Freedom vs. Responsibility:
Media Ethics Crisis in Pakistan

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The imposition of emergency in Pakistan on 3 November 2007 followed by a ban on media resulted in putting most of the private TV news channels off the air. Prior to that necessary amendment were made in the laws governing both print and electronic media in the country. Some of the new clauses added to section 20 of Pakistan Electronic Media Regulatory Authority Ordinance 2002, are as follows:

> (j) ' not to broadcast video footage of suicide bombers, terrorists, bodies of victim of terrorism, statements and pronouncements of militants and extremist elements and such other acts which may, in any way, promote, aid or abet terrorist activities or terrorism;
>
> (k) ensure that no anchorperson, moderator or host propagates any opinion or acts in any manner prejudicial to the ideology of Pakistan or sovereignty, integrity or security of Pakistan;
>
> (l) not [to] broadcast any programme inciting violence or hatred or any action prejudicial to maintenance of law and order;
>
> (m) not broadcast any programme which defames or brings into ridicule the head of the state or members of the armed forces, or executive, legislative or judicial organs of the state;
>
> (n) not broadcast any programme on a matter which is sub-judice, and
>
> (o) not broadcast anything which is known to be false or baseless or is malafide or for which there exist sufficient reasons to believe that the same may be false, baseless or malafide.'[1]

The withdrawal of civil liberties and reversal of policies is strongly confronted by the media practitioners, lawyers and the civil society as a whole. The press and the other media is being reminded of

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[1] Pakistan Electronic Media Authority Ordinance 2007 (amended) draft provided by the PEMRA.

the responsibilities it has to shoulder time and again. Curbs on civil liberties like freedom of expression at a time when the political environment in the country was highly charged due to forthcoming elections and the appetite for news and views was higher than ever, putting many popular news channels off the air needs some concrete grounds. The government has the legitimate authority for doing so or not, and was there enough justification for such drastic action, is a part of political and legal debate. But for media researchers and philosophers it is time to re-evaluate the reasons behind this move in an era when the regime it self needed lot of diplomatic support for its policies and programmes and a re-assurance for its commitments in the war against terror.

Ethical codes: a conceptual frame work
For academia it is the time to revisit and rethink over the very concept of code of ethics for media. Communication ethics face a monumental challenge at present. It has to respond to both the globalization of communications and reassertion of local socio-cultural identities.[2] What functions society legitimately expects media to perform? What are the things media is responsible for and accountable to? Does the society and the system in which media is operating provides a mechanism for self-regulation or it is only the law which is looked upon for striking a balance?

To exercise control over the functioning of media on the pretext of ethics by a government can never be accepted in any part of the globe today. On the other hand, even in the United States where the protection of 1st amendment extends against all governments – federal, state and local.[3] the government, if not openly persecuted, have sought to censor and control the media during Gulf War quite successfully. The new millennium has brought tremendous opportunities and great problems as far as functioning of media is concerned. Though new global political agenda setters have already discarded authoritarian structures, but still the same forces keep tolerating the existence of authoritarian policies and attempts where ever these are in line with their own strategic goals. Similarly, with the advancements in communication technologies, the

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[2] C. Christian & Traberm (eds.), *Communication Ethics and Universal Values,* Sage Publications, 1997, p.viii.

[3] Stewart Potter and Nimmer B.Meiville, 'Freedom of Expression: The First Amendment Speech and Press Guarantees, in Rivers L. William and Daniel L. Brenner (eds.), *Free but Regulated Conflicting Traditions in Media Laws*. Macmillian India Ltd, 1982, p.14.

questions and issues about the whole process of information and communication have increased in significance. Not only this, some old issues have re-emerged, related to production, distribution and consumption, ownership and control of media at large.[4] In the context of expanded role of media, each and every phenomenon of global activity finds some relevance with and dependence upon the media to exist, accelerate and operate. It is the common perception that the media today promises a lot and yet threatens even more than that. On the contrary is the realization that media today is capable of contributing for the advancement of peace, prosperity and progress of the globe. In the similar context the question arises can media respond effectively? Continuing the similar discussion, Andrew and Ruth raise the question that when politics and technology of the media are changing in unpredictable ways, who will provide, produce, edit, control and distribute the information? Consequently these questions raise the issue, whether the pursuits of power are compatible with quality in the media? And this in turn raises the question of freedom.[5]

Media proliferation in Pakistan – a post 9/11 phenomena

Coming down from global to national level, in Pakistan the media, especially electronic media, has witnessed tremendous growth after the 9/11. During the year 2002-2003, President General Pervez Musharraf promulgated six ordinances all related to press, media and freedom of information. These include:

