

# Media and the politics of the sacral: freedom of expression in Tunisia after the Arab Uprisings

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## Abstract

In 2011, calls for ‘dignity’ led the mantra for change in the Arab Uprisings. ‘Dégage!’ (‘Clear out!’) was hurled against Tunisia’s President Ben Ali and his fellow Arab dictators’ coercive paradigms that robbed citizens of agency and censored their convictions. During the exceptional politics that ensued, Tunisia’s liberated media exemplified the independence the revolution had achieved. Yet, how free expression was constituted grew increasingly contentious as the media’s lens projected ambiguities in practices surrounding religious and political norms – what Harald Wydra terms ‘sacral symbolisms’ – within the popular imaginary. This implicated interpretations of what was publicly acceptable and dignified and what was not. The media’s engagement with freedom of expression and its significations went through three stages. First, ‘Dégage’, or ‘freedom from’, was celebrated as an erasure of humiliation. The disharmony of competing symbolisms took on new import, however, as the second aspect of constructing dignity, ‘freedom to’, became a contested political and cultural space. Mediation of free expression became a site of power politics and appropriation, creating ‘red lines’ that curtailed certain liberties to secure others, thereby recasting the contention as ‘freedom for whom’. This third stage, in train, remains a realm of mediated uncertainty.

## Keywords

Arab Uprisings, dignity, exceptional politics, freedom of expression, media, sacral symbolisms, Tunisia

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‘When something sacred is to be set up, something sacred has to be destroyed’.

(Nietzsche, 1997, Vol II: 835, trans. H. Wydra)

Zine El Abidine Ben Ali fled Tunisia in January 2011 to the echoes of his population’s calls for dignity. The crumbling of his regime marked as surely as the self-immolation of one of his citizens, a turning point in the Arab Uprisings, and brought to the fore a dialectical tension between identity politics (as expressed in terms of dignity and faith) and definitions of freedom, that Tunisia continues to grapple with. The tension emerged starkly in ambiguities surrounding the media’s interpretation of norms associated with free expression, the media’s liberation in Tunisia being one of the most cherished and heralded of the achievements of the revolution (Marks, 2013; Inkyfada 2015). Aspirations of social justice and apprehensions of possible excesses by the ‘other’ (whoever that ‘other’ – secularist, Islamist or apostate – might be) have drawn on national and religious symbolisms and imaginaries that in the post-Ben Ali era are being hotly contested. With Ben Ali’s departure, Tunisia tumbled into a state of liminality, not only in that the weight of dictatorship was removed from the conversation but also opportunities for freedom of action opened up to test the limits of negative as well as positive freedom: ‘freedom from’ as well as ‘freedom to ...’, as coined by Isaiah Berlin (1969: 2–8; Honig, 2007).<sup>1</sup>

The lifting of authoritarian control, in leaving behind it an unencumbered field of freedom, revealed the need for ‘humane management of the hard choices that are inseparable from the human condition’ (Berlin, quoted in Crowder, 2004: 2; Taekema, 2008: 112). How the media developed within this context, and how humanely it was managed and, indeed, what the hard choices were that appeared inseparable from Tunisia’s canopies of political and religious symbolism that constitute its understanding of national dignity, are the questions being explored here.<sup>2</sup>

In 2011, ‘dignity’ (*karama*) led the mantra for change. Willis (2016) argues that the one common theme that created a consensus within Tunisian society was ‘the need for dignity in the face of humiliation suffered at the hands of the regime’ (p. 49). ‘Dégage!’ (‘Clear out!’) was hurled not only against then-President Ben Ali as a physical presence but crucially against his (and his fellow Arab dictators’) coercive paternalisms that had robbed Tunisians of individual agency and censored, or worse, corrupted, their convictions (Willis 2016: 30). Berlin’s (1969) notion of negative liberty, or ‘freedom from’, is defined as the ability to act ‘without interference’ or coercion (pp. 2–3). In the early stages of the uprisings, it was ‘freedom from’ humiliation that the word dignity referred to most clearly – and expressed freely in the liberated media that followed (Filiu, 2011; Lynch, 2013).

Immediately, freedom of expression came to epitomise the social contests expressed through judicial interference, moral constraint, religious (in)tolerance and political exigency being tested – separately and together – for their social or ethical elasticity. As ‘red lines’ delimiting the expressive landscape were imposed from below through a power politics of pluralism, in contrast to the previous imposition from above by authoritarian diktat, normative and religious ascriptions curtailing the liberties of some to secure those of others recast the social construct of the mediation of dignity in increasingly competitive terms.

The literature on political transitions, and the role of media, has focused heavily on democratisation and the participatory and informational importance of liberalised communication (O'Neil, 1998: 1). Hallin and Mancini (2004) note a 'co-evolution' of political and media systems in transition situations, as political variables that impact political structure will simultaneously inform political culture (p. 297). The authoritarian collapse in Eastern Europe offered rich analytical opportunity for understanding how media contributes to the construction of democracy – with several paradigms emerging on the salience of journalistic professionalism, party–power parallelism, state intervention and market liberalisation as markers for transition assessment and cross-system comparison (Curran and Park, 2000; Hallin and Mancini, 2004). Research on the role of media as both a constraint on state power and conduit between state and public has explored its instrumentalisation and commodification by both government and the private sector as well as its 'globalising' impact, including in the Middle East (Hafez, 2000; Sakr, 2007; Webb, 2014, among others).

