PFUJ

PAKISTAN FEDERAL UNION OF JOURNALISTS

THE STATE OF MEDIA FREEDOM IN PAKISTAN

February 2021

About the Report

The report explores the structural dynamics of the media landscape and its impact on media freedom in Pakistan. It assesses the role of relevant legal and regulatory frameworks as well as formal and informal mechanisms employed by the state institutions and their impact on the media freedom in Pakistan.

The study relies on primary and secondary sources of data. The primary data is resourced from key informant interviews (KIIs) and testimonials of journalists and analysts. Thirteen (eight men and five women) Key Informant Interviews (KIIs) and 34 testimonials of journalists on suppression of the media, recent retrenchments, and the state of weak employment regulation contributed to the report. The secondary research supplemented the study to factor in the opinions of other stakeholders and provide a broader picture of the thematic areas covered in the report. These include published work, such as research reports and articles, as well as media pieces on the subject.

The report was conceived and drafted in tandem with PFUJ's consultation, coordination and mobilization of regional chapters of journalists' unions and press clubs under its campaign for media and journalist freedoms. The shared timeline of the initiatives allowed the report's content to reflect the learnings from these interactions whilst simultaneously informing the agenda for both formal and informal engagements with journalists as well as other key stakeholders, especially PFUJ's provincial seminars on the state of media and journalists in Pakistan.

Shahzada Zulfiqar – President, Pakistan Federal Union of Journalists (PFUJ)

Dedicated to Mr. Minhaj Barna and Mr. Nisar Osmani

Editor: Nasir Javed Malick

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List of Acronyms

APNS	All Pakistan Newspapers Society
CFWIJ	Coalition for Women in Journalism
DRF	Digital Rights Foundation
KIIs	Key Informant Interviews
KPK	Khyber-Pakhtunkhwa
LEAs	Law Enforcement Agencies
MOM-Pakistan	Media Ownership Monitor
NAB	National Accountability Bureau
PCP	Press Council of Pakistan
PECA	Pakistan Prevention of Electronic Crimes Act
PEMRA	Pakistan Electronic Media Regulatory Authority
PFUJ	Pakistan Federal Union of Journalists
PTA	Pakistan Telecommunication Authority
RSF	Reporters sans Frontières/Without Borders

Abstract

With the expansion of digital media in recent years, a 'tripod of censorship' has evolved to curb the freedom of media and expression in Pakistan. At the heart of the diminishing space for open media discourse lies an increasingly assertive state and media ownership dynamic that is more suited to cooption and mutual adjustment than a struggle for freedom of the press — a factor that is establishing and expanding restrictions on the media more effectively and comprehensively than at any other time in the country's history. This study looks into the dynamics of the 'state-media owners' relations and its impact in the shape of a multi-layered censorship. It explores evolution of the nascent 'state-media complex', its control mechanisms and the consequences for individual journalists and journalists' associations that reinforce compliance with the state's narrative at the individual and group levels. The study concludes with deliberation on the consequences of the tripod of censorship and potential avenues that may help alleviate the cause of media freedoms in Pakistan.

Nasir Zaidi - Secretary General, Pakistan Federal Union of Journalists

1. From Resistance to Compliance: Historical Evolution of the State – Media Relations in Pakistan

Pakistan ranked 145 on Press Freedom Index in 2020, slipping from its 142nd position in 2019.[1] The ranking reflects a grim milestone in the national history that is replete with the state's perennial efforts to control the media. The scale and scope of the existing multi-layered censorship and restriction regime, comprising legal and administrative measures, whilst not new in its intent, is more comprehensive and consequential this time. At the heart of the unprecedented restrictions lies the widespread compliance of the media houses and conglomerates with the state's demands—a position of power that the state wields by employing an array of punitive measures and incentives.

In the decades following Pakistan's emergence as an independent state in 1947, relations between the then nascent press and the state were molded by the latter's desire to control the content and flow of information. For the better part of the history of state-media relations in Pakistan, both military and civilian governments devised legal and administrative measures to keep the media in check. For instance, the Press and Publication Ordinance (PPO) 1960, which, serving as one of the key instruments to curb media freedoms, authorized the government to demand security deposits and declaration from publishers, confiscate and close down newspapers or arrest editors who refused to oblige.[2] Promulgated by Ayub Khan and repackaged successively by (elected and non-elected) governments to suit their own conditions and purposes,[3] the Ordinance introduced restrictions which have emerged time and again over the decades punctuated by myriad restriction on media freedoms.

Faced with these challenges, some journalists chose to be co-opted by the state while others defied the curbs, organized themselves and put up collective resistance against the increasing state repression to reclaim media and democratic freedoms. Mention should be made here of the Pakistan Federal Union of Journalists (PFUJ) and other countless unions, organizations and individuals who waged a relentless struggle against authoritarianism spanning over decades, reaching apogee in the 1960s and the 1970s, and resulting in such historic gains as the passage of the Newspapers Employees Condition for Services Act, 1973 by the Parliament and the accompanying Wage Board Award that protected the economic rights of working journalists.

With new draconian changes, PPO was also employed during General Zia-ul-Haq's era (1978-1988), perhaps the darkest period in the history of media freedom that was marked by rejuvenated restrictions that went hand in hand with naked and direct state suppression of newspapers and publishers. A historic movement was launched against media censorships during which journalists suffered imprisonments, flogging, torture, exile, and even assassination.[4] Although PPO was revoked in the following decades, successive governments in the 1990s used other anti-press laws and tactics – such as withholding of advertisements – to keep the press in chains.[5]

Another milestone in the media's history was reached with the liberalization of airwaves under the General Pervez Musharraf regime, which subsequently led to a mushroom growth of private television news channels and newfound freedoms, eventually paving the way for transition from press to

[1] "Pakistan: Under the Military Establishment's Thumb: Reporters without Borders." RSF, rsf.org/en/pakistan.
[2] J. Melville Williams. "The Press in Pakistan." Index on Censorship, vol. 7, no. 5, 1978, pp. 54–56. https://journals.sagepub.com/doi/pdf/10.1080/03064227808532838
[3] Between Radicalization and Democratization in an unfolding conflict: Media in Pakistan. International Media Support. https://www.mediasupport.org/wp-content/uploads/2012/11/ims-media-pakistan-radicalisation-2009.pdf
[4] Shaikh Aziz. "A Leaf from History: Four Journalists Flogged, Two Newspapers Shut." *DAWN.COM*, 7 May 2015, ,https://www.dawn.com/news/1179170
[5] Mazhar Abbas. "Writing Censorship: Political Economy." *The News*, TNS, 7 Oct. 2018, www.thenews.com.pk/tns/detail/566438-writing-censorship.

electronic media. While the Musharraf regime repealed PPO, the fundamental legal framework of the repealed Ordinance was repackaged in the consolidated Press, Newspaper, News Agencies and Book Registration Ordinance of 2002. Soon enough, the Pakistan Electronic Media Regulatory Authority (PEMRA) Ordinance 2002 was also promulgated to reassert the state control over the thriving media sector.[6]

In view of the irreconcilable interests and priorities, however, relations between the Musharraf regime and the media soured. The 2007 lawyers' movement, in which the media played a critical role in supporting the democratic cause and which later led to the ouster of the military dictator, marked the apex of this ever-widening gulf and brought the untenable bonhomie between the state and the media to an end. The lessons for the state institutions could not be more clear — Musharraf's media liberalization policy had failed to win the media's complete support.[7]

The state responded with a gradual and incremental approach to tame the media houses as the political environment increasingly polarized and reached culmination in the emergence of Pakistan Tehreek-i-Insaf (PTI) as the ruling party in the 2018 general elections. Limiting of licensing and ownership of digital media outlets played remarkably well into the state's strategy of wrestling back the control. The higher stakes of the media house conglomerates exposed them to the state's 'carrot and stick' policy, forcing them to cede ground. While the media-state relations continue to evolve towards a lopsided control of the latter, the state of journalism and the overall media freedom has receded.

Talat Hussain, a prominent anchor and columnist, believes that this is the first time in his career that he has seen a structural takeover of the media industry. Talat has been critical of the military's involvement in politics and claims that he was terminated by his news channel at the behest of the security establishment. [8]

The new dispensation characterized by the evolving state-media complex has furnished an environment where free flow of information, opinion, and critical discourse on government policies can be stifled at will. In ensuring compliance with the new norm, the media houses have established an institutional level censorship that sifts news stories for any content that may provoke retaliation from the state. The Human Rights Watch, an international human rights monitor, reports of dozens of instances of reporters, editors, and producers receiving threats over news items unfavorable to the government.[9] Journalists bear the brunt of these highhanded tactics. The Freedom Network, an independent media watchdog, has reported that at least 33 journalists were killed in Pakistan between 2013 and 2019 as retribution for their work. However, justice remains elusive with not a single perpetrator convicted.[10] Less extreme, but no less aggressive, is forcing channels off the air and limiting audience access, e.g., through moving a network to a far end of a cable TV's channel spectrum, as punishment for dissent.

For an increasing number of journalists, the situation is worse than it was under General Zia's crackdown on media freedom as the policies of censorships and punishments were clearly defined. At present, there is no such list of restricted topics but anything and everything can be termed sensitive depending upon the prerogative of the state or its interpretation of the vague regulatory policies in place. The resulting vulnerability of the media houses leaves journalists without a support mechanism.

[6]Shahan Mufti. "Musharraf's Monster." *Columbia Journalism Review*, 2007, https://archives.cjr.org/feature/musharrafs_monster.php
[7]*Ibid.*
[8] Abi-habib, Maria. "Abductions, Censorship and Layoffs: Pakistani Critics Are Under Siege." *The New York Times*, The New York Times, 3 Aug. 2020, www.nytimes.com/2020/08/03/world/asia/pakistan-media-abductions.html.
[9] "Pakistan's Hypocrisy on Press Freedom." *Human Rights Watch*. www.hrw.org/news/2020/09/11/pakistans-hypocrisy-press-freedom.
[10] "100% Impunity For Killers, 0% Justice For Pakistan's 33 Murdered Journalists In 2013-19." *Freedom Network*, 11 Jan. 2019, www.fnpk.org/100-impunity-for-killers-0-justice-for-pakistans-33-murdered-journalists-in-2013-19/.

The cumulative effect drives journalists to seek compliance with not just the state and institutionally imposed restrictions and censorships but also to exercise self-censorship — the most dangerous yet amorphous and intangible threat to freedom of speech.

With the increasing depth and expansion of the state-media owner mutual adjustments, the journalist community provides the most significant bulwark against the diminishing space for media freedom in Pakistan. Journalists' organizations such as PFUJ have not minced words in describing the situation as a threat to freedom of the press claiming, "[t]here is a hidden agenda of [the] government to optimally destroy press freedom and crush media workers' rights in Pakistan in complicity with media owners through economic strangulation and financial arm-twisting of journalists and crushing of enabling environment for the media to flourish".[11] In approximating and linking media freedom with the rights of media workers, such a stance has the potential to go beyond the rhetoric of media freedoms to translate the issue into a series of practical steps and measures.

