuwait in harboring a free press. In the July 2011 article, "Kuwait to Host Media Forum" Arab and African journalists selected Kuwait to host the initial Arab-Africa media forum intended to place the Gulf at the center of social and economic development, and to explore the role of media in the process. Slated for April 12, 2012, the forum is also to define future cooperation between Arab and African media organizations through collaborative programs and projects.

The communications industry has a history of providing education as part of community service. For instance, Al Watan, which owns a newspaper chain and a major television entity, conducts youth summer training for future journalists. Wataniya Telecom, a giant information technology conglomerate, continues to support education in Kuwait. The company recently sponsored the Abdullah Abdullatif Rejaib high school graduation ceremony. Addressing the students, Abdulaziz Al-Balool, company director of public relations said, "We are pleased to share the joy with those ambitious graduates, and it is a real pleasure for us to be a part of this. We are proud of them and their accomplishments which will definitely brighten the future of Kuwait."

According to a 2010 finding by Reporters without Borders, "Freedom of Press: Kuwait leads in Arab Peninsula," Kuwait is considered a leading nation as far as press freedom in the Arabian Peninsula is concerned. In the ranking among nations, Kuwait is 73<sup>rd</sup> atop the group, the United Arab Emirates is 77<sup>th</sup>, and Qatar is 80<sup>th</sup>.<sup>14</sup> Mean while, a 2004 Freedom House survey has tracked trends in media freedom in the Middle East since 1980. Covering 192 countries and one territory, Freedom of the Press: A Global survey of Media Independence, rates each country's media as free, partly free, or not free. Of the 19 Middle Eastern and North African countries, only Israel is rated free. One country, Kuwait, is rated partly free, while 17 are not free.

## 6. Government Tackles Press Freedom

The Kuwaiti leadership recognizes the importance of media in national development. The Amir, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, said on December 29, 2009, in a nationally televised speech, that local media should play a favorable and responsible role in protecting and maintaining the country's national achievements. The Amir said commitment to sound professional criteria is required for free, conscious and responsible media performance given that media are a key part of the country's democratic system. He went on, "The media should always be a civilized torch of knowledge, ensuring credibility and integrity and acting as an effective tool for buttressing development efforts and a platform for responsible freedom and enlightened public opinion."

Kuwait recognizes the important role played by media practitioners as agents of change in the dialogue for national development. This recognition was reiterated a couple of years ago to executives of Kuwait News Agency (KUNA), Kuwait Journalists Association, and editors-in-chief of local newspapers by Information Minister, Sheikh Sabah Al-Khalid Al-Sabah, who reaffirmed that the Amir places high importance on the role of mass media as a pillar of national development. He said the Amir desires collaboration between government and private media in the interest of nation building. Understandably, these media and their practitioners would be greatly impaired were it not for the prevalence of relative press freedom.

## 7. Setbacks

Just as there is no perfect democracy, so, too, is there no perfect press freedom, including Kuwait. There have been cases where journalists have been imprisoned, fined, or have their reporting rights revoked or denied. These occurrences are not endemic to Kuwait. Nevertheless, they deserve to be mentioned here as a forum for advocating press freedom and protecting journalists. In 2000, a court handed down suspended sentences to two Kuwaiti writers after convicting one of them of blasphemy, and the other of indecency. Alia Shuaib, philosophy professor at Kuwait University, was found guilty of publishing opinions that ridicule religion and blasphemy in the book, *Spiders Bemoan a Wound*, and published in 1993. Aila al-Al-Othman was convicted of using indecent language in her book, *The Departure*, although government censors had approved it in 1984.

In 1999, The Kansas City Star ran a story on television news reporting. It concerned a live call-in show on Qatar-based Al-Jazeera network that centered on women's rights under Islam. An Iraqi viewer called and criticized a program guest for asking God to save the Amir, Sheikh Jaber Al-Ahmed Al-Sabah, whose government had just granted women the right to vote and run for parliament. God, the viewer contended, should not be asked to protect a man who "embraces atheists and permits foreign armies to enter Kuwait," a reference to American and allied forces that fought Iraq in the 1991 Persian Gulf War. Her remarks were considered insulting to the Amir and the Minister of Information, Yousef Al-Sumait, also took grim notice that the network did not apologize for the incident. As a consequence, the government asked Al-Jazeera's correspondent in Kuwait, Saad Al-Enezi, to cease and desist working for the network. Reuters Expert (2010) called on the Amir to intervene for the release of a blogger who was on trial, accused of insulting the ruler, and inciting against the government.

Jassem used his Website to criticize the ruling Al-Sabah family and accused the prime minister of mismanagement and corruption. It is also a fact that the Amir is protected from criticism by the constitution. Mohammad Abdul-Kader Al-Jassem said that the accusations and the trial were politically motivated.