This study approaches the media's position from a different perspective. Liberalising politics since the Arab uprisings have challenged concepts of free speech, social emancipation and the place of Islamic norms, leading to a gap in the literature on the media's role in establishing significations of transition, dignity and national identity in the Muslim world. Borrowing from both Habermas (1962) and McLuhan (1964), the media here is understood not just as messenger but as message – the crucible of how free expression, faith and decency are understood, defined, projected and tolerated. Although the manipulation of ideology in the Eastern European media was understood as a vehicle to (re)capacitate leadership and 'bind the people to the state' and to elite resources (Wydra, 2015), the merging of secular and religious symbols in the hands of Middle East and North Africa (MENA) dictators has little parallel with the frames in previous studies, nor do the new rituals of belief and normative discourses that were devised, and upon which current political identities are drawing.

This study begins by locating the discussion in exceptional politics – defined as 'limit' situations or periods of political crisis in which 'individuals and collective groups are in-between dissolution of order, and aspirations of remaking order' (Wydra, 2015: 4). These moments are not just transitions but rather opportunities for the 're-invention of society itself' (Zemni, 2015: 2). Within this framework, the idea of freedom of expression as a fundamental reflection of dignity is examined by exploring both Margalit's (1989: 4) view that a decent society is a non-humiliating one and Berlin's (1969) concepts of negative and positive freedom, each of which offers particularly useful theoretical approaches to understanding the processes experienced in Tunisia. Wydra's (2015) concepts of the sacral writ large – the sacral being as much political theology as identity imaginary – are employed to enable the analysis to incorporate emotional commitment precisely because the sacral embodies meaning, belief and ritual, elements that Tunisians have drawn deeply upon in establishing definitions of dignity and freedom in the aftermath of 2011, in order to inform and constitute the social and legal structures of their reinvented society (p. 10). There follows an examination of sacral narratives in Tunisia, in which dignity is expressed in the tensions played out in the media between the traditions of a modern secularism and an Islamic repertoire that are not only carried over from the past but produce conflicting interpretations of how Tunisians perceive themselves and their identity today.

The next sections unpick the development of freedom of expression through the three stages of exceptional politics that characterised Tunisia and its media in the years from 2011, after Ben Ali fled, through 2014 when the new constitution was adopted. In those years, Tunisians moved from revolution and the first flush of unencumbered 'freedom from' Ben Ali's authoritarianism, in which the media was exuberantly out-spoken, to a stage of liminality. In this second stage, elections in late 2012 empowered an Islamist-led Troika to interpret 'freedom to' in the service of drawing on existing, though contested, sacred meanings to create a new social dignity that would temper what was viewed by a swathe of the population as the indecent excesses of the media. This, in turn, led to the third stage of semi-settlement, in which the new constitution codified many debates but left others unresolved (Zemni, 2015: 2), preserving the media's role as locus of narrative contestation to further test the resonance of dignity in traditional, religious and modern identity symbolisms and engage the public sphere in performatively constructing a hybrid sacred canopy for Tunisia.

### **Exceptional politics and the constitution of decent society**

The uprisings that seized the Arab world in 2011 were nationally specific, but the crowds that filled the streets from Morocco to Bahrain adopted a common mantra: 'Dignity, Bread and Freedom'. As dictators fell, constitutions were reformed, and civil wars erupted, the theme was clear: life in the Arab world was humiliating and intolerable. Change necessitated rupture. Yet, only Tunisia has experienced, so far, a process of 're-inventing itself', weathering a period of extraordinary politics to engineer a more decent society. Within that process, the role of media freedom as a reflection of how Tunisians construct dignity and identity has been critical (Marks, 2013).

Extraordinary politics is distinguished from 'transitional politics' (continuity through reform of existing structures), by constituting the political 'with the goal of transforming the basic structures of society and re-signifying social reality' (Kalyvas, 2008: 7). Extraordinary politics reflect a moment distanced from a dissolving past through voided meanings, social disorder and the emergence (or re-emergence) of a liberated public square (Wydra, 2015: 21).<sup>3</sup> 'Limit situations' (the interstice between dissolution of the old order and still unachieved aspirations of remaking a better order) are plangent with internal creativity and popular desire for change (Wydra, 2015: 22).

Extraordinary politics emerge when populations attempt to funnel the collective passions that led to the upheaval into creating a more dignified, more legitimate political community. Yet, legitimacy reflects the need for people to bind themselves emotionally to the integration of the cultural and the experiential. Wydra (2015) argues that 'in order to cope with the extraordinary, they rely on symbolic signs, ritual practices and collective performances' in the quest for meaning (p. 23). This is the sacred, which does 'not assum[e] a religious sense of absolute ethics but, rather, the secular sense of epistemic truth' (Wydra, 2015: 41). Wydra's (2015) point that 'politics and the sacred are the "twin powers" that are in permanent reciprocal engagement in order to make sense of the extraordinary' is useful, as Tunisia's ability to create a decent society embodying 'dignity' and 'freedom' required constitutive mythologies to contribute normative content, as much as it depended on political and material facts.

## Re-dignifying society

The theme of dignity that pervaded the Arab uprisings was a statement about the lack of respect in the quotidian humiliation that characterised the practices of authoritarianism. Dignity as a social good has become tightly linked to the concept of human rights, those rights possessed by all and inalienable as a measure of what constitutes humanity. 'Human rights are considered a protection for human dignity', according to Margalit (1989: 40). From this, it is a short step to define a legitimate society embodying dignity as ensuring all its citizens, of whatever rank or creed, enjoy equal rights by protecting those rights in law. It is, however, a more complex step to define a society that transgresses dignity; as Margalit (1989) wonders, 'the violation of which rights provides a sufficient condition for humiliation?' (p. 39). Berlin (1969) observes that rights, or the liberty to act unobstructed by others – what he calls 'negative freedom' – cannot be unconstrained, as then 'all men could boundlessly interfere with all other men' (p. 4). If justice or security or, indeed, freedom is to be preserved and viewed as constitutive of a desirable society, then limits on individual freedom must be established. Similarly, safeguards must be placed on the state since its monopoly over the use of force puts it at perpetual risk, normatively and institutionally, of abusing the dignity of its citizens.