[11]"PFUJ Says Govt Has a 'Hidden Agenda to Strangulate' Freedom of Press." *The News*, The News International, 19 Jan. 2021, www.thenews.com.pk/latest/776680-pfuj-says-govt-has-a-hidden-agenda-to-strangulate-freedom-of-press.

2. The Rise of 'Media Conglomerates': The Post-2000 Media Landscape in Pakistan

The state has intervened in the media's functioning both directly, through media ownership and control and legal regulations, and indirectly, through covert controls and informal forms of censorship, and restrictions. The section below tracks the evolution of the current structure of media in Pakistan and its concentration that resulted in formation of 'media conglomerates'— a dynamic that became critical to the state's quest for control over the media in general and its far-reaching implications for journalists in particular.

Over the past two decades the media landscape in Pakistan underwent a radical transformation as evidenced by the unprecedented growth in the number of print and particularly broadcast media outlets. Reflecting this sea-change is the increase in the number of TV channels from two or three state-run TV stations in 2001 to 88 at the end of 2018.[12] The move to liberalize Pakistan's media sector was partly spurred by the experience of the 1999 Kargil war, which propelled the country's ruling circles to modernize and build a robust electronic media in order to mobilize public opinion and to counter India's propaganda war, and partly encouraged by the broader process of neo-liberal globalization that espoused growth models based on principles of privatization, marketization and commercialization.[13]

Around the same time, Pakistan also became one of the first countries in South Asia to introduce a regulatory framework for the burgeoning media sector when Pakistan Media Regulatory Authority (PEMRA) was established in 2002. PEMRA was mandated to issue licenses, foster media growth, provide a level playing field, ensure free flow of reliable information, and empower people by giving them access to the media at the local level. Subsequently, state-monopoly on the broadcast media was abandoned and the sector was opened up to private actors — a move that would enhance the media's role under the state patronage.

To ensure the state's influence in the media, the post-2000 media boom was geared to foment the emergence and entrenchment of select commercial private actors, including ones who had no background in journalism, were indifferent to professionalism and public needs for reliable information, and primarily motivated by commercial profiteering concerns.[14] Conglomerates were allowed regardless of the consequences for the quality of media or concern for working conditions for media workers. While the new media moguls were happy to have entered the club of power brokers in the evolving dispensation, the change in the composition of media landscape had no significant bearing on key matrices indicating a meaningful change. From agenda-setting to ownership and representation to class and regional marginalization, liberalization of media had not changed much.[15]

The state policy of limiting media ownership has rendered media owners as key stakeholders in the new era. Not surprisingly, Reporters without Borders and Freedom Network in their 2019 Media and Ownership study identify Pakistan as a high-risk country in terms of media pluralism and diversity. Using ten indicators to assess the threats/risks posed to media pluralism, the study concluded that the media in Pakistan was concentrated in a few hands both in terms of ownership and audience

[12] Adnan Rehmat. "WHY IS PAKISTAN'S MEDIA IN CRISIS?" *DAWN.COM*, 22 July 2019, https://www.dawn.com/news/1495230

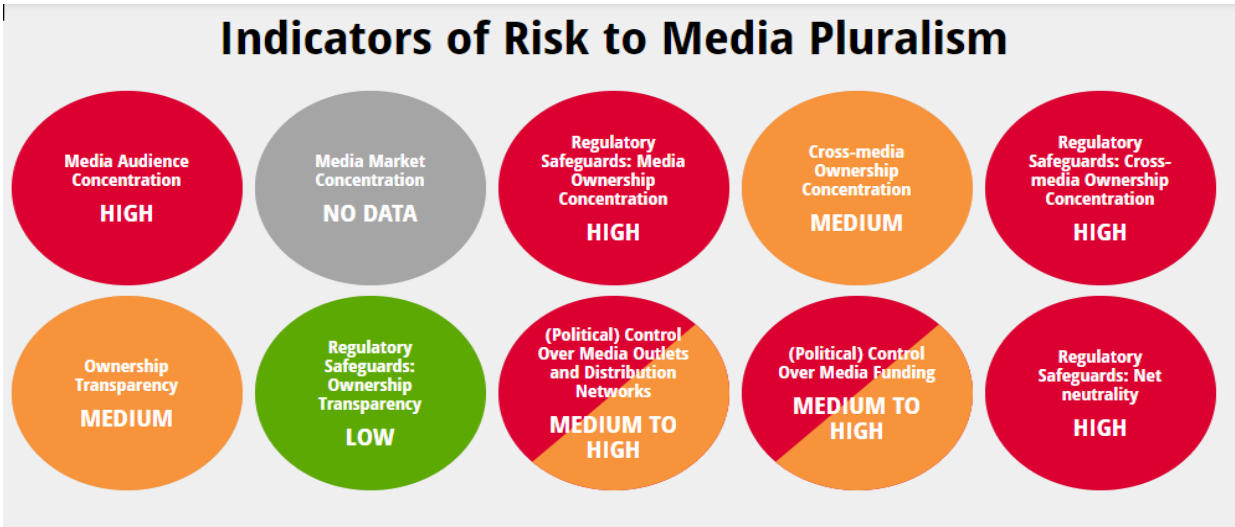
[13] Fatima Salman, *Evolving News Media Landscapes in India and Pakistan: Implications for Regional Peace and Stability* (2020), Atlantic Council South Asia Center

[14] Macro Mezzera&SafdarSial, *Media and Governance in Pakistan: A Controversial Yet Essential Relationship* (2010), Initiative for Peacebuilding

[15] Matthew McCartney, S.A. Zaidi, eds. *New Perspectives on Pakistan's Political Economy: State, Class and Social Change*. Cambridge University Press, 2019. p.248, 251/252

shares, which poses a threat to media pluralism, freedom of expression, and fair competition.[16] The report also revealed that 50 per cent of the country's entire audience share in each category – TV channels, radio stations, print newspapers, and news websites – is controlled by the top four in each category.[17]

Figure 1: Media Ownership Monitor



Source: https://pakistan.mom-rsf.org/en/

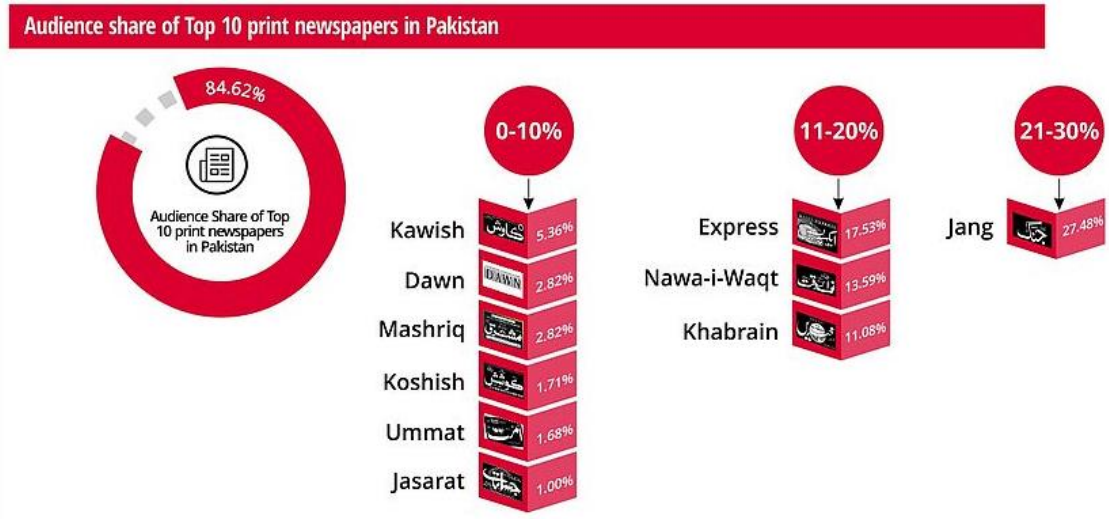
The current media landscape in Pakistan features four distinct ownership types — government, legacy owners, new owners from other businesses and lastly journalists/activists.[18] Among the legacy owners – three major legacy media houses: Dawn, Jang and Nawa-i-Waqt – had dominated the media sector before the liberalization of airwaves.

The third type of channel owners are new private actors, such as BOL, ARY, Dunya and Express, who benefitted from the liberalization of the media sector. For the most part, media houses in this category safeguard interests of their big business empires; their owners have no prior background in journalism and are motivated primarily by financial concerns. Being more resourceful and connected, these groups have used their side businesses as a protective cover to make up for the losses suffered by their media houses or to increasingly claim more audience shares and advertisement revenues in their bid to outcompete the legacy media houses.[19] The last category of media owners – journalists and political activists – are those who have used banking/government advertisements revenues or money collected from public or those who espouse and advance a conservative religious worldview. *Daily Khabrain* and *Daily Ummat* are respectively examples of these types.

The overall impact of the joint state-media house interest can be seen in the lopsided media ownership as well as shares in viewership. The top 10 TV news channels and top 10 print newspapers have control over 80 per cent and 86 per cent of all the readers and audience shares in their respective categories.

[16]"Who Owns the Media in Pakistan? Media Ownership Monitor." *Media Ownership Monitor*, Lime Flavour, Berlin, https://pakistan.mom-rsf.org/en/findings/concentration/
[17] Ibid.
[18] Ibid.
[19] Macro Mezzera&SafdarSial, *Media and Governance in Pakistan: A Controversial Yet Essential Relationship* (2010), Initiative for Peacebuilding, p. 12

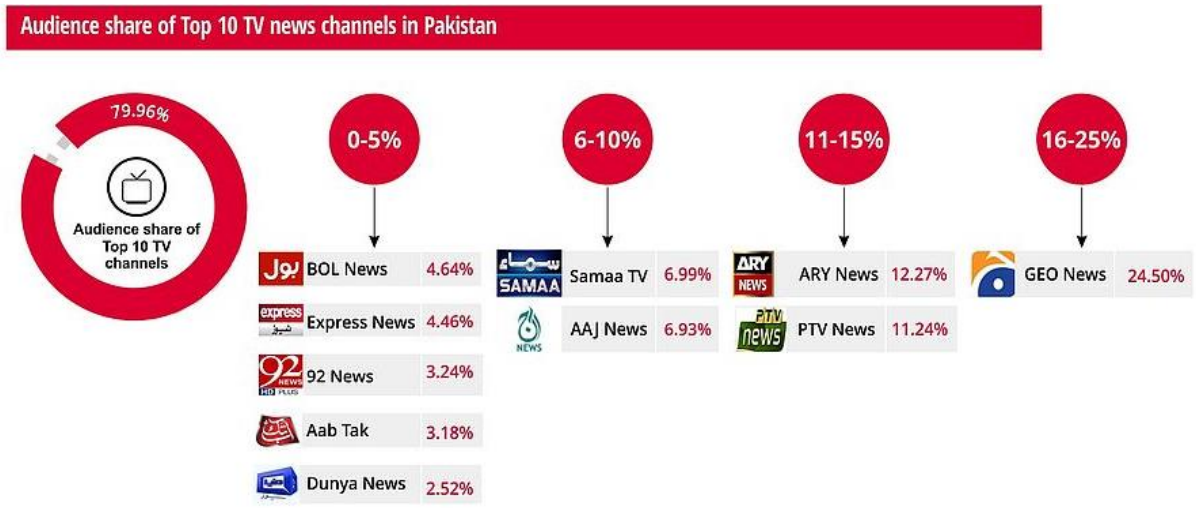
Figure 2: Top 10 print newspapers in Pakistan



Source: Gallup Pakistan 2017-18

As shown in figure 2 above, only four of the 10 newspapers have acquired half of total newspapers readership. Similarly, as shown in figure 3 below, the top five among the TV channels now have up to half the TV channel viewership relying on them for information on politics.

