

# Role of Media and Journalism in Pakistan

ROUNDTABLE DISCUSSION WITH DR. MATT J. DUFFY

11 MAY 2016

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## About Dr. Matt J. Duffy

Dr. Matt J. Duffy teaches journalism, media ethics and international communication law at Kennesaw State University in Georgia, USA. He enjoys teaching the art of good journalism; a noble profession and powerful tool for social change. Dr. Duffy worked as a journalist for several news outlets including the Boston Herald and the Marietta Daily Journal. His research focuses on international approaches to media law.

Wolters Kluwer is scheduled to publish the second edition of Dr. Duffy's "Media Laws in the United Arab Emirates" in 2016. So far, he has authored and published more than a dozen academic articles and writes occasionally for niche publications.



Dr. Duffy ventured to Pakistan in May 2016 as part of the Fulbright Scholar program from the US State Department. Since 2012, Duffy has served on the board of the Arab-United States Association for Communication Educators, an organization that aims to improve journalism in the Middle East. He also owns Oxford Editing that he started in 2007.

## Role of Media in Pakistan

Media plays a monumental and crucial part in society all over the world. Likewise, the role of media in Pakistan cannot be neglected. Pakistani media is a source of both news as well as entertainment to the people; the news and journalism sector keeps the people well-informed of all the latest happenings both on a national as well as global scale ranging from politics, sports, celebrities, fashion and weather etc., whereas the entertainment sector offers soap operas, movies, music etc.

The media institution in Pakistan has played a very important role in influencing and reforming the perspectives of the Pakistani population at large on many issues. Its coverage of crime and human rights violation incidents has revealed the true extent of social issues prevalent in our society; whereas coverage of international political events and developments has spread awareness of Pakistan's international relations with other countries. Television has become the main platform for reaching the masses for the media, enabling charismatic journalists to become the key players by using their influence and social power index when it comes to identity building and (eventually) legends.

Somehow media, on the name of freedom of press, has recently been heading in a completely new direction. In their quest for higher television ratings, fierce competition has undermined true, accurate reporting and thus given way to not only biased, but also the use of other unethical practices and negative tools in order to increase viewership.

In order to further the advocacy efforts to strengthen the rule of law and facilitate the access to justice, with particular focus on refugee protection, RRN-Pakistan had initiated a series of Roundtable discussions, and one such event, a roundtable discussion on Rule of Law and Access to Justice, was organized in Islamabad on 13 October 2015 at the secretariat of RRN-Pakistan. The diversified representation included the US State department, Fulbright delegate from the USA, UNHCR, national and international civil society organizations, NGO consortium and individual refugee rights activist from Australia, who contributed to the discussion with their expert and professional insight.

The agenda of the meeting comprised of four sessions;

1. Welcome and introduction of participants
2. Key Note Address
3. Discussion – Issues & Challenges
4. Way Forward

## Details of the roundtable discussion

On 11th May, 2016 Dr. Matt J. Duffy visited SHARP-Pakistan's Islamabad office where he met the Chairman Mr. Liaqat Banori, Project Director Mr. Mudassar Sanghaira and other team members of ALAC and Programme departments including Ms. Najma Abbasi, Mr. Ahmad Bhatti and Ms. Aasia Niazi.

### Introduction and brief explanation of the activities of SHARP

Dr. Duffy started the meeting by introducing himself as a Fulbright specialist and a prominent journalist; having worked with highly reputed and prestigious institutions such as the Boston Herald. He expressed his interest in role of law and media in context with journalism in Pakistan.

The Chairman, Mr. Liaqat Banori then introduced the members present, followed by a brief overview of SHARP-Pakistan and its overall structure and activities. He explained how SHARP-Pakistan specializes in legal protection, and highlighted its dedicated ALAC and RSD departments. He then proceeded to address Dr. Duffy's queries.

### Discussion on the role of media and journalism in Pakistan in context of legal affairs

Dr. Duffy initiated the discussion by pointing out that journalism, media and the law are interconnected; and while it varies from region to region globally, the degree of freedom allowed to these institutions by the law is crucial to a transparent reporting mechanism. He linked this to the recent international Panama Leaks scandal that has been the focal point of media and journalism all over the world.

Elaborating on this point, Dr. Duffy explained the difference between the journalism code of conduct and the media code of conduct; pointing out that the code of ethics is not strong anywhere in the world (based on his experience), and the need for laws for the protection of journalists everywhere. He also touched upon criminal defamation; giving an example of Saudi Arabia's policies restricting liberty, and the case of Columbia University where a discussion was held on the topic of 'legal challenges to court cases that are restricting journalism'.

Mr. Banori responded by agreeing that a strong legal policy was necessary to ensure the protection of journalists in order to enable them to work without fear of prosecution, however it also required journalists to uphold the journalism code of conduct and to respect certain boundaries as well. He also added that while SHARP's mandate focuses primarily on providing legal protection, it is mainly for refugees and underprivileged segments of society, and does not include journalists at present.

## Discussion on positive and negative aspects of the existing system

Mr. Banori continued the discussion by listing and briefly explaining the positive and negative aspects of the current system in Pakistan. He linked the Arab countries in contrast with Pakistan's policies stating that this was a case of 'restricted liberty vs. over-liberty'.