Margalit's decent society is one that avoids humiliation, and thus, he adopts the negative definition of non-humiliation rather than the positive one of respect (Margalit, 1989: 4). Tunisian interpretations of freedom of expression as a reflection of dignified society, illustrated below, accords with Margalit's (1989) view that there is an asymmetry between the promotion of good and the erasure of evil and that 'eliminating humiliation be given priority over paying respect'. In the Tunisian period of extraordinary politics, the first stage was the elimination of humiliation by denouncing and attempting to eradicate the regime of indignities institutionalised under Ben Ali. This first stage was one of separation (Wydra, 2015: 41) and exhilaration, in which Tunisians blithely crossed boundaries and freedom of expression flowered unhindered.

The second stage in Wydra's view is a no-man's land, characterised by disintegration inside the community as the exercise of unrestrained freedoms contributes to political strife, as well as a nascent recognition that there is a need for negotiation (Wydra, 2015: 42). In the search for affiliation and meaning, sacral narratives in Tunisia drew on historical mythologies and religious symbolism to legitimate both secular and Islamic perspectives and establish balance in regulating the state and the individual. The sacral was sought to provide context and emotional ballast but was revealed to be deeply ambiguous and, thus equally, underwent processes of re-signification in the often uncomfortable glare of the media's public square. The media, in turn, became the totem of contested Tunisian identity, a reflection, as much as the battleground, of how a new political theology was inculcating 'freedoms to' and privileging 'for whom' in constituting a decent society.

The third stage is one of settlement (Wydra, 2015: 41). The re-signifying of society through the period of extraordinary politics radically transforms the community. Yet, re-invention inevitably reduces certain freedoms through processes of legitimating those that remain. In securing freedom for some, freedoms demanded by others are inevitably denied, leading to humiliation. There is no such thing as 'immaculate freedom' that

exists outside contexts of appropriation and competition. On one hand, Berlin argues that pluralism ensures a least coercive moral economy of 'freedom from'. On the other hand, it establishes a dialectic between power and opposition (Cocks, 2002: 23).

In Tunisia, freedom of expression became an object of appropriation by both Islamist and secular forces. Etzioni argues that the community enacts the consequences of that which it deems offensive, establishing the limit between social tolerance of the acceptably offensive and the red lines that define hate speech and humiliation. How astutely this limit reflects public mores is how legitimately the line is drawn between intolerance and censorship and how broadly society is viewed to be decent by those living in it (Etzioni, 2015: 3). It is here that the media as message becomes clear, in its embodiment of the culture of legitimacy, or its lack. In states, such as Ben Ali's Tunisia, in which the media failed to reflect public mores or journalistic responsibility, it served perpetually as the message underscoring that fact.

### **Sacral repertoires: significations of Islamic and secular in determining Tunisian notions of freedom**

In the five decades since its independence from France, Tunisia was characterised by presidents Habib Bourguiba and Zine El Abidine Ben Ali, as the most modern, secular state in the region, the product of a successful cultural revolution (Alexander, 2010). Sustained religious capture by the state under both leaders, through reform of the clerical structure, control over Friday prayers, incorporation of religious teaching into the state educational system and other key moves, ensured Islam as an institution was subordinated. Under Ben Ali, Tunisia was pictured as that unique Arab state in which Islam had little popular support (Alexander, 2010).

Yet, McCarthy (2014a: 734) argues that secularism in Tunisia never meant a binary logic of separation between state and church, or religion from politics, and is better understood as state intervention into religious life and its instrumentalisation of Islamic symbolism for its own purposes. Thus, secularism is more a statement about state power, and in Agrama's view, the process, rather than separating religion from politics, tended to blur them (Agrama, 2010). Islam was thereby politicised and utilised as a brand by both the state and its Islamist challengers to articulate their different agendas. Although the state's utilisation of Islamic narratives failed to affect the religious convictions of the vast majority of Tunisians, it did introduce moral and practical dilemmas (such as the possible impact of religious extremism on social stability) into narratives surrounding Islam as a political force and politics as a pluralist one. For Tunisians, the sacral backdrop was, by the time of Ben Ali's fall, already a highly contested and emotionalised combination of religious structures and epistemic truths.

Bourguiba and Ben Ali approached the appropriation of Islam and its religious symbolism, differently. The former corralled it within a reformist, modernist project as a moral, but not a practical, source of guidance. By imposing a monopoly of interpretation over its meaning and practice, Bourguiba belittled it as stultified and strong only if reinterpreted. He pushed through the reform of rights in the Personal Status Code in the 1960s, for example, on the basis that modern Muslim life could not be constrained by

sharia (McCarthy, 2014a: 739). Yet, Bourguiba's use of Islamic rhetoric to mobilise the population by recasting Islamic traditions to further the needs of the state eventually engendered a backlash. Public debates on television, wearing the veil and the emergence of Islamic political groups (precursors of today's Ennahda) forced the regime to claim that preserving Islamic values had always undergirded its rule (McCarthy, 2014a: 740). The compromises, though politically expedient, weakened the sacral canopy, blurring national, secular and religious symbolisms.

At the same time, the new Islamic political movements of the period, in attempting to cast themselves as modern by promoting a contemporary Islamist lifestyle and a religious brand of pluralist politics, drew on religious symbolisms and ritual similar to those employed by the state. At first tolerated by the regime, these movements soon were labelled 'fundamentalist' – language designed to rob them of moral legitimacy. The indignities practised on these groups by the regime in the name of preserving the nation's Islamic authority confounded the legitimacy of both in the public mind.