Figure 3: Top 10 TV news channels in Pakistan



Source: Gallup Pakistan 2017-18

The overwhelming share of a select private media is not the only aspect of the media landscape. The cross medium ownerships have further strengthened the media conglomerates. The 2019 Media Ownership Monitor report reveals seven media groups own more than one media, including TV, radio, print and internet — a result of the state's deliberate weak enforcement of PEMRA's regulatory framework regarding cross-media ownership. Although PEMRA was formed with one of its aims to ensure diversity and pluralism in the media sphere and check cross-media ownership, it has failed in effective implementation of its mandate; specifically after the passage of PEMRA (Ordinance) Amendment Act of 2007, which removed caps on cross-ownership of media outlets, it favored owner-

friendly policies leading to consolidation of the already established media players.[20] Consequently, soon after its formation in 2002, the present four major Pakistani media groups used their political clout to get licenses and other favorable treatments from PEMRA and undertook horizontal, vertical, and diagonal expansion, paving the way for concentration of ownership in a few hands and for accumulation of political power by media owners.[21]

In terms of working conditions and freedom of press, the unbridled political and economic power – concentrated ownership structure – gave media owners an exclusive control over wages of journalists, their jobs security, and management of news regardless of editorial boards. To retain their jobs, journalists had to omit coverage of issues that could earn them the ire of their employers. Monopolization of the media allowed the owners to restrict wage-competition, which made it easier for the major media houses to circumvent labor laws and exploit journalists.[22]

The predominance of commercial interests and the absence of fair competition due to the oligopolistic ownership structure did not remain limited to the strengthened hand of the owners in their relations with journalists. Commercial interests left no incentives for the media owners – specifically, electronic media owners – to improve the quality of content, to educate public on controversial and contested issues, or to increase the reach of their channels/newspapers. A case in point is Balochistan, which does not get any media coverage because it is deemed unattractive for advertisers, and where not a single meter was installed until 2013 to measure ratings of television channels.[23]

As the stakes of media owners increasingly got embedded in the controlled media liberalization project of the state, the weight and expectation of their own size and the correspondingly higher need for revenue proved their Achilles heel.

[20]AzmatRasul and Stephen McDowell, *Consolidation in the Name of Regulation: The PEMRA and the Concentration of Media Ownership in Pakistan* (2012), Global Media Journal, Vol. 12, Issue 20, Article 4
[21] Ibid
[22]Ramanujan D. Nadadur, *Self-Censorship in the Pakistani Print Media* (2007), South Asian Survey, Vol 14, Issue 1
[23] Matthew McCartney, S.A. Zaidi, eds. *New Perspectives on Pakistan's Political Economy: State, Class and Social Change*. Cambridge University Press, 2019. p.251

3. The 'Censorship Tripod': The Shrinking Media Freedom in Pakistan

3.1. State's Use of Carrots and Sticks: The First 'Leg' of the Censorship Tripod

Concentration of ownership and control of the media among a limited number of owners allowed the state to exploit their inherent vulnerabilities more effectively than at any other time since the country's independence. With a concerted application of regulatory and non-regulatory measures, the state sired a complex and nuanced control structure that is more comprehensive, effective and yet amorphous enough to remain largely undetected. Employing a mix of direct interventions, including the use of existing regulations - and the gaps therein, combined with a range of indirect tools at its disposal, the state has exploited reliance of the media conglomerates on public funding to establish its dominance—a situation where media houses, given their high stakes in the business, find it suitable to comply rather than lose the state's goodwill. This mutual adjustment materializes in publishing stories and news that show the state in a better light, while the media owners retain favor and entitlements. This section details the regulatory and non-regulatory tools that have made the unprecedented compliance possible.

3.1.1. Regulatory Capture[24]

The effective management, operation, and maintenance of an industry is dependent on the establishment and implementation of a robust legal and regulatory framework. It defines roles, assesses performance, and reins in deviations with a view to ensuring smooth and productive functioning of the system as a whole. In Pakistan, various arms of the media are overseen and regulated by specialized regulatory regimes that include:

1. **Pakistan Electronic Media Regulatory Authority (PEMRA):** an independent federal institution responsible for facilitating and regulating electronic media, including television and radio; it is also responsible for promoting and managing the establishment and operation of all private broadcast media and distribution services[25]
2. **Pakistan Telecommunication Authority (PTA):** a state-owned enterprise responsible for regulating the establishment, operation, and maintenance of telecommunication systems and the internet
3. **Press Council of Pakistan (PCP):** an independent body mandated to ensure and monitor ethical standards of practice for print media and ensure freedom of the press
4. **Official Secret Act of 1923**: a colonial era law that makes it easy to declare any information as a secret and hence classified – thereby making it easier to avoid further scrutiny and due process of transparency.[26]
5. **Other sensitive laws:** these include blasphemy laws; and have a restrictive, reactive, and punitive impact for journalists and media persons

The performance of these regulators, especially the first two which are the most active within their domains, has come under criticism from journalists as well as independent media observers. According to the Media Ownership Monitor Pakistan (MOM-Pakistan), a media watchdog affiliated with Reporters Without Borders, media regulation in Pakistan is deeply flawed and has hampered the

[24] Adnan Rehmat. "Regulating Content, Not Media: Special Report." *The News on Sunday*, 11 Aug. 2019, www.thenews.com.pk/tns/detail/568275-regulating-content-media.

[25] "Pakistan Electronic Media Regulatory Authority (PEMRA)." *ABU,*www.abu.org.my/portfolio-item/pakistan-electronic-media-regulatory-authority/?doing_wp_cron=1613369488.3560509681701660156250.

[26] Salman Raja. "Laws That Are Used to Curb Media Freedom." *From Layoffs to Lashes: PFUJ's 70-Year Fight for Media Freedom*, Pakistan Federal Union of Journalists, 2020, pp. 157–166.

professional development of the sector.[27] Issues such as a lack of diversity in ownership, lack of transparency and accountability, and vulnerability to political manipulation have become common features of the media landscape in the country.

In 2016, extensive powers were granted to the then chairman of PEMRA, which empowered him to order shutdown of electronic and print media and revoke licenses without any prior warning. Such decisions are at the whim of the politically appointed individuals heading such departments. In November 2017, during the crackdown on a protest sit-in between Rawalpindi and Islamabad, PEMRA shut down transmission of all private news channels, claiming they were in breach of their code of conduct by airing live coverage of the security operation.

There are various factors that collectively neutralize the effectiveness of these regulatory agencies and essentially make them tools of content control. Firstly, they are under statutory obligation to comply with the directions of the federal government.[29] The state exerts legal and financial influence through the large revenues it allocates to these agencies and its authority to appoint board members without submitting to parliamentary oversight.

PECA, in particular, has come under fire from several quarters:

"The government has broadened PTA's powers, and is attempting to censor criticism and opposition. Now PTA will get to interpret PPC [Pakistan Penal Code] sections without any check and balance and decide what content it considers unlawful, while playing the role of judge, jury and investigator. PTA will also have the authority to review appeals on the restriction or blocking of online content even before the high court can get involved. PTA also has the power to regulate the content being shared online and can get it removed within a day. The Removal and Blocking of Unlawful Content (Procedure, Oversight and Safeguards) Rules, 2020 — will give government the power to monitor and restrict digital content as well as punish social media companies that don't comply with government requests. By passing these rules, the government has basically given itself a legal cover to issue blanket bans on digital content." **- Sherry Rehman, Senator and former editor of Herald magazine[28]**

Secondly, it can pass legislation that tightens its grip on the regulators' function, such as the Prevention of Electronic Crimes Act, 2016 (PECA), which gives PTA the mandate to block "unlawful online content," whether it is a video game or a social networking application, giving a free rein to restrictions on the freedom of expression. However, PECA is viewed as an additional tool at the disposal of the state to "muzzle dissent and censor".[30] The law has been described as vague and overboard in its clauses by journalists and being widely used as a mechanism to control journalists, and even anchors.

For journalists and activists who turned to social media when their traditional channels of trade were barred, authorities struck back with PECA. There have been many attempts to regulate speech, but

27 "Who Owns the Media in Pakistan? Media Ownership Monitor." *Media Ownership Monitor*, Lime Flavour, Berlin, pakistan. mom-rsf.org/en/findings/regulation/.

28 "PFUJ, HRCP Condemn Ban: Pemra Following Dual Standard on Political Speeches." Thenews, The News International, 3 Oct. 2020, www.thenews.com.pk/print/723900-pfuj-hrcp-condemn-ban-pemra-following-dual-standard-on-political-speeches.

29 Adnan Rehmat. "Regulating Content, Not Media: Special Report." *The News*, TNS, 11 Aug. 2019, www.thenews.com.pk/tns/detail/568275-regulating-content-media.

30 Diplomat, NihaDagia for The. "Toothless and Terrified: The State of Pakistan's Media." – *The Diplomat*, For The Diplomat, 27 Oct. 2020, thediplomat.com/2020/10/toothless-and-terrified-the-state-of-pakistans-media/.

PECA stands out because of the sections that criminalize speech and grants authorities unchecked powers to curtail and persecute it. The law is laced with ambiguity and has been criticized for violating Articles 4, 10-A, 14 and 19 of the Constitution. The position on PECA is not limited to journalists. Dr. Arif Alvi and Dr. Shireen Mazari, now the president and human rights minister, respectively, have pointed out that the language in the law is too vague.

> Federal Investigation Agency (FIA) reportedly received 49 complaints against journalists and activists over social media posts. *"I think it is to target a few journalists,"* says **Abbas**. *"A warning for them to be careful or they may be detained or picked up." Only one tweet can get a journalist nominated in an FIR (First information report) thereby misusing Section 20 and 37. The room for dissent has shrunk into non-existence.*[31]

As with PEMRA, only the private sector comes under its purview, with the state-run media enterprises exempt from similar scrutiny. This gives the latter an unfair advantage over independent media and skews the playing field. Aside from fostering unfair competition, these monopolistic structures allow the government to exert enormous influence on aired content.[32]

Rather than regulating the industry and facilitating an enabling environment, the major thrust of the regulatory agencies has been in the direction of monitoring and censoring content. This can vary from suppression of coverage of political opponents to outright bans on anything deemed 'objectionable' by the state. PEMRA often issues show cause notices to television channels for airing content deemed inappropriate, and imposes penalties.[34] Likewise, PTA plays an active role in blocking websites and online content. The PCP, a more low-profile organization due to its limited resources, also focuses on content regulation.

