



Le Pakistan face aux interdictions, à la censure et aux ordonnances présidentielles : le cas de *Naya Pakistan* par PTI

Pakistan Amid Bans, Censorship, and Presidential Ordinances: a Case Study of PTI's *Naya Pakistan*

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URL : <https://www.unilim.fr/flamme/1466>

DOI : 10.25965/flamme.1466

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Abstract: Pakistan Tehreek-e-Insaf (PTI), in its manifesto, promised a free and independent media with an autonomous Pakistan Electronic Media Regulatory Authority (PEMRA) which does not become a tool in the hands of the ruling party (Insaf, 2018). The present study examines the increased control of the PTI government and the military on media outlets, independent journalists, artists, and literary figures around the country. The paper also discusses the rebalancing of power structure and political dynamics in Pakistan, along with the role of presidential ordinances: Pakistan Media Development Authority (PMDA) and amendment to Prevention in Electronic Crimes Act (PECA), which aim to bolster control, curb the narrative, and further limit the freedom of expression. The paper investigates the institutionalization of these draconian regulations whose impact has already started to appear with the confiscation and setting ablaze of Urdu translations of Mohammad Hanif's novel: *A Case of Exploding Mangoes* by unknown men in Karachi, a novel which illustrates the historical fictional account of General Zia's last days as President of Pakistan (Hussain, 2020). *Dawn*, one of the country's oldest newspapers, has been banned and denied distribution in army cantonments since 2018. It is hoped that the present study will create awareness regarding this shift of balance towards authoritarianism and provide factual understanding of the country's current political milieu.

Keywords: Pakistan, PTI, censorship, media, journalism

Résumé : Le Pakistan Tehreek-e-Insaf (PTI) a promis, dans son manifeste, des médias libres et indépendants avec la création d'une Autorité de régulation des médias électroniques pakistanais (PEMRA) autonome qui ne devienne pas un outil entre les mains du parti au pouvoir (Insaf, 2018). Cette étude examine le contrôle accru du gouvernement PTI et de l'armée sur les médias, les journalistes indépendants, les artistes et les personnalités littéraires du pays. L'article aborde également le rééquilibrage de la structure du pouvoir et de la dynamique politique au Pakistan, ainsi que le rôle des ordonnances présidentielles, notamment la Pakistan Media Development Authority (PMDA) et l'amendement à la Prevention in Electronic Crimes Act (PECA), qui visent à renforcer le contrôle, à freiner la narration et à limiter davantage la liberté d'expression. L'article étudie l'institutionnalisation de ces réglementations draconiennes dont l'impact a déjà commencé à se faire sentir avec la confiscation et la destruction par le feu des traductions en ourdou du roman de Mohammad Hanif, *A Case of Exploding Mangoes*, par des inconnus à Karachi, un roman qui illustre le récit historique fictif des derniers jours du général Zia en tant que président du Pakistan (Hussain, 2020). *Dawn*, l'un des plus anciens journaux du pays, est interdit et ne peut être distribué dans les cantonnements de l'armée depuis 2018. Nous espérons que la présente étude sensibilisera à ce changement d'équilibre vers l'autoritarisme et fournira une compréhension factuelle du milieu politique actuel du pays.

Mots clés : Pakistan, PTI, censure, médias, journalisme

Introduction¹

Imran Khan, former Prime Minister of Pakistan who was in office from 2018 to 2022, introduced the idea of *Naya Pakistan*, which referred to Pakistan being free from all ills. In a country drowned in corruption, poverty and the rule of power, the idea lit a spark in the eyes of the public that desperately wanted a change and a reinstatement of the values with which the country came into being nearly 77 years ago. Quaid-e-Azam Mohammad Ali Jinnah, in 1948 while addressing the public in Chittagong, emphasized that “Pakistan should be based on sure foundations of social justice... which emphasize equality and brotherhood of a man.” (Mujahid, 1996). On another occasion he stressed that the administration is in fact the “people’s government, responsible to the people more or less on democratic lines and parliamentary practice” (Mujahid, 1996). It is undeniable that the founder’s vision rested in the supremacy of the common man, however the subsequent administrations, particularly that of Imran Khan, went far and beyond in denying the common man his fundamental right of freedom of speech. The paper will cover Imran Khan’s tenure in office and the tools used by his government i.e legislative bills passed by the parliament, the ordinances, and other illicit means which curbed free and independent media, details of which will be discussed in the following paragraphs. Also, pertaining to the contemporary nature of the research and lack of academic resources, the study is conducted using news articles, both local and international, which enumerate incidents of censorship which occurred between 2018 to 2022.