The ambiguity in the historic/political mythologies of the Bourguiba years would be exacerbated by Ben Ali, for whom the value of Islam lay substantially in its contribution to a national imaginary. Tunisia officially assumed an 'Arab-Islamic identity'. Like his predecessor, Ben Ali first accepted the religious agendas of the Islamic parties, then impugned them as 'extremists', denouncing their use of the mosques as threatening the regime and indeed Islam. Ben Ali claimed that only the state could be the 'ultimate protector of Islam', a contradiction that was humiliating to many among the pious public (McCarthy, 2014a: 743). When in 1991, several members of the Islamist group Ennahda were alleged to have engaged in anti-regime activities that resulted in violence, Ben Ali pointed to 'fundamentalist activists' as threatening the stability of the nation – a rhetoric of fear that resonated widely (McCarthy, 2014a: 754). Chokri Ben Nassir, an editor at the French-language *La Presse* in 2013, recalled those days as harbingers of the tensions that were to surface after Ben Ali's departure:

We felt the danger arriving – the Islamic danger. The regime had developed a model of a modern society, which was emancipated as well. It was a model we wanted, even if was not one with liberties. We didn't defend the regime of Ben Ali, but we did support the model of society. When he fell, it opened the voice of extreme Islamism. I was on campus as a student in 1988 and saw the threat they represented, the violence. So despite all the faults of Ben Ali's regime, it preserved the country from the dangers of terrorism. For that we kept writing. (20 November 2013, personal communication)

In constraining Islam to an official version, and condemning other interpretations as threats to the nation's economic and political progress, Ben Ali's secular agenda protected certain rights that were contested within Islamic interpretation. A significant portion of the population, particularly in the north, viewed the trade-offs (between, for example, women's rights and restrictions on Islamic practice) as inevitable. The sacral imaginary of a modern Islamic nation was brittle, however, and expressions of opposition to state appropriation of religious authority regularly surfaced in popular contestations, such as attending community-based religious gatherings (Mabrouk, 2012).

What emerges is a stark divide between the state's claims, the interpretations of Islamic movements and the view of the broader populace, on definitions 'of political, religious and social freedoms, and on the extent to which Islam should shape policy' (McCarthy, 2014a: 745). The ambiguities that infused the sacral upon which Tunisians would call as they faced the task of 're-inventing' their society to be non-humiliating, therefore, stemmed as much from a polarisation of the role of Islam in determining how such freedoms should be interpreted, as from the fact that the rhetoric used by both sides drew on similar symbolic systems. This complicated the task of re-signification. In the initial stage of independence in early 2011, little contest surfaced in the public sphere regarding freedom from the interference of a generally despised central authority. It would be in the next two stages that the liberty to express anything and everything freely became couched in agonism implicated by sacral ambiguities.

### **'Freedom from' – the media landscape Ben Ali left behind**

On 14 January 2011, when Ben Ali fled Tunisia, the media of flattery and censorship that had dominated the public square, died. That same night, the state television changed its name from Television 7<sup>4</sup> to National (Wataniya) Television and held an unfettered political debate that flagrantly crossed many of the red lines set by his regime (Chaieb, 2013). It was a striking illustration that change had come to Tunisia and that the media represented as well as exemplified that change.

Yet, the media was professionally unprepared for the freedom that lay untrammelled before it. Self-censorship was no longer relevant, as there was no state authority to fear. How to respond to freedom without restrictions was, however, unclear. It was, as Ben Nassir described it, 'an unexpected liberation' (2013, personal communication).

For the media, as for the population at large, the public square needed inventing. Subjects taboo just 24 hours earlier became part of public discourse. As a Wataniya Television producer commented, 'The language of the media suddenly opened' (Sadri, Producer Wataniya, 19 November 2013, personal communication). The relief from state pressure rejuvenated the media's role as a mechanism of communication and information sharing. As noted by radio and television producer Amel Smaoui Zampol,

I never imagined having the chance to practice my profession. Suddenly, it became the most important job of all. I could speak from the heart, and say what people had wanted to hear for 50 years. (15 October 2013, personal communication)

Political platforms of competing party leaders appeared in the newspapers; television talk shows – too unscripted to be countenanced by the Ben Ali authorities – proliferated; and evening news programmes, previously so anodyne that they had drawn less than 20% of the watching public, skyrocketed in popularity, reaching 80% of the population during the elections (Farmanfarmaian, 2014). Tunisians repeatedly noted that liberation of the media was one of the first clear achievements of the revolution and daily reminded them as citizens that their society was free from official interference and control (Hichem Snoussi, HAICA, 24 January 2014, personal communication). The media's release from any coercive power provided a palpable public sense that the post-Ben Ali society was already reflecting greater dignity.

New channels, newspapers and websites, including moderate Islamic as well as Salafist ones, proliferated as the opportunity for news and opinion generation appeared momentarily limitless. Almost immediately after Ben Ali's departure, the Ministry of Information and Communication, the source of censorship and official editorial control, was shuttered. This was followed by the much publicised dismantling of the vilified system of Internet surveillance (Joffé, 2014).

Yet, freedom in a turbulent political situation, in which every Tunisian citizen was now a stakeholder, revealed itself to be problematic. The sudden disappearance of top management left several newspapers, television channels and radio stations with no editorial direction. Some floundered, with broadcasts repeated over and over (Shems FM, 21 October 2013, personal communication); others underwent rapid reorganisation by the staffs to establish, for the first time, editorial committees for group decision-making over content (Personal communication with: Ben Nassir, 2013; Sadrif, 2013).