> *Pakistan made numerous official requests to various social media platforms for information relating to users, content removal and shutting down their user profiles. In 2017, Pakistan submitted 1,050 requests to Facebook under the garb of "criminal cases" for user data and seven information requests to Twitter concerning 60 accounts. These actions are not only against the right to privacy of citizens but **also** requests for content removal are a violation of freedom of expression. The state has used the threat to national security and interest to regulate and silence the political debate and is a manipulation of rules and regulations.*[33]

None of these oversight bodies is known for initiatives to regulate the structure and functions of the industry, which should be their primary concern. Instead they crack down on journalists' freedom and

[31] Deutsche Welle. "Pakistan Journalists Face Charges for Criticizing Military: DW: 18.01.2021." *DW.COM*, https://www.dw.com/en/pakistan-journalists-military-press-freedom/a-56265949

[32] Adnan Rehmat. "Regulating Content, Not Media: Special Report." *The News*, TNS, 11 Aug. 2019, www.thenews.com.pk/tns/detail/568275-regulating-content-media.

[33] Salman Raja. "Laws That Are Used to Curb Media Freedom." *From Layoffs to Lashes: PFUJ's 70-Year Fight for Media Freedom*, Pakistan Federal Union of Journalists, 2020, pp. 157–166.

[34] "Who Owns the Media in Pakistan? Media Ownership Monitor." *Media Ownership Monitor*, Lime Flavour, Berlin, pakistan.mom-rsf.org/en/findings/regulation/.

oppose political dissent. In essence, the regulatory framework has affected a 'regulatory capture' of the media by the state.[35]

3.1.2. Flexing the Muscles: States use of non-regulatory measures

Journalism in Pakistan has never been easy given the extended repertoire of punitive measures and their use by the state. Be it Gen Zia-ul-Haq's infamous 'vetting' of newspapers or Nawaz Sharif tapping the phone calls of editors, journalists have been subjected to censorship and harassment from both the military and democratic governments. Today, however, things have taken a turn for the worse as the policies regarding content restrictions have become inconsistent, the list of 'sensitive' topics is growing by the day and a cybercrime law that is so vague it can be used to curb the media content without the hassle of a transparent due process. There have reportedly been incidences of journalists going missing and their activities being closely monitored. Senior journalist Mazhar Abbas recalled that journalists had never disappeared during Zia's era. "They were openly detained and sentenced," he says. "Now, journalists go missing, leaving their families, friends, and colleagues in agony. There is constant pressure. Journalists are on the radar and their professional and personal activities monitored." [36] While it is becoming increasingly hard to pinpoint, the thrust of the non-regulatory measures revolves around some key subject themes and geographic areas. Some of the broader themes and tools that are identified to irk the state and how it moves to curtail media coverage, among which some of the most critical have been discussed below.

a. Advertisement Revenue

For both newspapers and TV channels, government advertisements are the lifeline, and for the state, a leverage to influence the media industry. For instance, advertisements worth Rs. 15.7 billion were provided to the print and electronic media from 2013 to 2017.

Senior journalists *such as **Asad Baig** and **Umar Cheema** have ascribed this overdependence of the electronic media owners on government to the flawed business model of media organizations, which "currently don't have a subscription revenue stream – forcing them to rely on advertisement profits and making certain 'compromises' while doing so".*[37]

The heavy reliance on public funds also reflects lack of initiative amongst the media houses to diversify their revenue streams to limit their exposure to any intentional or unintentional drop in revenue due to the state's policy or capacity. The 2019 Media Ownership Monitor report highlights this flawed business model of the media houses and its effect in lowering the quality of journalism while simultaneously

*"The new ruling party alleged that its predecessor's ad spending were political bribes paid to the media to win its support. So the PTI government temporarily stopped official ad spending to private news media, did not clear outstanding ad payments, slashed ad rates drastically, and reduced the quota of ads. This intensified the financial crisis of the media industry. The media has never faced as major a financial crisis as this before. **Mazhar Abbas, Senior Journalist***

[35] AdnanRehmat. "Regulating Content, Not Media: Special Report." *The News*, TNS, 11 Aug. 2019, www.thenews.com.pk/tns/detail/568275-regulating-content-media.

[36] Diplomat, NihaDagia for The. "Toothless and Terrified: The State of Pakistan's Media." – *The Diplomat*, For The Diplomat, 27 Oct. 2020. https://thediplomat.com/2020/10/toothless-and-terrified-the-state-of-pakistans-media/

[37] Asad Baig& Umar Cheema, *Broadcast Journalism in Pakistan: A Hostage to Media Economics* (2015), Center for Peace and Development Initiative (CDPI)

enabling the governing elite – the government and the security establishment – to force the media owners/houses to capitulate.[38]

As advertisement revenue is used to buy influence, a reduction in the funding has been used for similar outcome. The government serves as one of the largest advertisers in the top 10 ad-spends of TV media. Pakistan's print media sector, however, has traditionally relied for the bulk of its revenue on government ads and, since 2016, has seen the federal government as its biggest advertiser.[39] Any shift in government advertisement holds significant consequences for the digital and press media in Pakistan. For instance, post 2018 elections, the advertisements budgets have been slashed by 70 percent with serious implications for the media industry. The PTI government cut advert spending while accusing its predecessor of using public funds to orchestrate government-media collusion.

The tactics, though not new, became more effective given two critical features of the media ownership structure. One, as the owners were allowed to dominate the media landscape and had willingly ventured into multiple domains to ensure their monopoly, the investment and risk factor made the cost of defiance unlikely. Case in point are channels such Geo, Express, Dunya to name a few. These had branched out from news channels to establish music, entertainment and sports channels. Others such as Express and Dunya also started publishing their newspapers. With massive investments at stake, the owners could ill-afford being on the wrong side and risk losing out on the state's patronage. The trend to adjust the state's narrative by bigger media houses also set in motion the domino effect for smaller media outlets. In order to compete with the big channels, the small media houses joined the race thereby foreclosing any significant chance for alternate platforms and point of views.

Two, the limited ownership structure makes it possible for the state to use the power at its disposal to optimum outcomes. Indeed, fewer owners mean that it is easier for the government to control them when the circumstances require. The owners-government relation has therefore evolved into a symbiotic relationship. Both government and media owners have adjusted to secure their mutual self-interests: the former has time and again employed advertisements revenues, newsprint quota, newspaper declaration, licenses issuance and other regulatory relaxations as inducements to ward off media criticism; conversely, the latter, driven by the logic of profit, has succumbed to government pressure to increase their political and economic footprint, evade taxes or escape regulatory scrutiny into their business ventures. The over-extended reach ensured an unprecedented and complete capitulation of media owners and as a concomitant, the bulk of press and digital media in Pakistan. The impact, as one observer puts it, can be seen in the increasing common practices of proxy ownership of television channels, bribes, extortion money, paid news and manipulation — factors that render freedom of expression and press nothing more than controlled freedom with grave repercussions for democracy.[40]

[38] "Who Owns the Media in Pakistan? Media Ownership Monitor." *Media Ownership Monitor*, Lime Flavour, Berlin, pakistan. https://pakistan.mom-rsf.org/en/findings/market/

[39] AdnanRehmat. "WHY IS PAKISTAN'S MEDIA IN CRISIS?" *DAWN.COM*, 22 July 2019, https://www.dawn.com/news/1495230

[40] Mazhar Abbas. "The Media's Shrinking Space." *Newsline*.https://newslinemagazine.com/magazine/the-medias-shrinking-space/

b. The Ever Expanding Boundaries of 'National Security'

The ever-changing and all-encompassing conceptualization of national security lies at the heart of the state's strategic push to control the media and freedom of expression. The media has increasingly come under target by the state threats ranging from slashing adverts, jamming transmissions and harassment campaigns for reporting on subjects marked off-limits by authorities. Content removal from the internet and social media has also been part of the campaign to control media freedom. In areas of KPK and Balochistan, journalists are at risk while reporting from the field and have often been caught in the crossfire between militants and security forces. For a notion that remains fluid, national security is projected as the *raison d'être* that demands strategic consistency in the effort and collaboration among various state authorities to control and command the political economy of Pakistani media.[41]

> *"State elements have removed the narrative on war on terror like it never existed, like the military has ended it all"* –**Wajahat Masood, Senior Journalist**

The Official Secrets Act, 1923, which was initially introduced by the British colonial power to keep the subcontinent's subject oblivious to government actions, continues to provide the state the legal basis to declare any information 'confidential'. The law does not define the individuals who can declare a document secret and any information can be declared classified without any formal process and explanation and the Parliament can be denied access to any information on this pretext. [42] The vague phrasing of the text of this act has made its misuse inevitable as mere suspicion can lead to a person being charged and a conviction allowed even if there is no proof of such an act against that individual.

> *"In a way, Balochistan, Sindh and KPK are the same. We cannot share anything until we get ISPR versions of it. Institutions cannot be named. Most of the corruption in (qabayli) tribal areas these days, smuggling cannot be reported. Military policies take precedence and civil policies are not being followed."-* ***Shamim Akhtar, Senior Journalist***

The sensitivities of national security are not merely subjective as a concept but they also vary by geography. The state's sensitivities regarding national security demand more sanctity in some geographical regions where state elements take a more defining role in deciding the narrative that is allowed to build often at the cost of misrepresentation of facts that accompany it. In the case of KPK and Balochistan, journalists are not openly allowed to represent facts and are encouraged to hide details of certain institutions. Reporting on counter terrorism operations has been strictly controlled to the extent where people are being led to believe that it is over.

[41] Deutsche Welle. "Opinion: The Decline of Media Freedom in Pakistan - A Journalist Tells His Story: DW: 10.12.2019." *DW.COM*, https://www.dw.com/en/opinion-the-decline-of-media-freedom-in-pakistan-a-journalist-tells-his-story/a-51553931

[42] Salman Raja. "Laws That Are Used to Curb Media Freedom." *From Layoffs to Lashes: PFUJ's 70-Year Fight for Media Freedom*, Pakistan Federal Union of Journalists, 2020, pp. 157–166.

The case of Muhammad Hanif's article further speaks to the extensive censorship in the name of national security. In essence, censorship is not just restricted to local news content or certain geographical areas within the country but has transcended national boundaries and made its way to international platforms. The direct involvement of state authorities in censoring critical stories is not new, however the scale and scope is unprecedented.

> ***Muhammad Hanif's*** *article titled Pakistan's Triangle of Hate: Taliban, Army and India was removed from the New York Times. Speaking of the current government, Hanif said that "censorship … is the worst we have seen."*

The pressure tactics have reportedly been exerted both directly through edicts to editors and producers, to less direct ways like pulling the channels from transmissions and newspapers from circulation. The many layers of censorship by different quarters stating they have become more nuanced as compared to the past. They also repeatedly admitted that journalism is under threat more than ever in Pakistan. Comparing today's censorship to Zia's regime, journalists reported that earlier they knew where the orders were coming from. But now, the directions come from unknown sources. For several journalists, the message has become clear as they had adjusted to follow the narrative as identified by some state institutions regardless of government's declared position on the matter.