He explained that, as Dr. Duffy had pointed out, the code of ethics is not strong anywhere; however in Pakistan a line needs to be drawn so as to keep journalists and the media in check and unbiased. He also pointed out that while defamation is a civil case and not a criminal one, this does not mean journalists should be allowed to completely disregard and respect an individual's privacy (hence over-liberty).

Mr. Banori then proceeded by explaining that the judicial system in Pakistan is weak, which gave way to military dominance. He further elaborated on Pakistan's policies on journalism and freedom of liberty by citing the case of renowned journalists Omar Cheema and Hamid Mir. Mr. Cheema had been tortured, whereas Mr. Mir had accused the ISI chief on national television for an attempt on his life; and yet was not arrested – thus highlighting a mixed bag of legal policies that can be best described as a restricted freedom of expression.

Linking the judicial system to the Panama Leaks, Mr. Banori stated that this was a case of 'rule of law vs. law to rule'.

Lastly, the chairman pointed out the need of support for prisoners (in accordance with SHARP's mandate); highlighting the prison capacity of 36,000 individuals vs. over 100,000 imprisoned.

## Recommendations

### Rule of law, good governance and transparency

While discussing the situation of rule of law, good governance and transparency in Pakistan chairman SHARP termed it a big challenge for political stability and development. He said millions and billions of dollars have been invested in Pakistan for improvement in rule of law, but so far all efforts have been unsuccessful in terms of any significant or noticeable improvement because the ground realities are totally different which are not realized. We may have a very good option of retired high officials who, after retirement, become more patriotic and could be utilized for devising useful policies and their implementation as well; being resourceful and held in high esteem by the society.

The chairman recommended the inception of a ‘Pakistan Thinkers Forum’ comprising of top level officials including retired judges, bureaucrats, educationist, intellectuals and ex-parliamentarians. This forum should be chaired by a senior retired judge of the Supreme Court of Pakistan who would be having approach and ability to influence the concerned quarters with the support of public at large to recommend the actions for rule of law and suggestions for good governance to create policies and strategies on the various issues discussed in the meeting, as well as others faced by the Pakistani society; factors which will ultimately lead to transparency. This forum will also utilize research that is being carried out at educational institutions such as universities (which currently is going to waste as it is not being considered outside of the educational institutions).

### Role of journalists and the media

As for the issues faced by the media, he recommended proper training seminars and workshops to be conducted for journalists as well as media personnel to educate them on the various codes mentioned in the discussions, as well as to encourage unbiased media coverage on human rights that will include the plight of refugee communities as well.

### Role of the civil society

The civil society in Pakistan is very weak due to a lack of resources, which results in them not being able to play the role which is expected from them. While we have some networks, they are mostly project oriented and do have neither proper planning nor regular meetings with the involvement of all stakeholders.

SHARP-Pakistan proposed the formation of a ‘Pakistan CSO network’, focused on promoting networking at national level as well as strengthening and capacitating local and national organizations at every level to have a strong and unified approach towards national issues and violations.

## Human rights for prisoners

Prisoners are one of the most neglected segments in Pakistan. No government has ever made any effort for the prisoners' welfare. In Pakistan the capacity available for prisoners is 36,000, but prisoners in jails number around 100,000. This atrocity can be credited to factors such as prosecution-minded judiciary, poor and outdated procedures and no ability of revisiting the procedure code.

SHARP-Pakistan has proposed two things. First, legal reforms at local level in the criminal procedure code dealing with the bail matters, while on the international forum SHARP is striving for the observance of International Prisoners Day. Furthermore, the correction program for jail authorities is currently viewed as a recreational program. If CSOs that are working particularly on prisoners are also included in the program, it would strengthen the understanding between the jail authorities and organizations and would also help in supporting and monitoring the outcome of the trainings provided to jail authorities for corrections.

Secondly, exposure visits are a wonderful opportunity for everyone, particularly the people living in third world countries. The United States government has initiated a number of initiatives inviting government officials, jail authorities, students and youth exchange programs but has neglected the role of civil society. There should be an NGO exchange program where NGOs may be given the opportunity to visit and work with international organizations for better learning and understanding the international standards which are expected from the organizations working in Pakistan. Fulbright scholars can also play a vital role in this regard by facilitating connections of potential NGOs in Pakistan with international organizations based in the US and other countries.



## Conclusion

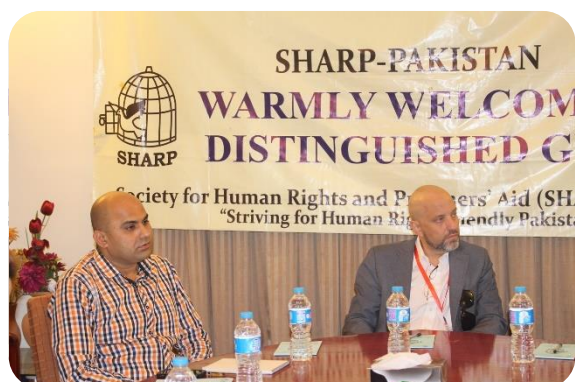
The meeting concluded with Dr. Duffy commending SHARP expressing his willingness to collaborate with SHARP and contribute to its efforts as best as he can. He commended the chairman on the collective efforts of what the members of SHARP-Pakistan do, and said he was looking forward to SHARP expanding its efforts in the sectors discussed in the meeting.



Welcome and introduction



Roundtable discussion



Recommendations and way forward



Conclusion of meeting