Journalistic responsibility – or its lack – became an issue, as the media became a vehicle to settle scores, publicise personal vendettas and circulate rumours. Practices of libel and defamation proliferated (Najib Bghouri, National Society of Tunisian Journalists, 24 January 2014, personal communication). Yet, in March 2011, an advisory reform board, the *Instance Nationale pour la Reforme de l'Information et Communication* (INRIC), produced two key decrees, 115, which addressed the press and provided it the powers to be self-regulating, and 116, which concerned the audiovisual sector and provided for a regulatory body, the *Haute Autorité Indépendante de Communication Audiovisuelle* (HAICA) to be established as a buffer between government and industry. Both decrees, which featured secular, liberal protections over religious ones, were turned into law by the newly elected Constituent Assembly in November 2011 (Joffé, 2014).

These were landmark pieces of legislation that conceived the preservation of free expression as the ultimate symbol of social dignity. These two Decree Laws would frame the often brutal contest over 'freedom to' and 'freedom for whom' that would unfold over the following 2 years until the passage of the constitution in 2014.

The euphoria that gripped the media as it tested its newfound freedom to print or broadcast whatever it wished lasted for 9 months. On 23 October 2011, Tunisia conducted its first post-independence elections, ushering in a Troika of two small secular parties and the larger Islamist party, Ennahda. With an official remit to craft a constitution, the new leadership likewise assumed the business of governance, a task it addressed on the understanding it had received a popular mandate to reintroduce Islamic conscience into both politics and government.

For the media, the elections marked the end of the first stage, in which the implications of competing state and religious symbolisms were subordinated to the novelty and experimentation suddenly available in being 'freed from' centralised control. The 'conditions of possibility' (Connolly, 1989) now entered a second stage, in which positive freedom expressed in the media encountered normative sanction and contests of power within a fabric of expository public religiosity and reactivated frames of morality and public order. This stage reflected unsettled debates about appropriateness, tolerance and abuse, which continued to be negotiated.

The struggle to rebalance notions of freedom of expression to define a new 'negative' liberty that would, in effect, enable the 'positive liberty' of 'self-mastery' (as

Berlin phrased it) to remain largely an individuated enterprise became emblematic of the many (dis)harmonies society was negotiating at that time (Berlin, 1969: 8). The process of finding areas of commonality, however, necessitated first that positions be clarified, boundaries be tested, and claims – extreme, moderate, nationalist, Islamist or secular – be made, a challenge clouded by the sacral ambiguities disfiguring each. This second stage was marked by politicisation and polarity, and a growing fear that the ‘other’ could hijack the revolution and distort Tunisian identity while betraying the freedom the country was desperately attempting to conserve (Mabrouk, 2013; Nidaa Tounis, party representative, 21 October 2013, personal communication).

### **‘Freedom to’ – the clash of the secular and the religious as symbolic systems defining the sacral**

Even before the election, the first serious clash over what constituted acceptable freedom of expression took place. On 10 October 2011, the Iranian animated film *Persepolis* was broadcast by privately owned Nessma TV, drawing crowds of Salafist demonstrators to the channel’s building, some threatening to set it on fire in protest not just against the film’s depiction of God but equally Nessma’s clear message that carrying such imagery dignified freedom of speech. The incident highlighted the opposition of Islamic and secular norms, both rooted in the sacral encasement of religious tradition and Tunisian state mythology.

Unsettled by the challenge of the Salafist outpouring and its voluble criticism of Ennahda’s own moderate approach, the new government invoked Article 121.3 of the Ben Ali-era penal code to accuse Nessma’s owners of ‘undermining public morality’. By appropriating Islamic authority to impose respect in the public square, the government illustrated the media’s power to embody post-revolutionary norms for which political leaders felt responsible. As heavy personal fines were subsequently levied against the television company’s principals in well-publicised trials, some audiences felt relief, while others felt deeply humiliated (*The Guardian*, 3 May 2012).

A raft of bannings followed against mediated material that crossed what were rapidly emerging as new red lines being set by Islamic sensibilities towards perceived cases of blasphemy – and the media’s lack of decency. Tunisian film-maker Nadia al-Fani was forced to retitle her film from ‘Neither Allah nor Master’ to ‘Secularism, Inshallah’ (*Al-Arabiya News*, 2012); still few theatres screened it, illustrating the fear developing in the face of judicial and social interpretations of excesses towards Islam and their impact on concerns for accountability in the post-Ben Ali government.

However, the contest was not a simple duality of ‘Islamic versus secular’. In effect, there were three broad areas of tension in which the media epitomised a symbolic web of meanings that magnified the search for sacral certainty in the public sphere in this darkening period of extraordinary politics. In addition to the increasingly toxic tension between religious and profane outlined above, a second tension involved how to define respect and decency as competing sacral narratives drew on similar symbolic repertoires in the arena of practice. Was dignity, in fact, freedom? – or was it constraint? – when social mores, propriety and the traditions of Tunisian culture were at stake?

A third tension was the historical relationship between media and state. This took two forms: (a) the relationship between the media and the police or other actors capable of exercising official violence and (b) the rituals, deeply cemented in state tradition, of using the media as an instrument of state power. Both engaged the media's role and character as the voice of the public: was it to be a watchdog publicising government abuse of power, or was it to serve as a centralising rallying force for a society upended by upheaval? (O'Neil, 1998: 2).

### *Defining decent society*

Although the Islamic vision easily mapped onto the social conservatism of the Tunisian populace, the issue of public decency was distinct from that of sacrilege and blasphemy. In February 2012, for example, the authorities detained the publisher, Nasreddine Bensaida, of *Ettounsia* newspaper and two of his editors for republishing a racy cover from *GQ Magazine*, showing Tunisian–German footballer, Sami Khdeira, in a tuxedo, with his hands covering the breasts of his naked German girlfriend (Figure 1).