While the media has seen censorship emerge in all domains of national security and policies, this censorship has transcended those domains and spilled over into the satirical spheres as well now, which was once largely an acceptable part of public culture, is now generating negative reviews by authorities. Only recently, a prominent columnist was forced to take down his columns that did not sit well with the powers that be. "*Yeh Company Nahi Chalegi*," an anthology of previously published columns by Sohail Warraich, irked authorities for its title (meaning "this company will not run") and its cover. "Normally, caricatures are drawn and taken in a lighter vein and this was precisely the spirit behind this one as well". [43]

c. Making Examples: The Bare Knuckles Approach

The Prime Minister has maintained there has been no crackdown on the media. A more direct approach by the state institutions to confront any defiance by the media is easy to discern. Mir Shakil-ur-Rehman, Editor-in-Chief of Jang Group, the largest media organization in Pakistan, is a case in point. Mr. Rehman has been in pre-trial detention since March 12, 2020 after voluntarily courted

> *"When parts of the media cried foul, the security and intelligence machinery sought to silence them. Journalists critical of the army's interference in politics were told to fall in line or risk losing their jobs." –* **Shahzeb Jilani, ex-BBC Correspondent in Pakistan**

> *"Jang and Dawn being targeted, authorities want to suppress and control dawn policy completely which they are resisting. Dawn leak and the campaign against them created a lot of trouble for them even though it was true and a reason for PATF restrictions. They have surrounded media houses and are trying to destroy these two media houses. They control narrative through advice and adverts and secondly destroying them financially. One of the worst times for media in 70 years." –* **Professor Tauseef Ahmed, Senior Journalist**

[43] Diplomat, NihaDagia for The. "Toothless and Terrified: The State of Pakistan's Media." – *The Diplomat*, For The Diplomat, 27 Oct. 2020. https://thediplomat.com/2020/10/toothless-and-terrified-the-state-of-pakistans-media/

arrest to the National Accountability Bureau (NAB) in Lahore on charges relating to a 34-year-old property transaction. Mr. Rehman, 63, had sought bail on grounds of ill-health, but on July 8, and almost three months in detention, the Lahore High Court denied his request. The Supreme Court Bar Association and Pakistan Bar Council, the top elected bodies of the lawyers' community, criticized the ruling as "disappointing and painful."[44]

In 2018, Dawn, Pakistan's largest English language daily newspaper, had to suffer huge financial losses after the state restricted its distributions after the leaks of secret military meetings were published resulting in one of the journalists losing his job. For many in the journalists' community, Mr. Rehman's detention and the crackdown on Dawn exemplify the state's bare knuckle approach to exert its control over the largest media outlets and by setting an example to ensure compliance from the remaining media houses.

In 2019, PEMRA had to backtrack on a directive issued to all TV anchors, which banned them from expressing personal views on their shows which was punishable by a fine of up to Rs. 10 million, after it was publicly slammed by Reporters Without Borders as a "grotesque" example of censorship. On one instance, the Peshawar High Court also ruled that PEMRA's ban on TV channels airing a press conference by opposition leader Maulana Fazlur Rehman was illegal. On another instance, talk show 'Capital Talk' was stopped minutes into transmission during an interview with former president Asif Ali Zardari, who is very critical of Prime Minister Imran Khan's administration. A column by Hamid Mir

[44]"Pakistan's Hypocrisy on Press Freedom." *Human Rights Watch*, 28 Oct. 2020, https://www.hrw.org/news/2020/09/11/pakistans-hypocrisy-press-freedom

in Daily Jang newspaper was cut when he used it to criticise media censorship.[45] These are only few of such cases that are prevalent in the country and are barring freedom of speech by subduing the news and narratives to fit a criterion to the likings of authorities and punishing those who defy the orders.

The direct approach is not merely limited to forcing the media houses to comply and control voices but expands to individual journalists. Between September 2018 and January 2020, seven journalists and one blogger were killed, six were abducted, and 15 were slapped with legal cases, among a total of 135 "violations against media practitioners" reported by the Freedom Network media watchdog. These figures contradict the recent claims made by the Prime Minister that the media in Pakistan enjoys more freedom than the British media. The Prime Minister has chaired at least 62 federal cabinet meetings during the same period, but the crucial matter of journalists' safety couldn't make it to the agenda. This accentuates the need to prioritise the safety of journalists in the country. [47]

Abduction of Matiullah Jan

Islamabad-based senior journalist Matiullah Jan was picked up by unidentified armed men in July 2020 from a busy street in Islamabad a day before he was to appear before Supreme Court of Pakistan in a contempt case brought against him after he criticized the court's verdict in a case involving a top judge.

He dropped off his wife at her job when several men, some in civilian clothes, others in counterterrorism police uniform, dragged him from his car, bundled him into one of their vehicles and sped away. Footage from a security camera clearly showed the police's involvement in the abduction which culminated in a campaign on social media and he was released after 12 hours of his abduction, which he indicated in his video message, by the "forces that are against democracy". He has experienced 10 years of harassment and intimidation for his critical work as a journalist and none of these incidents were investigated by police. [46]

"Zero Justice for Pakistan's 26 Murdered Journalists", a report detailing safety and security of media persons in Pakistan has revealed that print journalists were three times most vulnerable than TV journalists. Of the 26 journalists killed between 2013 and 2018, 18 were from print while eight were broadcast journalists. Further breakdown shows, eight journalists lost their lives in Punjab and seven in KPK. In the report, Punjab and Sindh have been deemed particularly dangerous for broadcast journalists.[48]

It was also reported that one in every three murder cases of journalists worryingly involve state actors, political parties and/or religious groups. In 60 percent of the cases, police failed to complete investigations, therefore failing to generate a final challan or a full investigation report to submit before a court for trial.[49]

Lack of security is linked with geographical constraints and strategic importance of the provinces. The newly merged tribal districts of KPK and interior Balochistan are some of the "no-go areas" for independent media. Journalists and newspapers frequently face death threats and pressure from the

[45]"'Extreme Fear and Self-Censorship': Media Freedom under Threat in Pakistan." *The Guardian*, Guardian News and Media,https://www.theguardian.com/world/2019/nov/05/extreme-fear-and-self-censorship-media-in-pakistan-under-attack

[46]"Taliban Conflict in Pakistan: Analysis through the Prism of Peace Journalism." *Journalism 'a Peacekeeping Agent' at the Time of Conflict*, 2018, pp. 117–129., doi:10.1163/9789004386365_007. https://www.cjr.org/analysis/journalism-pakistan

[47] Diplomat, NihaDagia for The. "Toothless and Terrified: The State of Pakistan's Media." – *The Diplomat*, For The Diplomat, 27 Oct. 2020, https://thediplomat.com/2020/10/toothless-and-terrified-the-state-of-pakistans-media/

[46]"Safety & Censorship - Journalism in Pakistan." *Accountability Lab*, 15 May 2019, https://accountabilitylab.org/safety-censorship-journalism-in-pakistan

[49] Ibid.

state as well as non-state actors in both subtle and overt ways. Journalists in the tribal districts of KPK are the most exposed to violence as they have received threats from militants as well as security forces deployed there. In September last year, journalist Tanveer-ud-din Burki from South Waziristan district was attacked by former militants.

> *"KPK has become a military state ever since the FATA merger. The civil involvement in policies has reduced. The state TV and radio policies are directed via military involvement"* **– Shamim Akhtar, Senior Journalist**

The threat of violence and attacks against journalists often result in censorship, and again proves a major setback to freedom of expression. If the security situation is so volatile and the environment is so unsafe, then journalists come to believe that it is simply too dangerous to cover certain topics and hence resort to self-censorship. In addition to threats and intimidation from different stakeholders, there are no specific laws to safeguard journalists in Pakistan. Strict actions are taken against any report deemed anti-government or that falls in the spectrum of anti-state, irrespective of the report's credibility. As a consequence, some journalists have been reportedly 'picked up' or have 'gone missing'. Highlighted below are some cases of threats to journalists in the past couple of years that paint a grim picture of the current situation of media persons in Pakistan and a threat to independent media.

A reporter for Naveed-e-Pakistan daily newspaper, Anwar Jan Kethran, was shot dead by two gunmen as he was returning home on the evening of 23 July in Barkhan, a city in the northeast of Balochistan. His family was told to "stay quiet" or face "consequences". Because of his coverage of alleged corruption, he was told to "stay away from journalism". Daniel B., head of RSF's Asia-Pacific Desk said: "Everything indicates that Anwar Jan Kethran was killed because he informed the public about allegedly corrupt practices by local officials."

Mr. Kethran was murdered just two days after Matiullah Jan, a journalist who is critical of the military on his YouTube channel MJtv, was abducted in broad daylight in Islamabad days before he was due to appear before the Supreme Court on a contempt charge in connection with a tweet.[50]

Bilal Farooqi, a news editor with English language daily The Express Tribune, was "picked up" from his home in Karachi. He, too, is known to be a vocal critic of the state, and according to charges, was involved in spreading hateful content about certain state institutions and spreading religious hate. He faced charges linked to Pakistan's cybercrime law, which cover online criticism of the army, judiciary, religion and the country at large. He was released on his lawyer's personal guarantee the next day. Similarly, Geo News reporter Ali Imran Syed "disappeared" for 22 hours.[51]

[50] "Who Owns the Media in Pakistan? Media Ownership Monitor." *Media Ownership Monitor*, Lime Flavour, Berlin, pakistan. https://pakistan.mom-rsf.org/en/findings/concentration/

[51] Deutsche Welle. "Pakistan: Journalist Bilal Farooqi Arrested over Posts Criticizing Army: DW: 12.09.2020." *DW.COM*, www.dw.com/en/pakistan-journalist-bilal-farooqi-arrested-over-posts-criticizing-army/a-54902421.

Journalists are increasingly exposed to violence in the line of duty despite declining violent crime rates across the country. The murder of journalist Aziz Memon in February this year serves as a stark reminder of the perilous conditions in which media persons live and work in Pakistan. Mr. Memon had reportedly been receiving death threats since long and had shared his concerns in a video recording that has gone viral since it was uploaded to social media. According to reports, he was strangled to death and his body was dumped in a canal in Naushahro Feroze district of Sindh. With his murder, the number of media persons killed in Sindh since 2002 has reached 16. The worst part is that no culprit has been caught or punished for these crimes. [52]

> *"Journalists go home late at night. They do not have any set timings and work round the clock. No additional security provisions are made for them or their families. Imprison killers of journalists so that sets a precedent. 24 people targeted and killed, a lot of their cases not even filed" –* ***Shahzada Zulfiqar,*** **President PFUJ**

There is a growing consensus among journalists that freedom of media is not palatable to the state institutions and hence experiences suppression directly via regulations and indirectly through various forms of harassments. Journalists fear "getting picked up" or "going missing" in case they report any news that is not in line with the "acceptable standards" set by authorities. For many, the brutal murder of their colleagues with impunity serves as a constant reminder to remain compliant. Constantly monitoring, working conditions and timings – serves to reinforce the sense of vulnerability among media persons.

Journalists have repeatedly accentuated the need to punish the murderers of their colleagues so as to deter future attacks on community members. Stringent laws and regulations and their conscious implementation may help in making the environment comparatively safer for media practitioners in the country.

Security conditions for journalists vary in intensity depending upon the region they belong to, their gender, the media houses they work for, and the topics they work on, to name a few. It should not be difficult to understand how women journalists fare in this perilous environment and if external factors are conducive or unfavorable for them to perform their duties.