1. Freedom of Information Ordinance 2002, which provides a mechanism to access the public record.
2. Defamation Ordinance 2002
3. Contempt of Court Ordinance 2003.
4. Press Council of Pakistan Ordinance 2002.
5. Press, Newspapers, News Agencies and Books Registration Ordinance 2002.
6. Pakistan Electronic Media Regulatory Authority Ordinance 2002.[6]

The establishment of Pakistan Electronic Media Regulatory Authority, in the year 2002, paved the way for the private ownership of radio and television in the country. At that time it was primarily a turf of the state-run media, with only a sprinkling of privately owned cable television

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[4]   Belsey Andrew & Chadwick Ruth, *Ethical Issues in Journalism and Media* (London/New York: Routledge, 1992), p.5.

[5]   *Ibid*., p.5.

[6]   Matiullah Jan, *Media Law Kit*, The compilation of all media related laws in one document, Internews, Islamabad, p.1.

networks. During the period 2003-2006, the authority issued 86 licenses for establishing FM radio stations in the private sector. In addition to this eight temporary licenses were issued in earthquake-devastated areas of Azad Kashmir and North West Frontier Province. By the end of 2005, the authority had issued 16 international scale satellite TV licenses to different private enterprisers.[7] This was the beginning of a revolution in the media landscape of the country where electronic media was regarded a state monopoly for about 55 years. Since Pakistan had assumed the position of frontline US ally in the war against terror, therefore, all these developments conformed to the moderate policies of the President General Pervez Musharraf. The media in Pakistan, both print and electronic, was considered to enjoy more freedom than many other South Asia countries, and it remained so, till 3 November 2007. The political upheaval in the country that started in March 2007, after filing of a reference by the government against the head of superior judiciary resulted in turning the clock back to year 2001, in the context of media. The imposition of emergency, vertical amendments in PEMRA Ordinance by the government, and banning of all popular news channels on the pretext of violating code of conduct, has put the whole nation in a state of shock. It has also raised many questions regarding the existence of any democratic order in the country.

Democracy, responsibility and accountability
Democracy is, above all, a culture of dialogue in which the opinion of dissenters should be respected. A functioning democracy is founded on a communication sector that functions adequately and allows informed public opinion to develop freely, declares Michael Kunczik in the introduction of his valuable work on media ethics.[8] The question of ethics, he further elaborates, is more pertinent when there is no strict censorship. Those who can freely influence their own behavior, and who demonstrate responsibility for it, can be judged according to ethical standards. This indicates that ethical discussion can only be related to societies which allow the press freedom to a certain level. In a related discussion, Hodges explores the concepts of responsibility and accountability of the people associated with the media. He believes that question of responsibility comes prior to the question of accountability, and there is a need to distinguish between the two concepts, as when the

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[7]   *Current Status of Private Electronic Media in Pakistan*, Report 2003-2006, Pakistan Electronic Media Regulatory Authority, Islamabad, p.15.

[8]   Kunczik Michael (ed.), *Ethics in Journalism: A reader on their perception in the third world* (Bonn: Friedrich – Ebert Stiftung, 1999), p.5.

question of press responsibility comes up among journalists, they immediately bring accountability for their defense.[9]

No right without responsibility
The relationship between rights and responsibility is by no means new, rather it goes back to founding period of human rights. In 1789, the French Revolutionary Parliament, while debating the issue of human rights, stressed that if one proclaims a declaration of human rights, one must combine it with a declaration of human responsibilities. Otherwise, in the end everyone would have rights which they would play off against one another. The rationale behind this concern [10] was that without responsibilities rights can not function.

This is undeniable that human beings happen to be both individual and social at the same time. These free agents, living together, perform actions which affect each other. Individual responsibility derives its meaning in a social order. The greater is our power or ability to affect others, the heavier becomes our moral duty. The question that what kinds of relationships do we take on specific responsibilities to others? Hodges views that there are at least three assigned, contracted and self imposed.[11]

From press libertarianism to press responsibility: a paradigm shift
In contrast to what is termed as free press in the West, and which is considered to be an ideal for the journalists around the globe, a shift was noticed to be occurring in the mass media paradigm throughout the globe. It began perhaps in the middle of the last century and started gaining renewed momentum at the end of the century.[12] This shift is aimed at bringing about order and social harmony. This is from press libertarianism to press responsibility. Although the old freedom paradigm based on European enlightenment, is still dominant and most of the communication scholars of the West believe that western-style libertarian press is what the rest of the world should accept. This attitude of the western journalists and communication scholars is termed as the enlightenment bias by John C. Merrill. These communication scholars