The charge was for 'violating public decency' (*Mail Online*, 2012), and the authorities pulled all copies of the paper from the newsstands within hours. Bensaida, subsequently arrested, responded by going on hunger strike. In this incident, both sides clearly staked their ground in an effort to influence sacral acceptability and deflect the ambiguities surrounding it. The hunger strike was a stark expression of 'self-mastery' – freedom to publish without government censorship. Human rights lawyer Chokri Belaid<sup>5</sup> stated that the arrest was a 'political decision', and further, 'We know that ... in Tunisia, there is a combat between those who defend freedom and those who want to repress it' (Reilly, 2012: *Daily Mail*, 24 February). The picture's publication was a clear test of how elastic the Tunisian market for tolerance had become, a test that, based on subsequent practice, revealed that *Ettounsia* had overstepped the limits of respect, a clarification of the sacral that maintained a line around public decency.

### *Official violence towards the media*

From the outset, this relationship was fraught. Fahim Boukadous, a journalist long incarcerated in Ben Ali's jails, upon his release established the Centre of Tunisian Press Liberty (CTLP) to chronicle the media's regular harassment and physical violence at the hands of the police and army. An important resource for the international watchdog Freedom House's assessment of Tunisia's media standing, which in the first 3 years after the revolution stayed at 'Partially Free', the CTLP likewise monitored the correlation between important political events and police- and other state-armed violence against journalists.

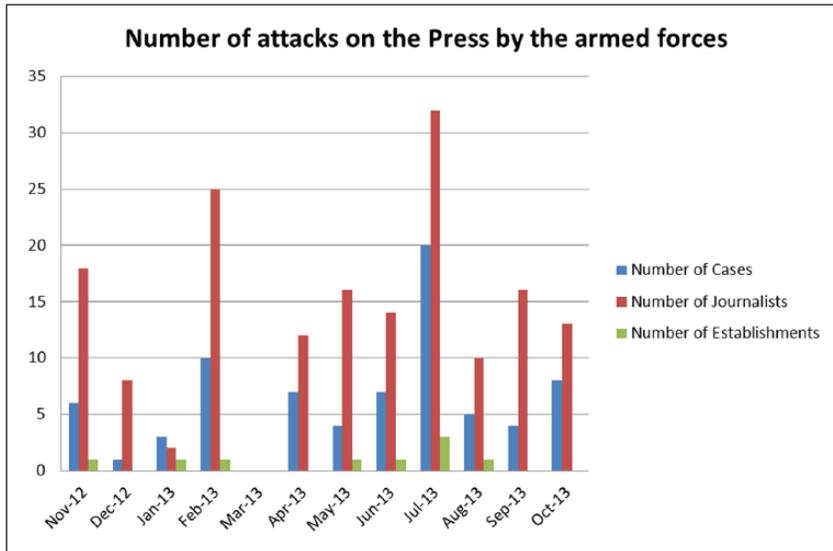
Figure 2 shows that concern for calm and control on the part of the police and other security forces in the face of events such as the assassination of lawyer Chokri Belaïd led to correlated spikes in violence against journalists and other media actors.

As Tunisia experienced for the first time the shock of terrorism in 2012, and the associated loss of troops in terrorist clashes, state and society sought a coherent narrative in which security, the containment of Islamic extremism, and the exercise of



**Figure 1.** Reprinted cover photograph from *GQ* (left) on the front page of *Ettounsia* newspaper, was considered to violate public decency, and all issues were pulled from the newsstand.  
Source: *Ettounsia* (14 February 2012, credit: R Farmanfarmaian).

positive freedom, could coalesce. The media, revelling in its ability to act belligerently, characterised the government as weak and its leadership as having ‘trembling hands’ (Abdelmoumen, 2013; Hamza Belloumi, Shems FM, 21 October 2013, personal communication). By contrast, many among the public and the media, viewed the media as too polarised, and journalists as engaged in a ‘Discourse of hate’ that highlighted scoops, suspicion and scandal, rather than messages of respect for the interests, and needs, of the populace (Belloumi, 2013; Ben Nassir, *La Presse*, 23 January 2014, personal communication). As assassinations blighted Tunisia in 2012–2013, the image of the police and the army was enhanced within the sacral symbolism of national security and patriotism while that of the media suffered. Unaccustomed to voices of contrarianism, even if professionally produced (and arguably, much was not), the public grew uncomfortable with the media’s role as critic of the security forces and the seeming disrespect that accompanied independent comment on military actions (BBC Media Action, 2013).



**Figure 2.** The Tunisian Centre of Press Liberty: Official violations against the media November 2012 to October 2013.

Source: Tunisian Centre for Press Liberty (2013), [ctlp.org](http://ctlp.org).

Hamza Belloumi (2013), political talk show host for Shems FM Radio, described the difficulties in framing a narrative on terrorism:

We [the media] have had to restrain ourselves from criticising the army. It is too publicly dangerous to question them, as otherwise, we are accused of lacking patriotism, not only by the public, but there are official implications of this as well. Three, four months ago, we broadcast our view that the army analysis of containing terrorism in the mountains of Jebel Chaamba was a bad strategy. Now, it's taboo to criticise the army (2013, personal communication).

### *The media and the state*

Ennahda interpreted its election as a mandate to promote Islamic governance, and as the practice of lassoing the media to state purpose had a track record of practice by both Bourguiba and Ben Ali, Ennahda considered it had not only historical but also popular legitimacy to do the same (Joffé, 2014). This affected the structuring of the media's independence and evolved into an especially beleaguered standoff. The government obstructed enactment of the new Decree Laws 115 and 116, refused to enable the establishment of an auto-regulatory press council and delayed for months appointments to HAICA, the audiovisual regulator. Instead, it illegally placed its own supporters at the head of Wataniya Television and other key media institutions, prompting INRIC to disband and leaving a vacuum that went unfilled for over a year, when at last, HAICA could take shape (Farmanfarmaian, 2014; Laabadi, 2013). A sense of humiliation and indignity gripped the media in this period. A sit-in at the doors of Wataniya to protest its new leadership was led by the newly organised Free Tunisians Campaign to Cleanse the Media of Shame (Freedom House, 2012).