For women journalists, there are additional concerns to consider when determining the factors that impact their work and responsibilities. For this purpose many women working in the media industry were asked about how supportive and facilitating their workplaces were; whether they had faced any harassment and whether there were any reporting mechanisms in place to counter them. They were also asked if they thought their gender played a role in the anticipated expectations from them. The responses paint a bleak picture of rather worrying circumstances the women journalists deal with in Pakistan's media industry. Besides security threats and censorships, they also face resistance and pushbacks due to socio-cultural barriers, harassment on multiple fronts, and an increasingly undeniable need to make their place in the male-dominated profession.

Journalists have increasingly spoken about how dissent with popular state narrative triggers attempt to muzzle their voices. Broadcast journalist Asad Ali Toor, while talking about censorship and laws used against journalists, observed that traditional media has to give in to government pressures and

[52] "Journalist Safety." *The News*, The News International. https://www.thenews.com.pk/print/618637-journalist-safety

censorship. Social media, on the other hand, is comparatively less censored, which is why authorities are now introducing additional laws to coerce people into silence in cyberspace.[53]

In order to put forward a non-cognizable, bailable and compoundable offence, Section 20 of PECA requires the FIA to obtain permission from a court to initiate an inquiry. The police complaints filed under the section showed that the agency has routinely added cognizable sections to PECA, the Pakistan Penal Code and the Anti-Terrorism Act. The section, which requires the aggrieved person who has been defamed to complain, has been used against citizens, journalists, activists and political workers accused of criticizing the "state institutions."[54]

In September 2020, the Punjab police launched an investigation against Absar Alam, a journalist and former head of the Pakistan Electronic Media Regulatory Authority (PEMRA), on sedition and treason charges. The police were acting on a complaint filed by a lawyer who accused Mr. Alam of posting "highly inappropriate" comments to social media. In reality, he had simply criticized the state institutions. Asad Ali Toor was detained on a complaint filed against him over a Twitter post accusing him of anti-Pakistan posts and propaganda against Pakistan military on social media. Toor had not been notified about the specific reasons for the complaint. Talking about how these issues are dealt with, Benazir Shah, a reporter, lamented that government officials first accuse journalists of reporting fake news or taking bribes before they are subjected to vicious trolling by anonymous accounts in the second phase.

The dilemma of censorship is not restricted to the print media. TV channels are facing it too. The content is being controlled and monitored via delayed systems where the matters related to "national security" or "objectionable contents" are muted or edited out. A case in point is anchor Talat Hussain and author Muhammad Hanif who had to face structural censorship.[55]In case a channel fails to comply with such orders, pressure tactics are applied not just towards media workers but also to the channel itself. There have been mentions of instances where threats culminated in orders to cable operators to shut down the channels or to advertising agencies to stop giving them adverts. A case in point is Talat Hussain, a former TV host whose talk-shows were repeatedly censored. His analyses on the general elections of 2018 were not allowed to be aired since the state did not agree with his narrative of blaming other state institutions' involvement in the elections. He was asked to either change the narrative or reduce his team because his opinions were termed "financially ruinous" for the channel. He had to finally resign because of this reason.

d. The Troll Factory: The New Face of Harassment

A 2019 study titled "Fostering Open Spaces in Pakistan", authored by Ramsha Jahangir for the Digital Rights Foundation (DRF), surveyed women in journalism and activism, and other information professionals. The study found that 55 percent of women had faced online harassment and abuse. Majority of the respondents described online abuse as "slurs, slut shaming, fat shaming, theft of photos, spamming with pornographic images, stalking" among other forms of harassment. In a cultural setting where women are at significantly higher risk of getting impact by character-based attacks, social media has become a festering pool of foul harassment.

A campaign undertaken by leading Pakistani women journalists, issued a joint statement signed by tens of prominent journalists and organizations. They claimed that the attacks, which were mostly

[53] Ibid.
[54] Ibid.
[55] "'Extreme Fear and Self-Censorship': Media Freedom under Threat in Pakistan." *The Guardian*, Guardian News and Media, 5 Nov. 2019, https://www.theguardian.com/world/2019/nov/05/extreme-fear-and-self-censorship-media-in-pakistan-under-attack

backlashes, were "instigated by government officials and then amplified by a large number of Twitter accounts. Majority of these twitter accounts had declared their affiliation to the ruling party".

Jahangir shed light on the ruling party in her story which led to it being disapprovingly shared by a government official on Twitter. The journalist witnessed vicious and personal attacks as a result. "I had no choice but to mute my notifications because I had got so many hateful messages. I was also threatened with a defamation suit. The online space has been weaponized in recent times."[56]

> *"When women journalists are targeted by trolls after publishing a story or a tweet, it quickly escalates to personal attacks, often of a misogynistic nature."-* **Women journalist** *(wished to remain anonymous)*

The Coalition for Women in Journalism (CFWIJ) monitored at least 11 cases of threats and violence against women journalists in Pakistan since the beginning of 2020. Some involved harassment in the workplace, while other journalists covering politics, the government's handling of the novel coronavirus pandemic and social challenges caused by it, were subjected to doxing, rape and death threats online. According to CFWIJ founder Kiran Nazish, these virtual threats are very much real.[57]Verbal harassment is not just restricted to public and officials, but male colleagues and management are also involved in it. Reinforcing patriarchal values, women are vastly discouraged from venturing into the profession of journalism. They are verbally attacked, targeted through character assassinations and threats. A constant competition between men and women reporters was reported by journalists, while women are directly or indirectly conveyed that they owe their access to good sources to their closeness and personal relationships with them. Formal complaints to the managements do not yield much because they seldom come to the defence of their female employees. Under such circumstances, women are left to defend themselves on their own.

> *We have to face a great deal of verbal harassment from our colleagues working in the field. There are certain [male] journalists who cannot even stand the sight of women journalists. They resort to defamation by spreading rumours about my alleged affairs. I faced this once. But I do not care much. We have to deal with it on our: our organization does not intervene.* – **Mehwish Sohail, Journalist**

For women journalists, attacks on character bring additional social pressures. They have been stigmatized as "bad women" because of their career choices as association with the media industry in itself is considered a reason enough to doubt their character.

> *"Women in the media are not only targeted for their work but also their gender. Our social media timelines are then barraged with gender-based slurs, threats of sexual and physical violence… The online attacks are instigated by government officials and then amplified by a large number of Twitter accounts, which declare their affiliation to the ruling party."*[58]

[56] "Pakistani Journalists Stand up against Online Harassment." *International Press Institute*, 26 Aug. 2020, ipi.media/pakistani-journalists-stand-up-against-online-harassment/.
[57] Ibid.
[58] "In Rare Testimony, Female Pakistani Journalists Describe Social Media Attacks to Lawmakers." *Voice of America*, www.voanews.com/press-freedom/rare-testimony-female-pakistani-journalists-describe-social-media-attacks-lawmakers.

There have been instances where their character has been brazenly called into question. The fear of character assassination remains hard to ignore for women journalists. Despite their own ability to take up the herculean challenge, family support for their career choice is not easy to come by for many women journalists.

3.2. Institutional Censorship: The Second Leg of the Censorship Tripod

The state control over the media houses and their direct controls via regulations have led to wide-ranging restrictions and censorships in Pakistani media. Given the vulnerabilities of the media owners as discussed in the section above, the media houses have taken upon themselves to avoid any conflict with the state. It has led to media suppression and curbs on the content being published.

An observation, shared more generally among journalists, reflects a stricter censorship in today's era

> *"Apart from Dawn and Jang all others media cells face restrictions. They are self-censoring as a result. As per Mudassir Mirza, Jang Editor, [the sort of self-censor that has not set criteria] this is such a self-censor that has no set policy. [During] Gen Zia's time there was a set policy so things were clear and areas defined. There is no such thing like that now. Media is being made to propagate military rule, even though there are just three institutes (judiciary, parliament and establishment?) the rest are civil but this narrative is being propagated. We are in worse times than Zia right now"* – **Journalist** (wished to remain anonymous)

compared to the dictatorial regimes. It was widely observed that earlier only big news items were censored. Nowadays, even minor reports are suppressed. Whether a news item should be published or not is at the discretion of certain individuals. For example, media houses come under pressure to report positively on certain political rallies or negatively on others.

From political opponents to gang rapes, restrictions have forced Newsrooms into self-censorship. A recent ban on the media coverage by authorities of a gang-rape victim in Lahore is a case in point. Restrictions were imposed on questioning the safety of women in Pakistan when the top official investigating the case blamed the victim for traveling alone without a male family member.

> *"Media houses decide what to publish, (this decision) is not in the hands of journalists. If something is province-related then media houses will decide as per their policies – self-censorship. Investigative journalism (has) ended everywhere."* – **Shahzada Zulfiqar, President PFUJ**

The primacy of the owners' business interests is not lost on journalists working in their respective media houses. The editors' desk has ceased to exist in most cases or has been rendered toothless as decision-making is passed on to the presidents and CEOs who are the owners of these media houses. This has further barred journalists from reporting consciously and played a role in sensationalizing the news in a way that

> *"No editors in the newspapers anymore, electronic media have never used editors – they have CEOs, Presidents (not use editor because CEO portrays it is an enterprise while editor denotes the authority of the word whether written or spoken). Enterprise just wants profits. News is now a product. The news that is not acceptable is also not reported and a rebuttal demanded"* – **Wajahat Masood, Senior Journalist**

merits maximum headlines and eventual profitability while remaining within the defined boundaries of the state's sensitivities to avoid retaliation.

> *"We cannot openly report against certain players). Social media pressure working a bit (news first hits social media and then the media houses decide to report certain scenarios involving key civil, military stakeholders) – media faces pressure and gets calls. State institutions exert a lot of pressures."* – **Qazi Asif, Senior Journalist**

The institutional arrangements at the media houses have not only led to the shrinking space for public interest stories but also actually taken the role of gatekeeper for ensuring that state-media relations remain smooth. The abandonment of journalistic standards, concern for the welfare of journalists and compliance with the state-defined narratives and boundaries render the media houses as perhaps the most effective form of censorship curtailing free speech and media freedom in Pakistan. A detailed look at the recent developments in the media house-journalists' relations reflects a growing trend among the owners to keep the more vocal journalists in check to remain in the good books of the state institutions and avoid any meaningful scrutiny of their obligations as an employer on the other. This partly explains lack of any substantial resistance among the journalists community against the undeclared censorship and deteriorating journalistic standards.

3.2.1. Retrenchment, Low Wages and Poor Employment Contracts

Many journalists and media professionals have been forced to bid farewell to the field because of non-payment or delayed payment of salaries to working journalists, censorship by many quarters or self-censorship, lack of fairness and security and safety. Media houses have, with impunity, indulged in passing on their financial woes whether affected by a government's policy of market tightening to individual journalists circumventing employee rights in several cases.

Shakirullah's tragic career end

After working as a journalist for three decades, Shakirullah Jan has now turned to manual labour in Peshawar to meet his daily expenses. He lost his job as a court reporter for local Urdu daily *Khyber* two and a half years back. He was in hospital for his wife's treatment when he received a call from his office that his services were not required anymore. With six daughters and a son, he had no option but to look for any work that could keep his kitchen running. Because of the financial crunch, his three daughters had to give up their studies.