9   Hodges W. Louis, '*Defining Press Responsibility: A Functional Approach*' in Deni Elliot (ed.), *Responsible Journalism* (London, New Delhi: Sage Publications, 1986), p.15.
10 Kung Hans, 'Don't Be Afraid of Ethics', in Hans Kung & Helmut Schmitd (eds.), *A Global Ethics and Global Responsibilities* (Munich: SCM Press LTD, R. Piper GmBH&Co Kg, 1993), p.110.
11 Hodges W. Louis, *op.cit.,* pp.17-18.
12 John C. Merrill, 'Chaos and Order' in J.B Atkins (ed.), *The Mission: Journalism Ethics and the World,* Lowa State University Press. 2002, p.17.

and journalists while preaching the benefits of capitalistic and pluralistic media structures, insist that every country's media system should conform to such media structures. This attitude of mind lacks intellectual realization of differentiated cultural levels. In the similar pretext, the last decade of the 20th century was named as the decade of internationalization, when the emphasis of media ethics shifted from local and isolated concerns to the international arena.[13] Exploring further about this shift Christians challenges the western tradition of enlightenment and modernization whereby 'the technocratic and individualistic worldview launched in 18th century has worked itself out as intellectually bankrupt and sociologically repressive'[14].

From a global perspective, the western paradigm strictly tied to the freedom of expression, is now, being seriously challenged. Many Third World observers find chaos in American press as they see speculations, sensationalism, gossips, full lies and half-truths prevailing over objective reporting. They do not feel comfortable with contradictory versions of events propagated freely, personalities and their private lives threatened, sex oriented advertising filling the news pages and moving on the TV screen. These Third World journalists and observers wonder whether this kind of journalism could lead there developing societies to the path of peace and prosperity? The answer is loud and clear they want none of them. Instead they looked at media libertarianism as an intellectual absurdity and a moral disaster, feels Merrill and further contends that these developing societies prefer another paradigm, one stemming from their own cultural values and stage of development. These societies find order more important than freedom in their media. Their stage of development demands social integration, harmony, value retention, ethical and moral social discourse, and ethnocentrism and therefore makes community its focal point than the individual and journalistic autonomy.[15] The concepts of autonomy and freedom are fading out internationally, and the new paradigm of media revolves around order not freedom. The new feature here is the emphasis on social harmony over individual autonomy. This indicates a paradigm shift from freedom to responsibility. The individual enlightenment is replaced by

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[13]   Christians G. Clifford, 'An Intellectual History of Media Ethics' in Bart Pattyn (ed.), *Media Ethics*, Belgium Peeters, 2000, p.15.
[14]   Christians G. Clifford, 'The Problems of Universals in Communication Ethics', *The Public Javnost*, (2)2 p.59 (keynote address at the annual conference of the International Association for Mass Communication Research in Portoroz, Slovenia, in June 1995.)
[15]   John C. Merrill, *op.cit.*, pp.30-31.

the formation of communitarian groups. The power of individual freedom will be transformed into the community strength, and thus will emerge responsible journalism that will contribute to stability and order, suggests the supporters of shift in paradigm. The press in this century will be more ethics driven than driven by the concept of absolute freedom. In the similar context it may be proclaimed that as this new paradigm of order evolves the public involvement will be the new objective for media. Thus the term communitarian or public journalism starts gaining attention of the media researchers around the globe. This model replaces the already fading out concepts of journalistic autonomy, and call for a more realistic way of addressing the issues our societies are confronted with today. This model provides professional dedication for public good and not for private interests.

New media environment and crises in mass media ethics in Pakistan
The rights and responsibilities of media use, freedom, regulation and the conduct of those associated with the profession of journalism have been debated in western societies since the oldest known newspaper was published in Germany in 1609. However, the first time press critics used 'ethics' in a title was July1889.[16] In fact communication ethics are now facing a monumental change. It has to respond to the challenges posed by globalization of communication and the reassertion of local cultural identities. The media in Pakistan is faced with the dilemma of trying to compete with the transnational global media player, while focusing on to sustain local viewer/ listener/reader.

The press and media today, no matter how pluralistic and diversified they may be, have to face a plethora of criticism, directives, guidelines, and prohibitions and if such rhetoric is formalized it takes the forms of forcible ethical codes and amended laws in case of Pakistan. This phenomenon is quite evident from a series of actions by the government for bringing the media especially television back to track. The thought behind all such steps is the perception that the press is not being responsible to the society and that it is not operating in an ethical manner. In Pakistan such lamentations though mainly come from the governments of the day, sensitive politicians and other segments of society like social and religious organizations including average citizens also follow suit but in a different capacity.