Imran Khan’s vision of *Naya Pakistan* invigorated hope in people, however that hope did not last long and Khan’s government became notorious for its misdeeds more than the good that was anticipated. His administration was widely criticized for its draconian policies against media and journalists. Pakistan ranked at 139th in 2018 on the Press Freedom Index (Pakistan ranks, 2019) when Khan’s party, the PTI (Pakistan Tehreek-i-Insaf), came to power and in 2022 when his government ended with a vote of no-confidence, the country was at 157th on Press Freedom Index, 18 points down.

A trend of silencing dissent has always been rampant in Pakistan, and here’s a brief historical overview. In 1958 General Ayub Khan overthrew the political administration and imposed the first military coup. A few months after assuming office as President, he declared his allegiance to the United States. He also signed a bilateral Defense Cooperation Agreement with the Eisenhower government through which Pakistan received military and economic aid along with the support it needed to resolve the Indus water crisis with India. In exchange for this, the US was granted access to a military base in the Khyber Pakhtunkhwa province that was used to counter the spread of communism in the late 20th century (Mugheri, 2023). Since then, government-controlled media ensured that anything that might displease their American partners should remain out of the press. General Ayub’s administration also created the Bureau of National Research and Reconstruction, whose underlying purpose was to bring journalists under the government’s umbrella. This was the birth of a symbiotic relationship between the media and the military administration. The media curated public opinion, and administrations in turn provided them with massive business in the shape of government advertisements, access to information and other perks.

Further control over press was achieved through Press and Publication Ordinance of 1960, followed by the East and West Pakistan amendments of the Ordinance in 1963. These ordinances completely choked the press, permitting the forfeiture of the printing press houses, confiscation of the dailies, weeklies and even imposition of an indefinite moratorium on the

¹ This text is part of a research project called « FE2C-Equilibre des pouvoirs » partly funded by UP-SQUARED, projet France 2030, PIA4 « Excellences sous toutes ses formes » (ANR-21-EXES-0013).

publication house if it was found party to inciting unwanted curiosity, challenging or threatening the solemnity of Pakistan or its territories, or denigrating the government in any way (Nawaz, 2008). A number of editors and journalists working in East and West Pakistan: Faiz, Suleri, Nizami, Ahmad Ali Khan, Zaheer Babar, Ghayurul Islam and Nasrullah Khan were fined, put behind bars and their publications were confiscated (Naqi, 2017). Therefore, any sort of appraisal of the administration became impossible. The newspapers knew their limitations and the extent to which they could exercise their borrowed freedom of expression.

After General Ayub Khan resigned in 1969, the reins of the government were passed on to General Yahya Khan who suspended the 1962 Constitution of Pakistan and imposed martial law. The change of regime did not result in any change of the policies and General Yahya Khan continued the martial law regulations as they were operating during General Ayub Khan's era. He, however, took repression of free speech a step further. He reshaped the Martial Law Regulation (MLR) 30 as Martial Law Regulation (MLR) 31 (Dawn Correspondent, 1969), thus widening the scope of punishments that could be inflicted on people for publishing information that may not be in the best interests of the government. As a consequence, the number of convictions under the MLR immensely increased (Dawn Correspondent, 1969). The A. R. Shamsuduha case is one such example. Shamsuduha was sentenced to one-year's rigorous imprisonment for publishing an article *The Danger Signal* in the July 20th issue, he was also charged with criticizing the martial law thereby inciting dissatisfaction towards the martial law administration (Dawn Correspondent, 1969). Zulfikar Ali Bhutto, who followed General Yahya Khan in office and laid the foundation of forming the first politically elected government in Pakistan, continued censoring the press just like his military predecessors. The arrests of the editors and journalists continued, dailies like *Jasarat*, *Punjab Punch*, *Anjam*, *Mehran* and the weekly *Zindagi* newspapers were banned by his government (Ahmad, 1980). Bhutto also amended the Pakistan Penal Code Section 499, which permitted the detaining of editors and journalists without an arrest warrant, alongside a fine and up to five years of imprisonment (Ahmad, 1980). Though martial law was purged, martial law ordinances and regulations, along with the Press and Publication Ordinance of 1960, remained effective for as long as Bhutto remained in power.