“We call on you to ensure that this egregious violation of press freedom is rectified in Al-Jassem’s June 21 court hearing and that he is released immediately,” the New York-based Committee to Protect Journalists (CPJ) said in a letter to the Amir, Sheikh Sabah al-Ahmad al-Sabah. CPJ told the Amir that it had observed with alarm the politicized nature of the writer’s treatment and that the detention and trial violated the Kuwait’s constitution, which guarantees press freedom. The charges against him, CPJ wrote, were based on 32 of the constitution’s articles, some of which date back to 2005, whereas the country’s press law states that legal recourse must be initiated within 90 days of the date of publication. Reporters without Borders (2010) deplored the fines, which a Kuwaiti criminal court imposed on a journalist, three newspapers, and two MPs in three separate cases heard on March 7. The cases involved published reports containing comments considered offensive to the royal family. The combined fines amounted to more than 11,000 KD. “These convictions leave us very concerned for the future of free expression and press freedom in Kuwait,” said the statement.

In the first case, writer and journalist, Mohammed Abdeqader Al-Jassem, was fined 3,000 KD for an article in the newspaper, Alam Al-Youm, published on August 16, 2009, in which he accused the media for reporting that the prime minister had fueled tensions between Kuwait’s Sunni and the Shite communities. The newspaper was fined the same amount. The prime minister’s complaint about the article led to Al-Jassem’s arrest when he refused to pay bail, but was released 12 days later after paying 1,000 KD in bail money. In the second case, MP Mohamed Hayef was fined 3,000 KD for comments he made in parliament during session, in which he made disparaging remarks about divisions within the royal family. The daily newspaper, Al Ruia, which published the comments, was also fined the same amount. And in the third case, MP Marzouk Al-Ghanem and the newspaper, An-Nahar, were each fined 3,000 KD.

Unfortunately, journalists cannot perform their chosen profession without contemplating existentialism. The quest for accuracy, truth, objectivity, and all the ingredients of seasoned reportage, drive journalists to the brink of life or death encounters. Sad to say, good journalists sometimes pay with their lives in the service of society. Fate befell Al-Salem, a 66-year veteran journalist and editor/ owner of the weekly magazine, Al-Majeles. Al-Salem was killed on her way to work when an armed assailant opened fire on her chauffeur-driven car in Kuwait City. The assailant, who was described as wearing a long robe, apparently got out of a four-wheel car and fired several rounds into Al-Salem’s car as it stopped in traffic. She died shortly thereafter. According to Kuwait police and prosecutors, the main suspect, Khaled Al-Azmi, confessed to killing Al-Salem, although he recanted in court on grounds that the police had forced him to confess.

But in February 2002, Al-Azmi was convicted of the murder. During the investigation, the authorities said Al-Azmi killed Al-Salem to revenge an earlier Al-Majeles article that he found insulting to the women of his tribe. In the latest edition of Al-Majeles, reports said Al-Salem published an open letter claiming the police had harassed her. Whatever the

speculations or motive, the hard fact is that she died while rendering a needed service to report events and to enable citizens to have information to make necessary decisions in their daily lives.

## 8. Conclusion

Journalism, in its broad sense, encompasses print and electronic media, as well as modern and emerging technologies such as the Internet and technological hook ups. This broad perspective translates into a mandate for journalists and technicians to gather and disseminate information to diverse audiences across cultural backgrounds. But for these professionals to do their job, they need access to sources of information, coupled with certain guarantees, protection, and security. These imperatives can only be guaranteed when enshrined in the nation's constitution and upheld by the courts as they interpret the law governing the practice of journalism. For journalists, the cherished concept is known as press freedom.

The concept is in place in Kuwait and has worked well to a large extent. Free expression and press freedom in the country command respect within and without. Neighbors and international organizations that monitor and report on press freedom issues recognize press freedom in Kuwait. There is, therefore, no question that Kuwait is on the right path and is to be commended. Yet, as in any concept, there is always room for improvement, particularly in view of the constantly changing dynamics of technological changes and global communication. For journalists practicing their craft, it is of paramount importance that they take advantage of the liberal press law in Kuwait. Of equal importance is that journalists exercise prudence and shy away from bias and unprofessional practices. Upholding high standards is not negotiable and should be the mantra for all journalists. To this end, ethical considerations should tower over personal favors and self-interest.

Existentialism exists, too, and journalists cannot do anything about it, except wish that it not befall them. It is only natural that their minds flicker on it once in a while. The general desire is for press freedom to be respected far and wide so that journalists do not end up paying with their lives while performing their professional duties. And although life continues sometimes following personal injury or loss, it does so under undesirable and painful circumstances. Yet it is quite frightful to imagine the world without information, and more so information that is truthful, accurate, objective, factual, and reported by journalists who are dedicated to their craft with impeccable professionalism and ethical standards. These are the journalists who must be protected and afforded security through constitutional guarantees of press freedom. They are the friends of all mankind, and like a good neighbor, deserve both government and citizen support and respect as they go about their challenging job. For the journalists, they must tread nimbly, occasionally, on perilous terrain.

