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Freedom Of Speech Or Political Slogan? A Case Study Of Media Censorship In Pakistan

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Abstract:

This study examines whether freedom of speech in Pakistan is a genuine democratic right or merely a political slogan. While Article 19 of the Constitution guarantees free expression, it also imposes broad restrictions on speech in the name of national security, morality, and public order. By analyzing historical and contemporary instances of media censorship, this research identifies legislative restrictions, economic pressures, and violent coercion as primary [1]tools for controlling media narratives. Using a mixed-methods approach—combining archival research, journalist surveys, and expert interviews—the study evaluates the extent of press freedom in Pakistan. The findings indicate that successive governments, regardless of their political affiliations, have systematically suppressed dissent through legal frameworks such as the Pakistan Electronic Crimes Act (PECA) 2016, the Pakistan Electronic Media Regulatory Authority (PEMRA), and other coercive measures. Furthermore, digital censorship has emerged as a dominant trend, restricting free speech online. The paper suggests comprehensive legal reforms, strengthened journalistic protections, and increased international oversight to enhance press freedom in Pakistan.

Keywords: *Freedom of speech, media censorship, press freedom, PECA 2016, Pakistan, political regimes.*

1. Introduction:

Freedom of speech is a fundamental pillar of democracy, enabling citizens to express opinions, hold governments accountable, and participate in public discourse (Habermas, 1991). However, in Pakistan, this right has remained under constant threat, with successive governments—military and civilian alike—employing various means to suppress critical voices.

Article 19 of the Constitution of Pakistan guarantees freedom of expression but allows restrictions based on factors such as national security, public order, morality, and the sovereignty of the state (Constitution of Pakistan, 1973). These broad and often vague limitations have enabled authorities to curtail media freedom at their discretion. In recent years, digital censorship has intensified, particularly under the Prevention of Electronic Crimes Act

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(PECA) 2016, which has been widely criticized for stifling dissent on social media platforms (Bari, 2021).

This study investigates whether freedom of speech in Pakistan is genuinely upheld or merely used as a political slogan.

1.1 Research Objectives:

- To examine the historical evolution of media censorship in Pakistan.
- To identify the methods used by governments to control media.
- To assess the impact of censorship on democratic development, particularly in the digital era.

2. Literature Review:

Theoretical perspectives on free speech emphasize its role in strengthening democratic institutions (Mill, 1998). However, in developing countries like Pakistan, media censorship remains a pressing issue (Hachten, 2005).

2.1 Legal Frameworks Governing Media in Pakistan

Historically, legal mechanisms have been used to restrict press freedom. The Press and Publications Ordinance (1963) was the first major censorship law, introduced during General Ayub Khan's regime (Niazi, 1986). Subsequent governments enacted similar laws, such as the Press Council of Pakistan Ordinance (2002) and the Pakistan Electronic Media Regulatory Authority (PEMRA) Ordinance (2002), granting authorities greater control over print and electronic media (Riaz, 2008).

The Prevention of Electronic Crimes Act (PECA) 2016 has emerged as the most controversial law governing digital expression. PECA allows the government to block websites, remove online content, and criminalize dissent under the pretext of national security (Bari, 2021). Studies indicate that PECA has been disproportionately used against journalists, activists, and political opponents (Shah, 2022).

2.2 Economic and Physical Pressures on Journalists:

Beyond legal measures, economic censorship is another tool used to suppress media freedom. The government frequently withdraws advertisements from critical news outlets, leading to financial strain and eventual editorial self-censorship (Khan & Safdar, 2020). Moreover, journalists in Pakistan face serious threats, including harassment, abduction, and assassination. Reports from the Committee to Protect Journalists (CPJ) and Reporters Without Borders (RSF) highlight Pakistan as one of the most dangerous countries for journalists (RSF, 2023).

3. Methodology:

This study employs a mixed-methods approach that integrates qualitative and quantitative research techniques.

3.1 Data Collection:

- Archival Research: Analysis of historical and contemporary censorship laws, including PECA, PEMRA regulations, and case studies of press suppression.

- Surveys: A structured questionnaire was distributed among 100 journalists from various news organizations to assess perceptions of press freedom.

- Interviews: In-depth interviews were conducted with media experts, policymakers, and journalists to gain qualitative insights.