General Zia-ul-Haq deposed Bhutto in 1978 and re-imposed martial law. Bhutto was then indicted in a murder case after which he was hanged in prison in 1979. Censorship reached its pinnacle during Zia's administration, considered one of the worst periods in terms of press freedom. It was a routine matter for journalists from 1977 to 1988 to have their photo reels confiscated and cameras destroyed. The newspapers were not allowed to publish anything without prior approval from the government. Each day, the media houses were given an elaborate handout, detailing the information which was then turned into a newspaper and was circulated among the public (Hussein, 2022). Zahid Hussein, a photojournalist of the time, mentions the uncertainty that surrounded the lives of media personnel; Hussein had to send his children and wife away from the city due to the precarious situation (Hussein, 2022). He quoted an incident in which Ibrahim Jalees, a renowned journalist and editor, died of brain hemorrhage at the hospital after not being able to survive the injuries that he received from the army personnel. Editors and journalists that refused the regime's orders were tortured, jailed and at times publicly lashed (Naqi, 2017). Three of the popular newspapers, *Musawaat*, *Aman* and *Ailaan*, were banned by the Zia regime in 1978 (Hussein, 2022) for publishing articles which criticized his authoritarian rule. In 1988 General Zia's dictatorial rule came to a sudden end when his plane crashed near Bahawalpur, but his censorship policies were carried on by the succeeding governments. This brief historical overview substantiates that whether Pakistan had political government or military administration, the press was never really fully independent. Each individual who assumed office curtailed media freedom and utilized all power, legislative

or otherwise, at his disposal to subjugate the press and turn the media body into a mere puppet and mouth-piece of the regime in office. Imran Khan's ascendancy to power anticipated a positive change, for he was a populist leader with strong convictions regarding media freedom, and his successful political campaign was immensely attributed to the efficacious role of the media in spreading his message far and wide. However, to nation's disappointment, his rule became analogous, indeed worse, than of those before him. This paper will delineate the development of censorship policies and their execution during his tenure, it will also illustrate the extrajudicial and clandestine approaches used by his government to silence the press.

Discussion

When Imran Khan came to power in mid-2018, the way his administration operated was no different from any of his predecessors, validating all the media's repressive measures with the backing of presidential ordinances, clearly going against his own Party's manifesto which promoted free and independent media (Manifesto, 2018). Through these presidential ordinances, the PMDA (Pakistan Media Development Authority) was pushed to amend the existing PEMRA (Pakistan Electronic Media Regulatory Authority). This move was justified by the government's spokesperson on the pretext that present laws lack the jurisdiction to exercise authority on the increasingly popular social media sites: Facebook, Twitter, YouTube and Tiktok, hence it was only appropriate to have an organization backed by the law to scrutinize each content that was published for public consumption, and to be dealt with accordingly. The PECA (Prevention in Electronic Crimes Act) amendment too came with a presidential ordinance, it was brought forth in early 2022 with a sham of protection for the journalists and media personnel, however the undisclosed motive was to "have the power to remove or block or issue directions for removal or blocking of access to an information through any information system if it considers it necessary" (Prevention, 2016, p. 18), in the interest of the integrity, security and defense of Pakistan. The amendment in Section 20 of the bill authorized the citizens, government departments and even public officials to pursue a non-bailable course of action against any individual whom they considered engaged in felonious activity, or in disseminating questionable information maligning religion, government or the state departments.