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[16]   Christians G. Clifford, *op.cit.,* p.15.

Where and by whom a line can be drawn?
In countries where democratic institutions are in a formative phase, the governments either democratically elected or otherwise tend to exercise control through tightening the grip of legislations with the aim of transforming the irresponsible press into responsible one, but holding press responsible for its irresponsible conduct is a global phenomena as well. Merrill describes,

> We hear it from Republicans and Democrats, Socialists and Capitalists rich and poor–and even more frequently from the journalists themselves. Everyone seems to be out to define what 'responsible journalism is.[17]

> Further elaborating the general enthusiasm, Merrill feels that hardly a person write or talk about the press without setting for it a set of responsibilities. To address the problem of finding a way to arrive at a state of press responsibility, John C. Merrill places three theories of press responsibility:
1. That which is legally defined or determined by the government.
2. That which is professionally defined or determined by the press itself.
3. That which is pluralistically defined or determined by the individual journalists themselves.[18]

According to John C. Merrill, the last theory which reflects upon individually defined responsibility is the valid one for the American society, ideology, constitution, tradition and for the country's concern for a pluralistic society. He feels that it is really in line with their social values and goals.

Press responsibility in Pakistan: whose prerogative should it be?
If this theoretical frame work is applied to the case of Pakistan, which theory can help the media in coming out of the recent crises which started from the imposition of emergency in the country on 3 November 2007 and continued after lifting the same? Take the first theory, which bestowed the right of determination of press responsibility to the government. Having a long history of controlled media and undemocratic political order, Pakistan can be a fit case for having a press or media whose working boundaries are to be determined by the governments of the day. It means to have a press which conforms to a legal concept of press responsibility. Such a press, it may be said in one

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[17]   John C. Merrill, 'Three Theories of Press Responsibility and the Advantages of Pluralistic Individualism', in Deni Elliott (ed.), *op.cit.*, p.47.
[18]   *Ibid.*, p.49.

sense, would be more responsible, if some type of governmental or judicial control is exercised; sensational material, unpleasant discussions could be checked on time and government activities could always be reported in a desirable manner and so on. In Pakistan, the press has had a long experience of such press and media. This is exactly what print and electronic media had experienced in the country during 1948-1988, and 1988-2002 respectively, with few exemptions. To avoid detailed history of persecution of media in the country, few proclamations of various rulers or their representatives endorse the changing facets of media in Pakistan during various political eras.

> I expect you (journalists) to be completely fearless. If I go wrong or for that matter, the Muslim League goes wrong in any direction of its policy or programme, I want you to criticize it honestly as its friend.
>
> *Muhammad Ali Jinnah, 13 March 1947*

> I could close down all the newspapers, say for a period of five years, and nobody would be in a position to raise any voice against it. If they try to organize a meeting or procession, I will send them to jail
>
> *President Ziaul Haq, 22 March 1982*[19]

> Freedom of press/media will be ensured at all costs as an integral part of statehood
>
> *General Pervez Musharraf, 17 October 1999*[20]

> Aggressive TV news channels will not be allowed to resume their transmission unless they agree to follow the code of conduct.
>
> *Maj (R) Hamid Hussain Abidi*[21]

With these four different tones, the state of media in Pakistan could be assessed. For nearly forty years, the press and media had to work within the parameters framed by the governments of the day. Similarly media scholars and practitioners consumed their energies in fighting with the ethics of control rather than ethics of free expression. Little attention was paid to the well deserving area of media ethics, which resulted in the

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[19]   Zamir Niazi, 'Towards a Free Press', in Victoria Schofield (ed.), *Old Roads New Highways* (Karachi: Oxford University Press, 1997).

[20]   Owais Aslam Ali, *Pakistan Press Freedom Report 1990*, PPF website

[21]   Sumera S. Naqvi, 'Behind The Veil', *Dawn*, Karachi, 2 December 2007.

dilemma of ignoring ethical decision-making in academics as well as in professional discourse.