For Kuwaiti media practitioners, the path is smooth sailing in the sphere of press freedom. The country ranks atop the Gulf region and North Africa when the concept is discussed. There is obvious national pride in the state of affairs. However, there remains turbulence as journalists go about their business, while fines and court appearances do not make life any better for them. One complementary fact must be recognized, though. The country, journalists, courts, politicians, and the government are all engaged in a continuous dialogue

with one another, and infrequently against one another. These relationships, despite that they cannot be perpetually cordial, have tended to bring about positive change.

It is the desire of journalists and the profession that there be no relenting in efforts to create an environment conducive for practicing journalism. Thus, journalists should equally engage in self-discipline and act in the truest sense of social responsibility because the law is not everything. Exercising good judgment, even where legality applies, is a virtue, while onward is the unrelenting march to press freedom in order to better serve mankind through information.

It can be argued that press freedom in Kuwait is limited because there are exemptions. These include criticism of God, Prophet Mohammad, and the Amir. Well, such restrictions are not endemic to Kuwait. It is true that laws protecting privacy, reputations, and dignity of individuals are stronger in Europe than, say, in the United States. There are, however, infractions, and modest penalties constitute a simply slap on the wrist for journalists, and a quick return to the victim's good name. In fact, the principle is extended to the government to withhold information, and stop its publication, in cases where doing so would be embarrassing to the nation. And in most Western countries, this is accepted as essential to cultural survival and good order. Thus, some things are better left unreported because of the overriding importance of the individual, good name and solidarity of the group, and stability and survival of the nation.

The plausible way forward in Kuwait, and in view of the fact that religion is an important role in society, is to pray that God bestow upon the good leaders the wisdom to guide the nation in preserving press freedom for the good of the country and its citizens. And since the courts have the responsibility to interpret the law, it would be right, too, to pray that God imbue them with the wisdom to interpret press law without fear, favor, or bias in order to preserve press freedom.

### Footnotes

<sup>1</sup>U.S. Diplomatic Mission to Germany (2008). Public Affairs, Information Resources Centers, p.

<sup>2</sup>World Public Opinion (2009). Washington, DC, p. 1.

<sup>3</sup>Arab View (2003). Independent Arab Opinions, p. 1.

<sup>4</sup>[www.yml143.com/pubarchive](http://www.yml143.com/pubarchive), p. 1.

<sup>5</sup>IIMSAM Middle East Regional Office (2010). Press Release, p.1.

<sup>6</sup>mhtml:file:/F: Press freedom 19, p. 2.

<sup>7</sup>Ibid.

<sup>8</sup>“Kuwait. Anonymous and undated paper.

<sup>9</sup>Ibid.

<sup>10</sup>Ibid.

<sup>11</sup>International Press Institute (2010). Notes from the field: Kuwait.

<sup>12</sup>Press Freedom and the Red Line (December 2, 2009). Clipping from Kuwait Times newspaper. Copy in possession of author.

<sup>13</sup>Who benefits from shutting Islamic TV Channels down? (October 26, 2010). Clipping from Al Watan newspaper. Copy in possession of author.

<sup>14</sup>Reporters Without Borders (2007). “Freedom of Press: Kuwait Leads in Arabian Peninsula.”

## References

- Altschull, J. Herbert (1995). *Agents of Power: The Media and Public Policy* (Ed.). New York: Longman.
- Asante, C.E. (1997). *Free Press and Development: A Research Guide and Selected Bibliography*. Westport, CT: Greenwood Press.
- Diab, Khaled (2010). "Press Freedom still lags in the Middle East." Mhtml:file://Press Freedom 19.mht.
- Stephen, Robert L. "Freedom of the Press Around the World." Paper prepared for John C. Merrill and Arnold S. de Beer (Eds.), *Global Journalism* (4<sup>th</sup> Ed.).
- Gunaratne, Shelton A. (2002). *Freedom of the Press: A World System Perspective*. London: Sage Publications.
- Herb, Michael (2005). "The SSIP-Muslim World Initiative Working Group and Study Project: The Transition from Liberalized Autocracy? New Options for Promoting Democracy in the Arab World." Georgia State University.
- Hocking, W.E. (1947). *Freedom of the Press: A Framework of Principle. A Report from the Commission on Freedom of the Press*. Chicago, IL: The University of Chicago Press.
- International Federation of Journalists (2010). Report entitled "Breaking the Chains: Middle East and Arab World Press Freedom Review."
- International Press Institute (2010). "Middle East and North Africa Overview."
- Kaposi, Ildiko (2010). "WPFR: Notes from the field – Kuwait." International Press Institute.
- KUNA (2010). "Kuwait sets example for press freedom." Dissertation completed by doctoral student at Cairo University.
- Kuwait News Agency (2009). Press release in possession of author.
- Kuwait. Undated and unnumbered paper on the media in Kuwait in possession of author.
- Reuters Fxpert (2010). "Global press freedom eroded in 2009 – U.S. survey."