He spent the next year searching for a job without success and was forced to start working as a labourer. Previously, when a journalist lost job he could find another one in three or four months in any newspapers or TV channels but nowadays they cannot find work, which forces them to switch to other professions.

According to Iqbal Khattak, the executive director of Freedom Network, a Pakistani media rights watchdog, the rapid growth of the media industry manifested itself in the proliferation of media science departments in universities since 2005 and in an increasing trend among young people to take up journalism as a profession. Nevertheless, a small section of handsomely paid journalists was able to fully reap its benefits. The present situation is critical in that only a few channels manage to pay salaries on time. Geo TV, for example, is often unable to pay its staff for several months as it has been starved of advertising funds from government and private sectors. [59]

[59] Adnan Rehmat. "WHY IS PAKISTAN'S MEDIA IN CRISIS?" *DAWN*, 22 July 2019, www.dawn.com/news/1495230.

Journalists complain that on the pretext of ensuring compliance with COVID-19 SOPs, media owners have forced them to agree to salary cuts and withdrawal of travel allowance.[60]

Media houses, newspapers and TV channels, in some cases, have not paid their employees for several months. Those who protested against non-payments have been laid off without clearing their outstanding dues.

> *"In KPK and particularly in Peshawar, approximately 200 journalists have been laid off. Media owners let workers go because government agencies do not give them advertisements and withhold payments that are due. Even big media houses are being forced to make big cuts in staff. Some media houses that used to pay 70-80K have slashed salaries to 20-25K. Don't force journalists to give up their professions in order to survive."* – **Muhammad Naeem, General Secretary, Khyber Union of Journalists, Peshawar**

Over 900 journalists and related staff were reportedly laid off by the Jang Group when it closed down three of its publications and two bureau offices. Similar measures were also adopted by the Express Media Group and Dunya Media Group who slashed the wages of their workers by 15 to 35 percent while also rendering over 200 journalists jobless. In some cases, journalists complained of their wages being slashed by more than 50 percent, rendering it insufficient and forcing them to opt for other means.

The situation for journalists outside the main cities is even worse. Journalists in Balochistan were already working part-time, as remunerations were not enough for them to take it up as a full-time career. Salaries of journalists in the main cities of the province were comparatively better, yet not good enough for them to make ends meet. The fact that this was a part-time career also reflects on the quality of the content and accompanying restrictions and time constraints that they may be facing while reporting.

> *In Balochistan throughout the province, around 2,000 journalists are working, but only Hub, Gwadar and Chaman are centres that pay their journalists around Rs. 10,000-15,000. However, there are no other places where journalists are paid salaries like this. Many of these journalists either are government servants, or have other side businesses. Hardly a few people are professional journalists here since they are not paid enough. Most are doing part-time journalism.* **– Ayub Tarin, Bureau Chief (HUM News)**

While there is no authentic database of journalists rendered jobless during the ongoing crisis in the media industry, the estimates range between 8,000-15,000 journalists. Myra Imran, Vice President, National Press Club, Islamabad, stated that around 15,000 journalists had been laid off, while Ahmed Khan Malik, former president of Karachi Press Club, claimed between 8,000 and 10,000 journalists had been rendered jobless. Apart from that, salaries of journalists have been slashed by 40 to 50 percent with attempts underway to kill freedom of expression and freedom of press thereby undermining the founding principles of the organization.

[60] "In Rare Testimony, Female Pakistani Journalists Describe Social Media Attacks to Lawmakers." *Voice of America*, www.voanews.com/press-freedom/rare-testimony-female-pakistani-journalists-describe-social-media-attacks-lawmakers.

Increasing reliance on government adverts, coupled with media owners' profiteering tactics and regulations that bar independent reporting, have all played a role in limiting freedom of speech among journalists. The failure to comply with authorities has led to journalists losing their jobs. As already covered in the section above, the state has aggressively pursued control over media houses to push them to comply with its narrative and redlines. Failure on the part of the media houses has resulted in loss of income from government adverts — a burden that the media houses have used as a reason for the massive lay-offs.

> *"Media freedoms are being suppressed directly and indirectly. Any attempt to undermine the media industry will actually undermine the link between the people and the decision-makers."***– Myra Imran, Vice President, National Press Club, Islamabad**

> *Whatever is happening – journalists being hired on weak employment contracts, being laid off, and their salaries slashed – is organically linked to freedom of press. This is so because if journalists are economically vulnerable, then they will perforce have to compromise. It is not just the external influences or factors – censorships and other restrictions – that present a challenge for a working journalist; of equally import is the exploitative attitude of the media owners towards journalists, which has direct impacts on freedom of expression. –* **Habib Khan Ghauri, Senior Journalist**

There are not many journalists who remain unaware of the government's threats to either adhere to the set criteria and defined narratives or face withdrawal of advertisement funding that would ultimately result in massive lay-offs. The journalists who fall in line get to keep their jobs while the rest are relieved of their services. Transparency in reporting and freedom continues to be at risk. A climate of fear has emerged among journalists that pushed them to scale back on transparent reporting and to constantly fear for their jobs.

> *"The current situation is quite worrisome as retrenchments are happening without any rhyme or reason. Workers are being laid off without notice. The reasons for this crisis are incomprehensible. When you ask the media owners, they cite financial constraints and pending dues by the government; but when you ask government functionaries, they say they have cleared most of their dues. Nonetheless, our workers continue to be fired. This has reached dangerous proportions even though there is no proper documentation for the retrenchments; and thousands continue to be laid off."* **– Mubarik Zeb Khan, Member Executive Council PFUJ, Dawn Worker's Union**

Vulnerability of journalists is further exacerbated by weak employment contracts and low salaries that made their dismissals by media houses easier without fear of legal implications or protestations from the larger community. A worrying sign is the use of withholding of government advertisements as an excuse by media owners for their inability to pay their employees on time. Some senior journalists,

however, disputed their claim by arguing that even in the past, workers were excluded from having a share in benefits from public advertisements.[61]

3.2.2. It's hard to be a Journalist, only harder to be a woman journalist

Pakistan is one of the most dangerous countries for journalists. The working conditions for journalists in general are far from ideal but for women media practitioners, the profession comes with additional challenges ranging from harassment from colleagues to social and cultural constraints. Less than 5% of the estimated 20,000 journalists in Pakistan are women, according to the Pakistan Federal Union of Journalists, which means less than 1,000 women, are practicing journalism in the country as of 2017.[62]

> *"We had to work twice as hard as men to find our space in the media. Now when there are more women in the field, the threats they face have also grown,"* – **Afia Salam, Senior Journalist**

Most of the women journalists are part of press clubs and unions; however, the socio-cultural and gender segregation merits them little to no protection. Violence and danger faced by women journalists are not only restricted to the course of reporting dangerous events, but they also face sexual harassment. Social taboos, segregation and stigmas keep them from speaking openly about the issues they face much less seek support. In Pakistan, which is an honor-based society, any attack on woman's reputation – physical or virtual (as in cyber space) – can have serious repercussions for her, both professionally and personally, and there is scores of evidence on that front.

It was reported in 2019 that four journalists and bloggers were killed in connection with their reporting. A woman named Arooj Iqbal was among them who was shot dead in Lahore in November in a case where the murderers roam free till this day. Iqbal aspired to be the first woman journalist to launch her own newspaper in Pakistan, a dream that could not be turned into reality.[63]

> *"In Balochistan, it is quite difficult for women to go outside their homes and when you have to face such issues it is difficult to survive. We face verbal/mental harassment. We cannot sit or interact with males. For a reporter, it is very important to have news sources but for us women journalists it becomes very difficult to develop and cultivate sources. If we go out to make contact with sources, people say strange things about us. We have talked to our owners about this issue but it is yet to be taken seriously and resolved."* –**Aqsa Mir, Journalist**

Women journalists in Balochistan are reluctant to interact with men in general, while their interactions with females is also restricted, which eventually affects their reporting and sources. They are discouraged from interacting with men and if they ever do get a chance to do that, their male sources put up inappropriate requests in exchange for information. This makes reporting for women even more challenging as they do not have their organization backing them in such circumstances. The women journalists interviewed for this report complained about lack of mechanisms available to report and file such complaints in their respective provinces.

[61] ibid.
[62] Adnan Rehmat. "Threats, Harassment and Rejection." www.mediasupport.org/Wp-Content/Uploads/2017/11/Final-Report-Testimonies-Of-Women-Journalists-in-Pakistan.pdf.
[63] "Pakistani Female Journalists Face 'Coordinated' Campaign of Online Threats." *RadioFreeEurope/RadioLiberty*, Pakistani Female Journalists Face 'Coordinated' Campaign Of Online Threats, 20 Aug. 2020, www.rferl.org/a/30792594.html.

While journalists have been facing issues of retrenchment and payment delays in general, women journalists in particular face a more substantial impact on their wages and employment opportunities. This situation however is not restricted to the current socio-political scenario but is rooted in the historical trend of gender-based salary disparity. While women face payment delays and are mentally prepared for delay in salaries for up to two months, they are also paid less than their male colleagues are. For equal amount of work and sometimes more work than men, women are paid less. In addition, unlike men reporters, women are seldom promoted irrespective of the number of years they spend in an organization.

> *"Our salaries are 10 per cent of those for male reporters – this is the biggest issue. It has been 2 or 3 months that I have resigned from 92 News. The owners say that they are not getting advertisements but the reality is that an anchor is paid around Rs. 1 million for doing a 30-minute show; whereas, my salary was Rs. 34,000, not to mention the fact that I was doing a lot more work. "*– **Journalist** (wished to remain anonymous)

Many women journalists have to bear pay gap, even when women felt they were more qualified and experienced than their male counterparts. Between a lack of any equality policy, prejudice of male counterparts, and a refusal to offer women the opportunity to report the beats they prefer, women journalists paint a picture of antiquated, male-dominated institutions where women's presence in the Newsroom is seen as a novelty at best and a threat to existing powers at worst.

Women journalists are overlooked for promotion. Their male colleagues find it easier to develop rapport with the top management (mostly men) given the significantly higher chances of formal and informal conversations among them. Women journalists, on the other hand, either do not get similar chances or have to comply with the socio-cultural barriers that demand limited interactions among the genders. The amount of prejudice associated with performance and the wage differentials are increasingly restricting the growth of women journalists in Pakistan and are a source of discouragement for new women entrants in the profession.

> *We do not have checks and balances in our media/press clubs where woman who face issues can lodge complaints. No such organization exist in Punjab at least where we can go and report. So we have to handle and resolve these issues on our own. Of course, our organization intervenes when we receive threats for running a story. But harassment is something we have to handle on our end – and we have to deal smartly with the (male) reporters [who harass us] because if you confront them they will never provide you information. So sometimes, we have to ignore harassment. –* **Mehwish Sohail, Journalist**

Lack of Check on Harassment

Threats of gender-based violence, harassment, negative societal attitudes, stifled career progress, and a significant gender pay gap, are some of the challenges faced by women journalists in Pakistan. A 2017 survey highlighted that almost one in two women journalists in Pakistan have experienced gender-based violence in the course of their work and only 24 percent have not reported facing any form of harassment.