What has happened to print and electronic media in Pakistan after 3 November 2007 is in fact an indicative of a reversal in government policy, which previously had supported comparatively freer press and media. The same government, though, has to its credit the growth of electronic media in private sector in the country. Not only the government has amended the Pakistan Electronic Media Regulatory Authority Ordinance 2002, by strengthening the control mechanism, it has also worked out a voluntary code of conduct formulation by Pakistan Broadcasters Association. This code of conduct, though named as 'voluntary code of conduct, proclaims

> All the licensees/permission holders in their individual capacity and PBA, to the extent of its members, hereby undertake that the code shall be strictly adhered to in letter and spirit.[22]

The document further reveals that it will become a part of all licenses issued by Pakistan Electronic Media Regulatory Authority. The contents of the code are no different from the professional codes of conduct of any professional body of a developed country. It may be termed as a Pakistani version of Statement of Principals National Association of Broadcasters, USA issued in June 1990. The only difference is an endnote that says,

> This statement of principles is of necessity general and advisory rather than specific and restrictive. There will be no interpretation or enforcement of these principles by NAB or others.[23]

The voluntary code of conduct of Pakistan Broadcaster Association is not voluntary *per se*, as it is being made a part of licensing conditions. Enforcement is a very vital part of the document eventually initiated by the Information Ministry and endorsed by the Broadcasters Association of Pakistan with the sole objective of bringing the electronic media in Pakistan back to track. The main purpose behind this move seemed to be the transformation of media into a more responsible one. This coupled with the amendments in the laws governing both print and electronic media in the country, may be seen as the exact application of theory 1 of Merrill that says 'responsible media is one which is legally defined or determined by the government'. For the establishments of the

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[22]   Draft of code of ethics for electronic media, received through courtesy of PEMRA December 2007.

[23]   Moore L. Roy, *Mass Communication Law and Ethics*, Statement of Principles National Broadcasters Association, USA, 1994, pp.584-87.

developing countries of Third World it may be the most comfortable choice. If it is really so then why is the reaction to these actions so intense and significantly supported by the civil society? In addition to this, the media as a whole feel itself being mortgaged in the hands of elites of power. For over five years the media in Pakistan both print and electronic has enjoyed freedom of expression to a great extent, which in turn has been successful in developing a public opinion in favour of a free media. Below is a piece of writing reflecting upon the post 3 November situation:

> As the news channels deem it to be their duty to reveal the truth in the best possible manner so they did—grilling politicians, government and non-government officials…These presenters seem to have filled a void goaded from utter helplessness and redundancy…. In turn these presenters became a saviour of sorts, speaking, at the risk of becoming rude and offensive, for the people. Their role, however, not have been seen as a right by the government. Both print and broadcast media usurped a unique power through journalism, revealing the other side of the picture.[24]

This reveals the desire of masses of the country to have the right to access the information and opinion through a multidimensional independent source, without interference of power.

The desire for a free media, something similar to what is being granted through Ist Amendment in the US constitution, needs to be evaluated in the perspective of free market. A free market brings with it a free press that supplies the diversity of opinion and access to information that a citizenry requires in order to act in a democratic and responsible manner.[25]

Press freedom quest or strengthening the media elites?

Is Pakistani civil society agitating for a free media, which eventually corresponds to the existence of a free market, or it is striving for its own right to access the information, opinion and entertainment freely? Is the media giants in the country are dedicated for public service alone or they are looking at the content selection from the view of pulling out the maximum share of profit from the market? Many western philosophers, while analyzing the strength of media owners believe that social elite

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[24] Sumera S. Naqvi, *op.cit*.

[25] Neil O. John, 'Journalism in the market place' in Belsey Andrew& Chadwick Ruth (eds.), *Ethical Issues in Journalism and Media* (London & New York: Routledge, 1992), p.23.

forces dominate the so-called marketplace of ideas. This elite forces its views on the lower classes, especially those more exposed to media. They often termed this phenomenon as ironic that, in the name of freedom of expression, the West has sought to remove all impediments— legal, technological and social to the communication of ideas. This process has granted these elites absolute freedom to spread their views around; the poorer section of society has no such possibility. In the similar context comes the issue of media concentration, which in the West was described as a decided trend, especially in the newspaper industry.[26] Consequently the stronger support for press freedom today comes from upper income cosmopolitans who have sufficient resources and the access to the media to effectively promote their ideas in the marketplace.

Thrust for exclusion of monopolies in Pakistani media
The very concept of media monopolies was addressed quite effectively in the initial phase of licensing by the Pakistan Electronic Media Regulatory Authority (PEMRA). The section 23, clause no 1 & 2 in the ordinance, had placed a bar on cross media ownership to avoid the concentration of media in fewer hands.[27] Later on, following the directives of the then Information Minister, Sheikh Rashid Ahmad, this ban was lifted, through amendments in the said ordinance, in the form of a bill, later on approved by the assembly. The removal of ban from cross media owner ship opened up the airwaves of the country for many print media conglomerates. It resulted in the concentration of media power in the hands of few big media giants, depriving the level playing field to the other smaller but emerging entrepreneurs. The authorities in the process of this crucial decision-making perhaps missed the point or failed to assess the magnitude of the power and authority, media conglomerates might enjoy, when they have all three mass medium, newspaper, radio and television in their direct control. The legitimate power to influence the public opinion and to mobilize the same, bestowed to emerging media giants in Pakistan, might at some point of time threaten the executive itself was not estimated on time. Aleksandr Solzhenitsyn reflected the similar concern some 30 years ago when he commented,