This evidently peculiar method of imposing laws passed by ordinances not only exposed the PTI government's pernicious agenda but at the same time indisposed the Constitution of Pakistan and violated Article 19 and 19A: Freedom of Speech and Right to Information. In 2020, the PTI (Pakistan Tehreek-i-Insaf) government, through an ordinance, secretly passed the *Social Media Rules* which were only brought to public knowledge a year later, in 2021, with a notification that was issued under the title *Removal and Blocking of Unlawful Content (Procedure, Oversight and Safeguard) Rules 2021* (Kamran, 2022). This manipulation of the ordinance procedure to pursue a particular scheme instead of following the right course of action i.e to engage Parliament and the stake-holders in the matters related to them, is an issue within itself. The PMDA (Pakistan Media Development Authority) and PECA (Prevention in Electronic Crimes Act) amendments were pursued in order to arm the PTI (Pakistan Tehreek-i-Insaf) administration with the required legal backing to penalize activists, journalists and all other individuals if they were to surpass their limited freedom and raise their voices against the military or Khan's quasi-democratic government. One of the imminent consequences of this was "self-censorship" (Kamran, 2022). The journalists from print and virtual media were afraid of becoming the target of these draconian laws, thus refrained from openly appraising the incumbent administration or the armed forces which had its weight behind the Khan government.

The PTI, which promised citizens a free and independent media among other things, also pledged to have an independent media body which would not succumb to pressure or become a toy in the hands of the people in charge; the manifesto clearly stated that:

PEMRA (Pakistan Electronic Media Regulatory Authority) would be made autonomous so it does not become a political tool in the hands of any government to target the freedom of the electronic media. Government advertisements would be rationalised and not be made a tool to harass or bribe the independent media (Manifesto, 2018).

However, the reality was quite different, as Khan's administration started off with the *Citizen Protection Rules* to ensure the safety of the people on the online platforms and gave itself the right to take down any material that it believed questionable. With this move, a new and more organized wave of censorship took root in the country with the equilibrium shifting from the public to those in power. The government notified the social media sites to adopt the regulations which authorized the Pakistani government to inspect and censor online content, and subsequently the social media sites complied. X, formerly known as Twitter, though initially reluctant to follow the prescribed censorship guidelines, also yielded upon the threat of losing its 44 billion rupees user market in Pakistan (Pakistan Cabinet, 2022). The outcome of these measures was fast: a critic of the overarching control of the military in Pakistan and of Khan's policies, Taha Siddiqui received an unvarnished email that mentioned his tweets to be against and in violation of the Pakistani law, and in order to continue using the site, he ought to do the needful: remove the respective tweets (Siddiqui, 2023). Soon after that, the government blocked the *Voice of America* Urdu and Pashto websites on the notion that it was advancing PTM (Pashtun Tahafuz Movement) propaganda. The Pashtun Tahafuz Movement is an organization that advocates for the rights of the Pashtuns, urges the establishment to conduct an inquiry into extrajudicial killings and missing persons, and insists upon the removal of land mines in the tribal region i.e the North-West frontier region Pakistan. The then Information Minister of Pakistan, Fawad Chaudhary, confirmed that the Pashto websites and *Voice of America* Urdu were shut down through PTA (Pakistan Telecommunication Authority) on the pretext of "false and prejudiced reporting" (AFP, 2018).

Just like Taha Siddiqui, Mubashir Zaidi, another popular journalist and a co-host of a TV show at *Dawn News* channel, tweeted his remarks on the Tahir Dawar case and the cold-blooded murder of Ali Raza Abidi, thus X flagged those tweets and labelled them against the law in Pakistan after "receiving official correspondence from Pakistan" (Twitter informs, 2019). Government's censorial control reached new heights when the Director of NR3C (National Response Centre for Cyber Crime) in a letter dated 13-01-2019, instructed all four additional directors of FIA (Federal Investigation Agency) in Rawalpindi division to probe inquiries against the journalists: Matiullah Jan, Umar Cheema, Waqas Goraya, Ammar Masood, Murtaza Solangi and Ayaz Syed for displaying the picture of Jamal Khashoggi, the slain Saudi journalist, during the Muhammad Bin Salman visit to Pakistan, on their X handles. The government believed that this move had hurt the sentiments of their revered guest and these people and the protesting political parties must be held accountable for pursuing propaganda and displaying the journalist's photograph.

During the same time, PTA (Pakistan Telecommunication Authority), to extend its scope of authority, held a meeting with ISPs (internet service providers), saying the intention of this meeting was the improvement in the provision of internet access and limiting the availability of pornographic content to the Pakistani populace; the meeting, however, ended on a sour note. ISPs accused the government of being more focused on controlling and managing political voices online than the indecent and sexually disturbing content published on the sites (Ali,

2020). The government officials denied having expressed anything of the sort, and instead shifted the blame towards ISPs for not conforming to the government's simple demands which were made in keeping the well-being of the Pakistani populace in mind.

