



RESHAPING MEDIA IN PAKISTAN

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In 1999 soldiers had to climb the iron gates of state-run Pakistan Television (PTV) only to overthrow a government. In 2002, dozens of private TV channels were licensed to operate in Pakistan. Many analysts would gleefully predict that dictators would then not be able to climb up the entry gates of so many TV channels and hence military takeover had become difficult if not altogether impossible. Subsequent events have proved otherwise. The whole private media industry was legally and commercially structured in a way that it could not act, grow or compete freely with quality content whilst remaining dependent on government largesse. Thanks to the so-called cross media ownership permission in 2007 the traditionally independent newspaper industry also got dragged into the arbitrary broadcast regulatory regime. As resourceful newspapers launched their capital-intensive private television projects, they readily compromised their historic independence in order to remain afloat.

Ironically, a dictator like General Musharraf was compelled by strategic level doctrine of necessity to allow private television channels. Two incidents were the proverbial last straw on the camels back, the 1998 Kargil adventure and Indian plane hijack in the year 2000. Dozens of English and Hindi channels in India gave a bloody nose to Pakistan's narrative on both occasions. This led to the establishment of Pakistan Electronic Media Regulatory Authority (PEMRA) through a presidential decree wherein initiatives from traditional deep thinking print editors shifted to quick thinking television directors with feet of clay.

In order to save their huge financial investment in television channels and the higher returns on the same, the cross-media owners started grate-crashing editors' rooms, ultimately occupying the chairs to defend their business interests instead of the people's fundamental right to free speech and information. It is this legacy of steel structured regulatory mould that keeps Pakistani media industry a hostage to state institutions; which is besides the problem of obvious extra-constitutional and extra-judicial coercive and intimidating tactics that are employed with impunity. The advent of digital/social media has on the one side weakened state control on information flow but has also led to more coercive measures and intimidating tactics by state institutions.

With the above political/legal/professional history of Pakistani media and its regulatory framework we cannot ignore the extra-constitutional military takeovers and their lingering hangovers on our power and media regulatory structures today. No matter how many legal or logical reforms we introduce to our media industry to ensure freedom of press and access to information, these are rendered redundant when the lives or livelihoods of journalists and the businesses of their employers solely depends on the whims and wishes of the powerful state institutions – some of whom have become powerful business monopolies in themselves.

In this context, the following suggestions about media reforms are proposed – which will inevitably be contingent upon the overall state of democracy and fundamental rights of citizens in Pakistan.

INTENTIONS OF REFORMS

Starting with the question of reforms in media, it is needless to emphasise that such reforms can only be introduced with the sole objective of promoting democracy and a free press in Pakistan. The purpose of all such reforms should be to enforce Article 19 of the Constitution with its true intent: first promoting freedom of speech and thereafter imposing reasonable restrictions by law (not unlawful intimidating measures). Only with this intent of the government can any media reforms take place.

STRUCTURAL REFORMATION

The current media regulatory structure gives more controlling powers to the state through arbitrary business allocation to media houses, stringent control of regulatory bodies like the Pakistan Electronic Media Regulatory Authority (PEMRA), the Pakistan Telecommunication Authority (PTA), and illegal intimidating/coercive measures adopted by state institutions against the media in general and journalists in particular. The lack of self-regulatory structures has disabled the media industry from learning and building its own capacity for internal accountability over a long period. Some state institutions, including military business enterprises, now have immense influence on private businesses, which are a major source of media income. The government and the state ought to loosen their regulatory stranglehold over media and allow for greater ownership of organisations like PEMRA and the PTA to ensure press freedom and fair competition in the media industry. The PEMRA law needs to be amended to make the forum more independent and autonomous in its relationship with the government. PEMRA and PTA board members from all segments of society, including government officials, should be sufficiently qualified to make important decisions in protecting freedoms and national interests. The government should not have veto power unless the same is exercised through legislation in extreme circumstances. The reformed regulatory bodies should develop non-intrusive and non-punitive monitoring and evaluation mechanisms to publish an annual credibility index of media outlets to raise public awareness and build public pressure on the media for the enforcement of ethical standards. This will automatically weed out undesired and substandard sources of public information over time. Such credibility index evaluations can become a basis for the distribution of government and even private business advertisements. Scores of substandard dummy print publications, allegedly owned by some corrupt elements in the government's information department,

need to be immediately removed from the government's advertisement list.

SOCIAL MEDIA REFORMS

The perception about social media being the biggest enemy of society needs to be revised; particularly considering that the state has been deliberately developed to curb free speech. Social media platforms provide an instantaneous expression of thoughts without the filters of traditional and professional content creators. Now, should we as a society ban it or adapt ourselves to the new realities of the Information Age? The current thinking of introducing stringent social media rules is retrogressive. Pakistan cannot afford to become a social media outcast in the digital world. Instead of being afraid of our own youth and their ideas, we should channelise their energies and enable them to forcefully counter propaganda. Mere blacking out of the information will not only push them back to a primitive and obsolete mindset but also obstruct them from competing with new future trends. The youth in Pakistan should be trained and empowered to compete in the digital media industry around the world through a revised syllabus in our educational institutions. There shouldn't be any ban on social media platforms due to the fear of some state institution being exposed with its unconstitutional acts. With such blanket bans, the counter-narrative of the state may prevail for a while, but it will push back the society and its youth by many years on the world stage. The powerful state institutions must set their own house in order instead of perpetuating disorder through the shortsighted policy of silencing the youth. Social media platforms are not just a source of information but are now fast becoming a source of income and business for the people and their countries. The state institutions must not throw out the baby with the bathwater.

GOVERNMENT ROLE

The only role of a government in dealing with the media is to ensure free speech and access to information. In doing so, they cannot arrogate to themselves the so-called right to control media in the name of 'reasonable restrictions' referred to in Article 19 of the Constitution. The government ought to protect the lives and liberties of its citizens from threats and intimidation. Particularly, journalists under threat, being the eyes and ears of the society, ought to be granted constitutional protection, as also mentioned in Article 19 that "there shall be freedom of the press." The federal and provincial governments must operationalise their existing law on Journalists Safety by establishing respective bodies therein. The government

also provides financial support to journalists and media organisations, due to which it has leverage upon them. This leverage is, however, used for personal and political purposes instead of ensuring quality information. The journalists' bodies and press clubs across Pakistan have become a bottomless pit for government funds, which are dished out without ensuring that these only reach professional journalists. The government-sponsored subsidised plots and housing schemes for the journalists have added another dimension to the crisis of credibility in the media unions and press clubs.

A large number of press clubs give out thousands of memberships to non-journalists to qualify for public funds and government land. The government ought to force such media bodies and press clubs to introduce biometric and other educational qualifications for their memberships before they could be given access to public funds. Such filters will ensure not only the fair utilisation of public funds but also filter out undesired and unprofessional elements in the media industry. In the end, I must warn the reformists that unless countries like Pakistan are fully democratised and media and judiciary made independent, no amount of reforms can help the media sector. Reforms under hybrid regimes can only lead to a short-term gain for the governments but a long-term loss for the society – which will become a social media outcast on the world stage.

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