Harassment, often from within their own media outlets and most likely to be perpetrated by their immediate line managers, is not new to women journalists in Pakistan. Refusal to accede to the

unwarranted and unsolicited advances by men in position of power has been detrimental to their careers.

Some also complained how difficult it was to retain a professional relationship with their male sources. Their unwelcome advances have often led them to losing out on their sources of information.

> *"If you want to report something, it is difficult to get something out of informants because they are usually not willing to share anything. Even if they do, they ask women reporters to have a coffee or lunch with them. For woman, it is very difficult to get information. You have to shun your self-respect if you want to have access to information."* – **Aqsa Mir, Journalist**

Others complained of being put in uncomfortable positions and agree to demands of meeting outside professional settings in order to gain access to requested information. Such demands leave women journalists in a problematic situation. While most are reluctant to accept such offers, the ones who do end up taking up the offer are then faced with judgments by their colleagues and other people.

Journalist from Sindh and the federal capital spoke about better harassment policies and mechanisms in place. This could be owing to better mechanisms in workplaces located in the big cities. However, the same level of protectionist policies has not been replicated in smaller cities and other provinces.

Discriminatory Practices

News stories and reports by women journalists are treated with a lot more skepticism before publication. Majority of the women journalists reported their opinions were held secondary to that of their male colleagues, and their credibility was always second-guessed. Cases of gender biasness in terms of work division were also present where the women journalists largely felt they were not given work owing to the ingrained beliefs that a male journalist would be better able to handle the job – without giving the women a chance at it.

> *"Sometimes when I published a story, nobody cared to read it [even in my own office]; other times, the byline was missing from the pieces I did – it just said 'Khatoon Reporter' or 'Reporting Team'. Often women reporters are not given space in newspapers for publishing their stories and their work is not acknowledged as such."*–**Imrana Komal, Journalist**

Women journalists from Balochistan find it even harder to get their work published/broadcasted. The hurdles fall across the complete spectrum of generating a news story, from getting information to furnishing the final story. In addition to the constant threat of attacks, the cultural restrictions in the society render them less valuable compared to men. For instance, while they have to face significant risks in interaction with men and the community in general, their ability to cover even women-specific stories is stymied by the local

> *"We are not safe anywhere. Reporters are not provided any kind of security. Doing journalism in Balochistan is very risky. All news channels operate without carrying names. We just know the location of their offices. We also face security threats from militants in Balochistan. They do not want to see women outside their homes."* – **Journalist** (wished to remain anonymous)

norms. Their local norms and their own ethical concerns prevent them from gathering and sharing video and photographic evidence — a prerequisite for TV journalism.

3.3. Third Leg of the Tripod: 'Self-Censorship' for Surviving the State Media Complex

The state and institutional controls have culminated in increased media suppression trickling down to individual levels and have led journalists to resort to self-censorship. The direct and indirect controls have made it far more difficult for journalists to report freely as they face a constant threat to their safety and security and their livelihood due to increasing retrenchments and the fear of losing their jobs if the state and their own institutions have predetermined the content and scope of the narrative. This stage in self-censorship is not without acts of defiance by several journalists. The section below discusses how in the prevalent situation journalists have resorted to self-censorship to avoid falling out of favour with authorities and how the climate of fear has affected the media. It also highlights how far-reaching the implications of these restrictions are for journalists, their lives, livelihood, reputation, as well as verbal and sexual harassment, especially women journalists.

> *"Concerning press freedom we can but say that at this juncture neither journalism nor freedom exist as such in Pakistan. In the past two years, the kind of hardships we have had to face included, for example, unannounced censorships, and restrictions on press freedoms, amongst others. It has now become difficult for journalists to run or publish stories: our articles are being censored; we are being pressurized through media channels' owners into covering or bypassing a particular story. The time has now come for us to reclaim our right to press freedom."* – **Ayub Tarin, Bureau Chief (HUM News)**

A general sense of despair and discontent prevails among the journalists who view the state and their own media houses' policies and their interventions as increasingly divisive and undermining the basic requirement of their roles towards the country and the public. The journalists interviewed for this study argued their role as a bridge between the state and the public was diminishing as they are not being allowed to express their opinions freely, thereby invalidating their rights as per provisions of Article 19 and 19 A of the Constitution. The Constitution guarantees the right to freedom of speech and expression of press and for every citizen to have the right to access that information.[64]

> *"Those in power did whatever they could [to harm us]. They did a lot to get rid of our organization, to put an end to our right to freedom of press. I would go so far as to say that this is also the beginning of the end of democracy. If we do not come together as a nation to fight for freedom of press, we will always be ruled by 'selected rulers'. Our basic aim should be restoring freedom of press. If we do not have freedom of press, we will never be able to overcome issues of inflation and law and order; or to ensure free and fair elections which is a pre-condition for democracy."* – **Habib Khan Ghauri, Senior Journalist**

[64]Article 19 of the Constitution of Pakistan:
Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offence.
Article 19(A) of The Constitution of Pakistan: Right to information
Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law.

The combined pressure of the state and media houses have left the bulk of journalists to practice self-censorship in order to ensure they remain employed without threat to well-being. Some journalists had to break under pressure and self-censor the content to avoid online harassment and attacks on personal reputation and that of the family that ensued if their reports were not in line with the set criteria. Some journalists have switched careers since they were not willing to comply with the restrictions. Others had to forcibly self-censor since their media houses defined policies that restricted the reporting content and was favorable for the state.

"Workers' freedom of expression is being squeezed in multiple ways. For one thing, there is the fear factor that compels them to conduct self-censorship, e.g., they hesitate to run particular stories for fear of possible backlashes. Similarly, media owners also impose restrictions based on things that might jeopardize their sponsorships. Even the government is clamping down [on independent voices] and the space for media freedom is shrinking." – **Mubarik Zeb Khan, Member, Executive Council PFUJ, President Dawn Workers Union**

Compliance by individuals and media houses has been rewarded by the state. Gifts for individual journalists range from access to direct information and sources to granting of government contracts and induction into policymaking circles. The quid pro quo while limited to a select few of journalists nonetheless serves as an example for others to aspire to. However, while some journalists and media houses have come to terms with this new norm in journalism, not everyone finds this environment conducive to their profession and are inherently against all forms of censorship. The few who decided to go against these stringent policies were picked up/went missing raising concerns for safety of journalists and deeming falling in line with the regulations a safer strategy.

Khairullah Aziz, senior producer at a leading private channel, with twenty years of professional experience, quit journalism for good citing dishonesty and propaganda that marked the profession as reasons for his decision.[65] Accusing his news organization of toeing the government line, he stated that he could not perform his duties with autonomy and independence as he was supposed to follow a pre-set agenda with strict instructions from higher-ups or media owners, who, he said, were only motivated by greed and financial concerns. This, he continued, had made it difficult for him to report objectively on social issues. After leaving the profession, he turned to business to make a living.[66]

Mr. Aziz is not the only journalist to have defied the state-media house collusion. Several other journalists have resisted the censorship in place and continue to exercise their independence on alternate platforms. Matiullah Jan, a senior reporter who was detained for 12 hours by unidentified armed men last year, said he lost his job as a TV show host because of his hard takes on political issues.[67]Like many others, he turned to a social media. He has his own YouTube channel now. Another senior journalist Murtaza Solangi embarked upon a similar fate and faced forced resignation from his channel Capital TV when he posted a series of tweets critical of the country' security policies.

For those who remain employed yet desire to cover stories regardless of the restrictions, social media is also serving to help them offset the pressure from both the state and the media houses employing

[65]"ARY Staffer Quits Journalism over pro-Government 'Black Propaganda' and Unethical Attacks on Opposition." *The Pakistan Daily*, 28 Oct. 2020, https://thepakistandaily.com/ary-staffer-quits-journalism-after-being-disheartened-with-unethical-practices/

[66] "The Disheartened Journalist Who Gave up on His Passion." *The Express Tribune*, 25 Oct. 2020, tribune.com.pk/story/2269911/the-disheartened-journalist-who-gave-up-on-his-passion.https://tribune.com.pk/story/2269911/the-disheartened-journalist-who-gave-up-on-his-passion

[67] ibid

them. There is a growing trend of breaking news on social media, especially on sensitive topics involving the state leadership. The broadcast media then takes the cue from social media. Implicit in these new tactics is the desire among the weakened journalists community to resist the censorship — a factor, that with a more wide-ranging strategy, may yet save the independence of media and free speech.

4. Charting a Course for Alleviating Media Freedoms: The Four Pillars

The current situation leaves journalists with their choices limited to embracing the cause of media freedom in Pakistan. For the struggle, to yield impact, have to be a multi-pronged. While taking into account the objective considerations of the contextual factors, it must also rely on innovative tools and solutions in a well-rounded and inclusive strategy. Some of the areas that could act as a starting point are:

1. The complexity and multi-layered restrictions and censorship further limit the choice of approach to a collective platform to articulate and pursue a wide-ranging agenda, including legal, administrative and ethical elements, for a coordinated and sustainable recapturing and expansion of the media freedoms in the country. However, for the issue to acquire the right level of appreciation and interest among the stakeholders, a wider coalition of natural allies is indispensable. The right to free speech and media freedoms is inseparable. Articulation of the issue in the framework of fundamental rights holds the promise of a common foundation for political parties, rights activists as well as the larger civil society to identify with and own the cause. Such a coalition will be critical to the level of seriousness associated with not just the broader and abstract ideation of the concept of freedom of the media and speech but the translation of the idea into tangible legal, policy, administrative as well as formal and informal rules of engagement between and among the state, media houses and journalists.

2. A more proactive engagement in some of the existing initiatives is critical to developing strategic and more immediate positioning on issues of importance to journalists. Starting with the momentum on the Journalists' Safety Bill and regulation of journalists' employment contract, journalist bodies are poised to capitalize on the initiative to ensure their respective concerns are taken with the required seriousness by all concerned, especially among the allies in the broader coalition, including lawmakers, rights activists and CSOs. A more proactive approach in articulating their needs in the shape of alternate legal instruments will establish the necessary framework for interest-driven negotiations with a chance of a fairer deal in the final legislation/resolution. As a principle, any and all policy positions must take a gender-sensitive approach to alleviate the problems faced more exclusively by women journalists and media workers.

3. There is a serious dearth of authentic online-only news websites. In a global trend where even the most established of newspapers are turning towards online publication, the avenue with a potential that can neutralize several of the negative outcomes of the state-media evolving nexus, remains underexplored in Pakistan. The effort to venture into online news publishing will require technical knowhow and resources — a prerequisite that can be served through a concerted and coordinated effort among a variety of stakeholders, including, CSOs, international media and donor agencies, tech companies and entrepreneurs. The potential impact will not be restricted to availability of an independent media outlet but will set an example for other aspiring journalists, diversify the media landscape and ownership and set a precedent for the media conglomerates to move beyond their state-dependent business model.

4. Last but not the least, there is a need for standardization of the requirements and practice of journalism — a requirement that would need individual journalists to adhere to and more importantly, their unions/associations to manage. Failure to act on the matter will ensure continuation of the conflict among journalist bodies at all tiers that has resulted in the weakening of the unions and press clubs.