Apart from PTA (Pakistan Telecommunication Authority) another government organization which played its part in censoring and intimidating the press community was FIA (Federal Investigation Agency) which draws its legal strength from Pakistan Penal Code, Cyber Crime Law and PECA, among others. In the course of four years i.e from 2018 to 2022, a large number of journalists were persecuted by FIA using the aforementioned laws. The following paragraphs will elucidate the autocratic working of this government agency, and enlist the journalists who have borne the brunt of these policies for merely stating the facts and at times even less than that.

Razi Rizwan, a reporter with over twenty years' experience in journalism, posted a tweet related to the military, judiciary and intelligence agencies. The tweet was considered highly offensive by the Cyber Crime Authority in Pakistan, therefore in the early morning of February 8th, 2018 Rizwan's son reported that his father was arrested from his house by FIA (Federal Investigation Agency) personnel accompanied by the Rangers, a paramilitary force in Pakistan (Shahzad, 2019). The first incident report registered against him was on the basis of the PECA (Pakistan Electronic Crimes Act) Section 123-A that declared him guilty of the offences. Following the arrest, Rizwan was presented in court but was fortunate enough to receive bail and the court also denied FIA's request for a ten-day custody. Rizwan then apologized for having posted such remarks and promised to never do that again (Shahzad, 2019). However, his X account has been inaccessible ever since.

Just like Razi Rizwan, another renowned journalist, Shahzaib Jillani, who worked as a correspondent with the BBC and DW (Deutsche Welle), was booked in a similar case of "cyber terrorism and defamatory remarks against the respected institutions of Pakistan" (Baloch, 2019). The complainant accused Jillani to have made highly inappropriate statements against the military establishment by calling Prime Minister Imran Khan a mere "stooge", the complainant also incriminated Jillani of wrongly blaming the security agencies for the disappearance and abduction of people on two occasions during a live television show *Aaj Kamran Khan Kay Sath*. Complainant stated that Jillani was also responsible for hurting sentiments with his spiteful comments, but when the matter was taken to court, the FIR registered against him was rejected by the sitting judge, and the court declared the charges void due to insufficient evidence (Baloch, 2019). Another similar case is of Waleed Butt, The President of the Pakistan Muslim League Nawaz Youth Wing, Punjab. Waleed Butt was arrested on similar charges of using "inappropriate language" against the Chief of Army Staff Qamar Javed Bajwa and state institutions, and he too was charged under PECA section 11 and 20, and 500, 505 and 109 of Pakistan Penal Code (Mirza, 2019). He too was acquitted of the charges laid against him. The outcome of all these incidents establish that these journalists were falsely accused and that these laws – PECA, Cyber Crime Law and *Pakistan Penal Code* –, have been unfairly employed by the government agencies to subdue the press and obliterate the idea of freedom of speech and simultaneously create a sense of fear and intimidation among the journalists, forcing them to self-censor.

Around the same time, the editor at *The Express Tribune*, Bilal Farooqi, was arrested by the police for defaming and exposing military activities in Karachi. Farooqi was charged on the basis of *Pakistan Penal Code* 500, 505 and section 11, 20 of *PECA* (Prevention in Electronic Crimes Act). The Karachi Union of Journalists called the "arrest of Bilal Farooqi a part of the nefarious and concentrated campaign to gag free and independent voices" (Ali, 2020). Another journalist to face the wrath of this despotic government was Asad Ali Toor, who runs an online YouTube channel. A First Incident Report was lodged against Toor on the basis of *PECA*

(Pakistan Electronic Crimes Act) 11, 30 and 27: hate speech, offense against the dignity of a person and unlawful online content, and section 499, 500 and 505: defamation, punishment of defamation and public mischief, of *Pakistan Penal Code* (FIR registered, 2020). In May 2021, three unknown men stormed Toor's apartment in Islamabad and left him severely injured (Qureshi, 2021) for criticizing state institutions and the military's intervention in Pakistani politics. The Human Rights Commission of Pakistan called it "muzzling of freedom of expression" through their official X handle (FIR registered, 2020). Hamid Mir, while speaking at a rally organized to condemn the attack on Asad Ali Toor, blamed the armed forces for using covert tactics to muzzle differences of opinion, and soon after the government forced the hand of *Geo News*, and Hamid Mir was taken off the air, and was banned from hosting his program *Capital Talk* (Pak journalist, 2021).