> The press has become the greatest power within western
> countries, more powerful then the legislature, the executive, and

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26   Christians G. Clifford, 'Reporting and the Oppressed', in Deni Elliott (ed.), *op.cit.,* p.115.
27   Pakistan Electronic Media Regulatory Authority Ordinance 2002.

the judiciary. One would then like to ask: By what law has it been elected and to whom it is responsible?[28]

Similarly, the biggest print media conglomerate of Pakistan, i.e the Jang group, did not wait for lifting the ban, and started beaming its news and entertainment channels under the umbrella of Geo Television from Dubai media center with the help of temporary up linking facility provided by the PEMRA. Consequently these private enterprises left the state owned PTV far behind on the scale of popularity, efficiency and credibility of news and current affair presentations, as well as entertainment programmes. These private channels broke away with the PTV's highly centralized news and current affair programme structure, which at that time was contented with revolving around VIP movements in Islamabad and other provincial capitals. On the contrary these private channels started touching the issues, which directly confront the masses at large. Investigative reports, news features and round the clock updates of happening from every nook and corner of the country as well as all around the globe replaced the heavy doses of propaganda on state TV. This was an entirely new phenomenon for the information starved masses in the country.

Electronic media activism and political upheaval in Pakistan

Not only that, these independent private channels waged an open war against the government during the recent judicial crisis, forcing it to step down on its initial stand regarding the removal of the head of superior judiciary. The role of private media in mobilizing public opinion was even more threatening then their bold news shows. Lawyer's mass movements for the restoration of deposed Chief Justice was overtly supported, strengthened, and motivated by media especially television, which for the first time in the country's history brought civil society on the streets.

They kept on knocking the boundaries of tolerance of those in power till the fateful day of 3 November 2007, when government decided to strike a balance from all the four corners. From the perspective of the general public in the country, and the private media operators, the sudden ban on almost entire private sector television news channels was a clear state persecution under the cover of emergency, during which basic human rights remained suspended for a period of about six weeks. The media owners and journalist tried to get help from the courts. A petition was filed in the Supreme Court of Pakistan seeking

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28   A. Solzhenitsyn, 'A world split apart', *National Review*, 1978, p. 838. C.F Dani Elliott, *op.cit*., p.115.

scraping of amendments made to the PEMRA Ordinance 2002, which was returned by the Supreme Court with the objection that the scope of the Article 184(3) of the Constitution under which the plea had been filed, had been curtailed under the Provisional Constitution Order.[29] Same was the fate of another petition filed in Sindh High Court.

Media freedom vs. responsibility: role of academia
The ongoing political crises in the country, which ultimately turned into a government media conflict, have brought Pakistan under intense debate all around the world. The series of events that started from 9 March 2007 in the political arena gradually engulfed all areas of national life. Not only that these events caused a lot of embarrassment, but have also raised many questions regarding the very basis of our political, social, cultural and philosophical standing in the world. Some of these are: Is there any democratic order in the country? Was there a concrete ground for the establishment to take so many drastic destabilizing actions? Is there any mechanism for self- regulation in media or it is only the law to be looked upon for balance? Who has the authority to make, amend & enforce laws other than the legislature? If media is capable of contributing for the peace and prosperity of the world, can it respond effectively? Can western style, free but sensational, media lead our developing societies to the path of peace and prosperity? If ethical decision-making takes place only in a free environment under a functional democracy, then can press responsibility be brought by forcible ethical codes? And most important of all: who will provide, produce, edit, control and distribute the information? Moreover, whom should we give the right to determine the responsible media discourse?

The western societies took almost more than three hundred years to come out the obsession of absolute freedom that led to individualism. Now from chaos to order paradigm shift is emphasizing on social harmony rather than individual harmony, from freedom to responsibility. Many believe that this is a return to neo-authoritarianism. This order model provides professional dedication for public good and not for personal interests. The emergence of communitarian media, in the West, especially in USA, seemed to address issues related to the survival of their societies.