At the same time, Ennahda viewed the media as unhelpful, and often, as polarising and destructive towards the party's attempt to husband the country towards what it considered a pluralist and decent future. Ennahda's use of Islamic symbolism and mythology to rationalise its choices in drafting the constitution and govern the state drew directly on leadership practices implemented prior to the revolution. What Ennahda was attempting to achieve was what Paul Kahn observes is common in cementing sovereignty to the political imaginary, namely, that 'the state creates and maintains its own sacred space and history' (quoted in Wydra, 2015: 5). Yet, Ennahda perceived it was under siege by a secularist media out to twist the symbols of Islam against it. Yusra Ghannouchi (2013), daughter of Ennahda's leader and the party's international spokesperson, wrote a searing condemnation in *al-Jazeera Online*, accusing the media of being 'reductionist' and employing 'labels and stereotyping' to obstruct progress:

Having set up [a] framework where the key words are 'islamist' [sic], 'dominance' and 'polarisation' while 'dialogue', 'compromise' and 'coalition' are avoided and downplayed, ... each crisis is approached through stories peppered with: Islamist 'rigidity', 'dominance', 'inflexibility', 'intransigence', versus [the] opposition [which is] 'challenging', 'braving', 'struggling' ... 'mobilising', 'uniting' against the reduced Islamist enemy. Coalitions are ... undermined, joint initiatives bringing together governing parties and opposition parties are ignored ... Anything that disturbs the narrative of Islamists against everybody else is conveniently discarded ...

Interestingly, Ghannouchi conflates the media's criticism of Ennahda's dominating political tactics with a bully narrative she describes as 'Islamists against everybody else', denying the media's role as a public sounding board by which 'society keeps the balance between the right to speak and the community's right not to have its sensibilities undermined' (Etzioni, 2015: 3). Unabashedly bitter, she makes no effort to conceal that the party's use of Ben Ali's tactics to impose a top-down interpretation of identity and morality was proving difficult. Indeed, by this time, manipulating Islam to create sacral meanings around a particular kind of state was recognised by the public as manipulation and undoubtedly contributed to the resignation of the Troika in early 2014 and to its replacement by a technocratic government (Joffé, 2014).

## Freedom for whom

The contestation that marked Tunisians' attempts to define the limits of freedom from officially sanctioned interference, and to establish dignity and respect within a normative framework of a decent society, reached its apogee as the new constitution took shape, which in January 2014 was voted on by the Constituent Assembly. Articles debated until the last included those relating to freedom of religion and conscience and to the role and composition of the media regulatory body, HAICA. Despite the distrust and conflict of the previous 2 years, the final compromises and allowances produced a document that UNESCO (2014) declared was to be 'welcomed', in that it 'enable[d] establish[ment] of [a] legal framework in Tunisia that complies with international norms on fundamental freedoms'. Freedom of expression, information and publication were guaranteed

in articles that included a prohibition against any amendment. They all received over two-thirds of the vote. Additionally, only a newly established Constitutional Court had the power to interpret the laws set out in the constitution, a measure taken to protect against political manipulation of the courts – and the law. With this document in place, Tunisia entered its third stage, in which liminality persisted but where a body of legal rules provided the grounding for a new sacral negotiation to enable the period of extraordinary politics to be routinised into normalcy.

Nevertheless, the constitution contained ambiguities that opened new areas of contention, while failing to close many old ones. Although Ennahda did not pursue a ‘repugnancy clause’ that would have banned certain types of speech as ‘offensive to Islam’, it did, at the 11th hour, reintroduce a clause banning attacks on the ‘sacred’ and left the wording undefined (Reporters without Borders, 2014). Article 49, which broadly protects all the freedoms guaranteed by the constitution, and was widely hailed for including phrasing such as ‘respect for proportionality’, nevertheless contains the exclusion of rights that endanger ‘public morals’ and fails to define what those are. The constitution, therefore, while providing guarantees and protections for ‘freedom to’ and ‘freedom from’, offers opportunities for ongoing claims by contending groups in the struggle over ‘freedoms for whom’.

The battle to establish sacral privilege by the different claimants began before the ink on the constitution was dry. Two examples illustrate the challenges to the media’s exercise of ‘freedom to’ in the face of narrowing definitions of ‘freedom for whom’ in the conduct of a normalising politics.

On 29 January 2014, journalists for satellite channel al-Mutawasit covering a strike outside the Tunisian General Labour Union (UGTT)’s headquarters in Sfax were attacked by union members who seized their equipment. Although their kit was returned, it was not until after it was stripped of memory cards documenting the incident. Afterwards, Index on Censorship, an international media watchdog, worried whether Tunisia’s constitution could after all protect freedom of expression (Atkinson, 2014). The incident illustrates the fragility of the media’s position in the sacral canopy as society’s fourth estate, as, critically, the party engaged in censorship was not a ‘usual suspect’ chary of the spotlight of transparency – a Ben Ali ally, extreme Islamist group, or representative of the intelligence services or army – but a core revolutionary actor, the UGTT, a beneficiary and promoter of social responsibility in the public square.<sup>6</sup>

In the second incident, in July 2014, after a heavy death toll followed terrorist attacks in southern Tunisia, then Prime Minister, Mehdi Jomaa, announced the closure of radio stations, mosques, television channels and social media pages for promoting ‘jihad’. The decision was taken without consulting HAICA, as required by law (Article 19, 2014). Many of these measures were later scaled back, but a new law, introduced in May 2015, in which insulting the police and army, including members of their families, could be prosecuted on grounds of threatening national security, was passed by the Council of Ministers. This caused a furore in both the newly elected parliament and the media (whose National Syndicate of Tunisian Journalists immediately rejected the measure), suggesting that perspectives on how freedom is to be allotted and constrained, and to whose benefit, remain deeply divided.