The trend continued. An investigative journalist, Arshad Sulehari, who published a series of incidents pertaining to the wrongdoings of the Musharraf government in the early 2000s, had his house raided without a warrant to frighten and dissuade him from pursuing his line of work. He was also threatened by the FIA (Federal Investigation Agency) and was forced to appear before a panel though no charges were directed against him (Iqbal, 2021). Fakhur Durrani was called a "traitor" and an "Indian agent" for assisting a fellow journalist Ahmad Noorani in his research related to Director General ISPR General Asim Bajwa's burgeoning finances, as Bajwa has been a close aide to former Prime Minister Imran Khan. Ahmad Noorani received life threats and was forced to flee the country, and was only then able to publish his article *Bajwa Family Business Empire Grew in Four Countries in Sync With Asim Bajwa's Rise in Military*, a piece of investigative journalism that exposed 175 pizza restaurant franchises and a business worth \$52.2 million, nothing of which had been revealed by Bajwa in the asset declaration form that he signed on June 22nd, 2020 right before he took charge as the Chief of CPEC (China Pakistan Economic Corridor) in Imran Khan's government (Noorani). On another occasion, the former Chairman of PEMRA (Pakistan Electronic Media Regulatory Authority), Absar Aslam, found himself indicted in a high treason case for being a critic of Imran Khan's policies and that of his quasi-military government. Some unknown men opened fire on Absar Aslam when he was out for a walk in a park near his house; the culprits fled the scene, while Aslam sustained serious injuries but fortunately survived the attack. This attack happened after Aslam had disclosed that the current Inter-Service Intelligence (ISI) Chief Lt. General Faiz Hameed had tried to force Aslam's hand to the military's advantage back when he was Chairman of PEMRA (Hashim, 2021). Here, it must be acknowledged that the military is the most powerful organization in Pakistan, in fact it would not be wrong to say that even the highest office i.e. of Prime Minister, draws its power from the armed forces; if the Prime Minister runs out of military favor, he simultaneously runs out of time in office, and we have seen that happening all throughout the 1990s, when Benazir Bhutto and Nawaz Sharif ran in and out of favor, and in and out of office (Johnson, 2018), throughout the decade until martial law was imposed by General Musharraf. This clearly asserts that it's inconceivable for even the Prime Minister to challenge or point fingers at the armed forces or any particular military official, thus for Absar Aslam to publicly accuse the sitting ISI Chief of coercion was unprecedented, and though Aslam survived the attack, but it left the entire journalism community in extreme fear and anxiety (Anxiety among, 2021).

These government agencies were not just targeting journalists, they were also actively engaged in harassing common people. An incident reported in the *Nayadur* newspaper is a case in point. The paper reported that a resident of a small town in south Punjab posted satirical remarks on his social media account regarding the rigging of elections and military involvement in politics and these satirical posts resulted in an FIR (First Incident Report) being registered against him with reference to the *Telegraph Act*. The resident was accused of inciting unrest in society (FIR,

2019) for merely expressing his thoughts. The charges were condemned by the legal experts. Fareeha Aziz, a lawyer and an expert in the field of cyber-crime, expressed her concerns and called this an infringement of freedom of expression. She conveyed that the government continues to crack down on individuals under the sham of cyber-crime, individuals who are simply exercising their freedom of expression, while hate-speech inciters such as TLP (Tehreek Labaik Pakistan) activists, who manipulate religion for political gains and cause ruckus on the streets, roam about freely. She stressed that, in this particular case, according to the law, the FIR has to be registered by the particular person who was aggrieved by the action of this individual, however, ironically the Assistant Sub-Inspector had initiated the FIR, against the south Punjab resident, on his own (FIR, 2019), which in itself is a clear violation of the law. All such acts depict the administration's keen interest in keeping everyone under its thumb, journalist or otherwise, and create an atmosphere so fearsome that it becomes impossible for any individual or organization to question the working of the government.