3.2 Data Analysis:

- Thematic Analysis: Qualitative responses were analyzed to identify recurring themes in censorship practices.

- Statistical Analysis: Quantitative survey data were processed to measure trends in media freedom.

4. Results and Discussion:

4.1 Historical Trends in Media Censorship:

Media censorship in Pakistan has been a persistent issue since independence in 1947. General Ayub Khan's government (1958–1969) introduced the Press and Publications Ordinance (1963) to curb dissent (Niazi, 1986). Under General Zia-ul-Haq (1977–1988), censorship reached new heights, with journalists facing imprisonment and public lashings (Riaz, 2008). Even during democratic rule, political leaders have used economic pressure and regulatory bodies to control media narratives (Khan & Safdar, 2020).

4.2 Contemporary Censorship Mechanisms:

Media censorship in Pakistan has evolved over time, incorporating legislative control, economic pressures, and direct intimidation. While traditional forms of censorship—such as restrictions on print and broadcast media—continue to exist, digital censorship has become a dominant trend in recent years.

A survey conducted with 100 journalists across various media platforms reveals a concerning picture of press freedom in Pakistan. While only 15% of respondents believe that media freedom is fully guaranteed, a significant 50% report experiencing regular censorship. The methods used to suppress critical journalism include legal censorship (35%), economic pressures (40%), and physical intimidation (25%).

4.2.1 Mechanisms of Censorship:

The survey results highlight the key mechanisms through which media censorship operates: 1. Legislative Censorship: • Laws such as the Pakistan Electronic Crimes Act (PECA) 2016 and the Pakistan Electronic Media Regulatory Authority (PEMRA) regulations impose broad restrictions on speech. • Authorities frequently block websites, restrict social media accounts, and prosecute journalists under vague provisions related to national security and public morality. 2. Economic Censorship: • The government and private entities often withdraw advertising revenue from critical news outlets, forcing them into financial distress. • Media houses that comply with state narratives receive preferential treatment in terms of ad

distribution and regulatory leniency. 3. Physical Intimidation & Threats: • Journalists covering sensitive topics—such as military affairs, religious extremism, and corruption—face harassment, abduction, and, in extreme cases, assassination. • Reports from Reporters Without Borders (RSF, 2023) rank Pakistan among the most dangerous countries for journalists.

4.2.2 Digital Media: The New Battleground:

Among the various media platforms, online media (including social media) is the most targeted, with 50% of journalists identifying it as the primary site of censorship, compared to 30% for print media and 20% for television. • The state employs cyber surveillance, content removal requests, and social media account suspensions to suppress dissent. • Algorithms on platforms like Facebook and X (formerly Twitter) are reportedly manipulated to reduce the reach of critical news. • The rise of digital censorship has led to self-censorship, with many journalists avoiding politically sensitive topics to evade legal or physical consequences.

4.2.3 Implications for Press Freedom:

The findings underscore the multi-dimensional nature of censorship in Pakistan. The increasing control over digital platforms indicates a shift from traditional censorship methods to more sophisticated, technology-driven restrictions. This has serious implications for democracy, as it limits public debate, stifles dissent, and weakens the role of independent journalism.

To counteract these trends, there is an urgent need for legal reforms, enhanced journalist protections, and greater international oversight to ensure that freedom of speech in Pakistan is not just a political slogan but a democratic reality.

4.3 Impact on Democratic Development:

Media censorship weakens democracy by preventing public accountability and restricting political debate. Many journalists engage in self-censorship, avoiding topics related to the military, judiciary, and religious extremism (Shah, 2022). The suppression of online spaces has further limited citizen engagement in political discourse.

5. Conclusion and Recommendations:

Despite constitutional guarantees, press freedom in Pakistan remains compromised. Successive governments have employed legal, economic, and coercive methods to control media narratives. The rise of digital censorship under PECA 2016 poses a growing threat to free speech.

Recommendations:

- Legal Reforms: Amend restrictive laws like PECA and PEMRA to ensure press freedom.

- Journalist Protections: Strengthen legal mechanisms to safeguard journalists from threats and violence.

- International Oversight: Encourage global watchdogs to monitor press freedom violations and push for accountability.

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