In case of Pakistan, the whole issue needs to be addressed in a philosophical manner. We need to develop a model which can link and alienate at the same time various components of mass media operation in the country with a holistic approach .For over 55 years the media

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29   'Media curbs petition returned' news report, *Dawn*, 5 December 2007.

especially electronic media remained a state property, driven by the needs of the various governments. The emergence of private sector in electronic media operation is a new and, for many, a sudden arrival. All stakeholders including the government, is trying to adjust with the new culture brought in by technology as a result of globalization. The real dilemma is the fact that the political system of the country, mostly controlled by the feudal mindset, finds it difficult to tolerate the dissenters, it has never been a part of their culture and value system, since very long. On the contrary media in the country seems over enthusiastic in demanding absolute freedom as they command public support. The realization that freedom and rights always bring certain amount of responsibility is yet to come. They have yet to learn and develop ethical boundaries for professional discourse. This is the time when role of academia acquire a new salience. Their capacity to solve the problems of society is being challenged by the emerging mass media landscape in the country. For a very long time industry has kept demanding the alteration in teaching and training patterns of mass communication programmes to meet the technical requirements of the profession. This is the moment in the mass media history of the country that they should ask for graduates with a sound philosophical and ethical understanding. As this is the time for a fundamental change.

The need to workout changes in mass communication curricula is being felt throughout the globe to cope with the challenges new media environment has posed. In the U.S mass communication educators feel that the real crisis is of significant loss in mass media credibility. They report numerous audience surveys reflecting loss of credibility in mass media and also mention Internet reporters having mediocre accuracy rate.[30] The educators feel that there appears to be a renewed enthusiasm across the media profession for instruction in ethical decision-making. This situation is made even more urgent as the competition from new media is increasing to gain more and more audience support.

There is least doubt about the fact that 1990's witnessed an explosion of communication and information technology use on a global scale. This explosion has increased the speed of change to an unmanageable extent. Many philosophical, ethical and legal issues, which were raised in the end of the last century, still remain unanswered and the question of mass media ethics is perhaps on the top of the agenda.

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[30]   Lee Byung and Padgett, 'Evaluating the Effectiveness of a Media Ethics Course', *Journalism and Mass Communication Educator,* 55:2 (Summer 2000).

Professor Kunczik believes that responsible journalism assumes the characteristics of a profession, which means it should have expertise in the sense of technical skills and autonomy in the sense of self-regulation through a professional body.[31] In response, to address the similar needs, press councils have been found in many countries and an effort to form a press council in Pakistan is under intense debate from concerned quarters, although it has been formed on paper after the promulgation of Press Council of Pakistan Ordinance, 2002 and a former Chief Justice has been appointed as its chairman but is still dormant. In Britain the situation is not different and the name of the press council was changed to press complaints commission. As Mazlan Nordin pointed out in 1993, 'That the council or Commission has been formed is indicative of the need felt by all for newspapers to be accountable.'[32] A similar debate, was initiated by Media Asia in 1993 in its roundtable, the theme was,

> If journalists have the right to use the press to attack individuals and institutions, in the name of free speech, should the parties concerned not have the same right to defend themselves in the same medium?[33]

In response to this question the respondents were of the view that the person or individual under attack should be given the right to reply, rather he should be asked for his response. A journalist would do well to remember that a newspaper is nothing if not credible. To blank out a reply is a negation of the freedom of the press that they themselves treasure and uphold or fight for. Responding to the same question, Nikhal Chakravartty, editor of *Mainstream*, New Delhi, points towards the rights and privileges of the journalists and the need to utilize them with a sense of responsibility. He says:

> The fact that a journalist has the professional facility of commenting on the conduct of an individual or an institution through the medium of the press, radio, television or videos wherever available, imposes on him the responsibility of proving his facts, when called upon to do so.

In the preface of the book *Ethics in Journalism*, Professor Kunczik has discussed various dimensions of the question of today and how a journalist be made to shoulder the responsibility of what he reports and disseminates. He describes two different angles of viewing

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[31]   Michael Kunczik (ed.), *Ethics in journalism* (Bonn: Friedrich Ebert Stiftung, 1999), p.17.

[32]   Nordin Mazlan, 'Roundtable', *Media Asia,* Singapore, 20:.4 (1993).

[33]   *Ibid*.

the issue, i.e. ethics of responsibility and ethics of conviction. [34] Discussing the similar issue, Chakravartty pin points the traditional relationship of right and duty, and elaborates his view by saying that the journalist has to convince himself about the authenticity of what he may be publishing but also to evaluate how the publication of his report would influence or affect the public, and whether that will help or harm the interests of the nation as a whole.