Another individual from civil society that was targeted using the censorship ordinances was Professor Ismail, a human rights activist and PTM (Pakistan Tahafuz Movement) worker, harassed and abducted by unknown men outside his house on the fabricated charges of disseminating propaganda against the state on social media sites under section 10, 11 of *PECA* (Prevention in Electronic Crimes Act) and 109 of the *Pakistan Penal Code*. He was then presented in court and was granted a 14-days remand-in-custody. His daughter, Gulalai Ismael, a human rights activist as well, currently living in self-imposed exile in the US, voiced her concerns on X, formerly known as Twitter, in response to which the US State Department's X handle for the Bureau of South and Central Asian Affairs remarked, "We are concerned by reports of the continued harassment of Gulalai Ismail's family, and her father's detention. We encourage Pakistan to uphold citizens' rights to peaceful assembly, expression, and due process". The Pakistan Foreign Office Spokesperson deemed this uproar unnecessary and uncalled for (Sirajuddin, 2019). Professor Ismail was granted a bail a month later by the Peshawar High Court. It is conjectured that since the Pakistan military has blamed the PTM (Pakistan Tahafuz Movement), of which Professor Ismail and his family are active members, of taking financial assistance from anti-Pakistan regional rivals, to work against the state, Ismail's abduction and trial were the administration's way of sending a warning and creating fear among the PTM workers. The military establishment wanted PTM to abandon ideas of raising voices against the missing persons, Pashtun abductions and subsequently leave their quest of securing rights and protections for Pashtuns equal to those rendered to Pakistani citizens, and also the political fight for the reinstatement of normalcy in FATA (Federally Administered Tribal Area), a region in the North-West of Pakistan. Another reason of this crackdown on PTM (Pashtun Tahafuz Movement) was because of its criticism of the Khan government's welcoming attitude towards the military meddling which resulted in an ordinance that called for the extension of military authority all across Khyber Pakhtunkhwa province, which was earlier limited to the boundaries of FATA (Federally Administered Tribal Area). Under the guise of mainstreaming of FATA with its adjacent province Khyber Pakhtunkhwa, an ordinance was passed by the PTI administration which legalized military intervention in the political affairs of the province and the "setting up of [an] oversight board comprising two civilians and two military officers to review cases of each person interned within a period of time" (Shah, 2019). The respective ordinance drastically hampered the natural political evolution of the tribal region. This entire episode of Ismail's arrest, followed by a court case, was well within the constitutional and legal jurisdiction, but it would not have been possible to charge Ismail or any other individual from civil society or otherwise prior to the enactment of these draconian ordinances. These ordinances gave the government a legal cover to practice censorship, at the risk of threatening the most basic of rights, and leaving the populace

vulnerable to the oppressive restrictions, and at the same time it has thwarted the gradual development of critical thinking in society.

Alongside journalists and civil society, the administration also targeted the media houses. *Jang-Geo Group* has a history of locking its horns with the military establishment and has number of times suffered due to its anti-military stance. Right after Imran Khan assumed office, the distribution of *Jang Urdu* newspaper was banned in army cantonments, because the *Geo News Group* accused the military of clandestine operations to keep the journalists, media houses and all those crossing the line in check. And then, *Dawn*, a renowned English daily and one of the oldest newspapers in the history of the country, was also banned in the cantonment areas and Defence Housing Authority, a military-run residential society all across Pakistan. It was also reported that the inter-city distribution and delivery of *Dawn* and *Jang* newspapers' were deliberately impeded even in the civilian area of Punjab, Balochistan and Sindh (Disruption to, 2018). The PTI government did not stop at censoring journalists or the media houses, and extended its sway to ban certain books as well. A small group of men plundered the publishing house of Hanif's novel's Urdu translation, *A Case of Exploding Mangoes*, and confiscated all copies, and until today the Urdu version of the novel remains unavailable for sale anywhere in the country. Another book that was censored was Sohail Warraich's *This Company Will Not Work*, because the cover page illustrated Prime minister Imran Khan sitting next to the feet of Chief of Army Staff who sat on the chair; the book was approved for release only after the cover was changed (Sohail Warraich, 2020). Shuja Nawaz also had to struggle to have his book, *The Battle for Pakistan: The Bitter US Friendship and a Tough Neighbourhood*, released in Pakistan. Though the book was not banned, it had gone through quite a turmoil prior to release, the cause being discussed was the undesirable portrayal of the armed forces (Zahid Hussain, 2020).