What is clear is that lines are still being drawn, and there is a cost to both those that overstep them and the general idea of a free media as representing a core gain of the revolution. Mounting threats of terrorism have led to an intense competition over the symbolic construction of security within the narrative of Tunisian identity. Free expression is being viewed as less heroic, while the ghosts of past practice offer a return to ‘markers of certainty, which impose a sense of the sacred in terms of verticality, order and the outside’ (Inkyfada, 2015; Wydra, 2015: 21). In referring to a 7-year prison sentence meted out to blogger Jabeur Mejri for posting cartoons of the Prophet on Facebook in 2012, Human Rights Minister Samir Dilou, an Ennahda moderate, declared, ‘We must not forget that in Tunisia, with its culture and Arab-Muslim traditions, an attack on the Prophet cannot be regarded as freedom of expression’ (Amnesty International, 2015; McCarthy, 2014b). The statement, employing Ben Ali identity rhetoric, speaks to the symbolic role of Islam in the sacral mythology, and the still contested view that the right to offend or speak freely, particularly in the public glare of the media, has as yet no inalienable place within Tunisia’s definition of a decent society. It remains unclear, therefore, which freedoms are protected and in practice for whom.

## Conclusion

Freedom of expression, such as politics itself, encapsulates the conundrum of pluralism, ‘the inescapability of choice, and the impossibility of moral and political perfection ... [and thus] the inevitability of disagreement and conflict’ (Crowder, 2004: 3). The sacral history upon which Tunisians have traditionally drawn has employed the symbolism of both Islam and state sovereignty to cohere the population and thus reduce internal disagreement and conflict (Willis, 2016). Pluralism, by contrast, goes against this experience. As society attempts to build a community of dignity and accountability by making sense of its new powers, tensions are highlighted between competing groups and actors bent on capturing the freedoms available within the media-political nexus. Those with freedom have power. Freedom, therefore, has become a political good in Tunisia, where civic rights and social justice remain more theoretical than real.

The sacral in Tunisia, has, in the face of the tensions and conflicts produced in the wake of revolution, revealed itself to be less a culturally consistent ‘canopy’ than a complex, multi-layered and often fragile imaginary, what Tunisian sociologist Ben Fraj described as a ‘milles feuilles’<sup>7</sup> (2015, personal communication). Broad consensus around what constitutes a ‘decent society’ and how an accountable media reflects that, remains elusive, though within the contested space of freedom from what and freedom for whom, the Tunisian struggle suggests that the outcomes may diverge from what have heretofore been understood as ‘universally’ accepted tenets (R Guerfali, al-Nawaat, May 2015, personal communication).

The media’s liberation, vividly enacted through its freedom from a centralised censoring authority, and its freedom to cover a wide set of contrasting views, continues despite the setbacks, to bring pride to many Tunisians. In their view, theirs is now a society that embodies dignity by legitimating a media that can articulate a public sphere in much the way McLuhan envisioned it. *As* the message, the media communicates daily the conditions of possibility that enable a struggle over the sacral that, in the very process of contestation, in large part captures the imaginary of Tunisian identity.

Still, a sphere recognisable as ‘public’, conceived in Habermasian terms ‘above all as the sphere of private people com[ing] together as a public’ (Habermas, 1962: 27), remains for many risky, the vicissitudes of the media’s position itself a message that the sacred is vulnerable to the privileging of power. Whether the media symbolises too much constraint or too little lies at the core of how to entangle Islamic and traditional norms with Westernised values and practices, a process that must include both pre- and post-revolution symbols of identity and culture. This time-consuming and at times painful evolution is constituting a public sphere that in straying from ‘universalist’ definitions is engaging with the meaning of dignity as it relates to a North African public, aligning the sacred more transparently with the narratives of what it really means to be Tunisian, Arab, Muslim and modern.

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### Notes

1. Honig argues that there is no exceptional politics as the politics practised under legal rules is an expression of the paradox of founding, making agonistic politics a normal state of struggle (see Honig, 2007).
2. This article draws on 2 years of field work in Tunisia, in 2012/2013 and 2015.
3. Carl Schmitt’s ([1922] 1985) concept of the politics of exception, first developed in his *Political Theology*, in contrast to the concept advanced here, focuses on emergencies in which exceptional powers were advanced to the sovereign leader – as with martial law (in France, *etat de siege*). In *The State of Exception as a Paradigm of Government* (University of Chicago Press), Agamben (2005) broadens the definition, observing that

a state of exception constitutes ‘a point of imbalance between law and political fact’ (Saint-Bonnet, 2001: 28) that is situated, like civil war, insurrection and resistance – ‘in an ambiguous, uncertain borderline fringe at the intersection of the legal and the political’. (Fontana, 1999: 16)

Even so, his focus remains on the extra-judicial powers temporarily advanced to the leadership, and how they figure as a retractable set of powers by law when the period of exception is over (see also Honig’s, 2007, analysis).

4. The numeral ‘7’ became iconic during the Ben Ali years, as a means to celebrate the date he seized power: 7 November 1987.
5. Chokri Belaid was assassinated within the year (6 February 2013); 6 months later constituent assembly member Mohammad Brahmi was assassinated.

6. The Tunisian General Labour Union (UGTT) was a member of the Quartet that helped engineer the resignation of the Troika in 2013 so that constitution building and democratic governance could continue, and for which it, along with its three partners, received the Nobel Peace Prize in the fall of 2015.
7. Many-layered French pastry, also known as a Napoleon.

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