Beside these discussions many US researchers and authors provide a dialogue of voices on various ethical topics, having the main theme of getting journalism back to track. Theodore Peterson's discussion of social responsibility theory[35] of the press seems as relevant today as it was in 1956, when the classic, *Four Theories of Press* was published. *A Free and Responsible Press* by the Commission on the Freedom of the Press, *A Framework of Principle* by William Hocking are relevant and valuable pieces of work that demonstrate the anxiety of the researchers and practitioners in the US in trying to help solve the current credibility crises.

Mass media ethics course: global perspective

A survey conducted in 1984, which reveals that out of 238 journalism and mass communication programs 117 programs were offering media ethics courses, compared with 68 courses in 1977. Among the programs that offered ethics courses 47 per cent required students to take an ethics course. [36] A 1992 – 93 survey in which 260 journalism and mass communication programs responded, found that 158 programs were offering at least 183 media ethics courses, an increase compared with Christians previous findings of 117.[37] There are many more studies from the US showing increasing preference for ethics courses, which may sound a little less relevant as we have to focus our debate on the teaching of ethics in the universities of Pakistan. I would mention only one more study, which is about the need for ethics education as seen by the educators. In a survey of 293 members of the Association for Education in Journalism and Mass Communication (AEJMC), William Babcock found two third 'rarely' or 'never' taught a stand–alone ethics course, but

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[34]   Michael Kunczik (ed.), *op.cit*., pp.5-8.
[35]   Peterson Siebert, & W. Schramm, *Four Theories of the Press* (Urbana, Ill: University of Illinois Press, 1956), p.110.
[36]   Christians, C.G, 'Media Ethics Courses have increased Since 1977', *Journalism Educator*, 40:2, 1985.
[37]   E.B Lambeth, C Christians, & K. Cole, 'Role of the Media Ethics Course in the Education of Journalism', *Journalism Educator*, 49:3, 1994.

82 per cent wanted discussions and material about ethics in their classes, and 72 per cent said they always or frequently raised issues of media ethics in class.[38]

Bringing ethics in the curriculum of universities in Pakistan

A brief overview of the mass communication curriculums of various universities in Pakistan suggests a sort of agreement at one point i.e. almost no university is offering a separate course of media ethics. Normally ethics become a part of either the course of press laws or taught as part of different other courses, like reporter's code of ethics or code of conduct of editorial writers etc. One of the potential reason for the absence of a full fledge course on media ethics may be found in the history of press freedom in the country and press curbs which continued to distort and crush the independent media till 1988, and of course the non-existence of democracy for long intervals.

In the era of globalization market forces have emerged and started affecting the critical decision making in every sphere of life. The media landscape in Pakistan is being faced with the confrontation with the authorities on the pretext of non- conformity to ethical standards set by the government itself or demanded by political diplomacy. Keeping this new media environment in mind, the question of media ethics in curriculum development gains a new salience in the context of Pakistan. Since a new media culture is in process of emergence, which would bring value system of its own, therefore this is the right time for media educators and practitioners to join efforts for some kind of agreement, on code of ethics, which might lead the professional for a culture of self-regulation.

The use of new information and communication technology at global scale has already posed new challenges for mass media education. Holaday observed in 1992:

> Communication Curriculum in Asia is itself becoming more Globalized. After passing through various attempts to Westernize and Asianize the Curriculum in the 1970's and 1980's respectively, many programmes in Asia are, in fact attempting to place communication in broader, global contexts in the 1990's.[39]

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[38]   M.L. Stein, Ethics Courses missing in action, editor and publisher [online] available: http://proquest.umi.com, 1998.

[39]   D. Holaday, 'Globalizing the Communication Curriculum', *Media Asia*, 19:4, 1992.

In the era of globalization only a strong commitment to communication education can play an effective role in developing an environment where positive, creative and sustainable use of new technologies can obtain the goals, which are important to safeguard the fabric of society at large.

Expressing his views on the related issues former Chief Justice of Pakistan Justice Nasim Hassan Shah, while advocating for freedom of media, stressed that total freedom might lead to irresponsible conduct. A free hand to media should go along with ensuring protection of the dignity and rights of the private citizens.[40] The responsible press either in print or electronic form assumes the characteristics of a profession, which means it should have expertise in the sense of a technical skill, and autonomy in the sense of self-regulation through an independent professional body, and for that Press Council of Pakistan can play an effective role in addressing the issues related to the conduct of media. The consumer's forums like Citizen Media Commission of Pakistan may also be encouraged for a more active role in helping the country's public or community for a proactive participation in this new media environment which, as being said, promises a lot and threatens even more than that.

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[40]   *Combating Corruption*: *The Ethics of Responsible Journalism,* Report of South Asian Regional Workshop, Organized in 2000 by Commonwealth Press Union and Pakistan Press Foundation, Karachi, Pakistan.