As discussed in the preceding paragraphs, governments employed various direct and indirect techniques to exert its control, one of the government manoeuvres included advertisement diminution to the mutinous news channels and newspapers, and discontinuation of payments which in turn resulted in salary delays, leaving the entire media establishment in a desperate situation (Pakistan government, 2020). The Pakistan Media Regulatory Authority (PEMRA) was being established on the agenda to have an all-inclusive media control, from ironing out the slightest wrinkle to the complete annihilation of an electronic and print media house. On the directions of PEMRA, moments after the broadcast began, the private news channels have more than once taken off air the live interviews and press conferences of the leaders of opposition parties, namely Asif Ali Zardari and Maryam Nawaz (IANS, 2019). There was also an undeclared ban by the Khan government on giving screen-time to opposition party leaders, covering their political rallies, conducting interviews or even televising their press clippings (Hashim, 2019). Numerous journalists confessed to the over-arching control of ISPR (Inter-Service Public Relations) along with the media wing of PTI (Pakistan Tehreek-i-Insaf), "If there is a programme that the establishment or the PTI government don't like, they won't call the journalist, they will call the managers, or they'll just shut down the channel... They have a one-window operation, usually a WhatsApp group", said one Karachi-based senior television producer. "A tweet or a screenshot will be shared on that group [by a military officer]. And a question mark." (Hashim, 2019), this clearly shows the extent of authority exercised both by political and military agencies to muzzle free speech and the limited space in which media in Pakistan operated.

Conclusion

It can be safely said that the imbalance of power in the administrative setup of the country and the political tilt towards non-political factions, the armed forces for instance, have resulted in a

troubled democracy. This research concludes that the legalization of censorship with the help of PECA (Pakistan Electronic Crimes Act), PMDA (Pakistan Media Development Authority) and Cyber Crime Law, of which Khan's government has taken immense advantage, and giving over-arching authority to agencies like PEMRA (Pakistan Electronic Media Regulatory Authority) and FIA (Federal Investigation Agency) has given a free rein to all the incoming administrations to control and curtail the liberty ensured by the Constitution of Pakistan to satisfy petty political agendas. In 2022, the succeeding PMLN government was already afoot in making the best of these draconian regulations, now forcing the media channels to block coverage of Imran Khan's political campaign and censor his press conferences, while Arshad Sharif's coverage of the Chief of Army Staff's non-declaration of the gifts that he received from his foreign visits landed the journalist in hot water. Arshad Sharif, an investigative journalist, received Pride of Performance from President Arif Alvi in 2019, yet was forced to flee the country due to severe threats from the state institutions, and was killed in Kenya while on the run (Tahir, 2022). The incumbent PMLN (Pakistan Muslim League Nawaz) government took up censorship regulations right from where the previous government left off. Though during the Khan government censorship reached new heights and the desire to exert control on the media houses was stronger than ever, this wasn't the first incumbent regime to have wished so and unfortunately would not be the last.

It is however worthy to note that earlier the popular notion was that censorship was only exercised by the military regimes and by martial law dictators but it is seen that the civilian governments of the past and present day have equally taken advantage of the draconian press regulations to advance their agendas and keep the press under their thumb. Within a short period of four years, i.e from 2018 to 2022, a large number of journalists have been persecuted and their television shows have been banned. It appears that in Pakistan the only way to survive the current situation is by following the DG ISPR's advice "to report positively for six months about the new government, and afterwards...continue doing the same for as much time." (News Desk, 2022). The advice was given when Imran Khan was removed from office after he fell out of favor with the military establishment and an interim government was put in place. The advice given in August 2022 is very much in practice even today in 2024, as a military backed PMLN (Pakistan Muslim League Nawaz) and PPP (Pakistan Peoples Party) coalition government has taken up the reins of the country. Propagation of censorship is no more limited to a certain group and neither are its implementations. What is worse than publishing incorrect information is keeping the public in complete darkness about the state of affairs. Therefore, the RSF (Reporters Sans Frontières) declaration that Pakistan is a volatile space for authentic journalism is not so far from the reality (2022). Authentic reporting in Pakistan comes with a risk of losing one's job, putting one's family at risk, and in certain cases even losing one's life.

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