



Measuring Freedom of Expression in Pakistan: Challenges to Citizens Security

Meranie slobody prejavu v Pakistane: Výzvy pre bezpečnosť občanov

Sidra AGHA¹

¹ National University of Public Service & SMI University Karachi

The manuscript was received on 02. 10. 2021 and was accepted after revision for publication on 07. 11. 2021

Abstract:

Every person in Pakistan has the fundamental right to free expression, but this liberty is rarely exercised due to the bureaucratic system. This study seeks to investigate the country's current situation regarding freedom of expression to identify a few factors that contribute to the current state of affairs specially to the security of its citizens. The article employs a qualitative framework to examine social structures and reach conclusions from a broad range of incidents that occurred in the name of free speech in the country, as enshrined in some constitutional principles. Despite the existence of a constitutional provision, the research indicates that the right to free expression in Pakistan is restricted based on security grounds. Several factors are contributing to the current situation of exploitation of freedom of expression. This exploitation has been linked to an increase in incidents such as blasphemy, missing people, and extrajudicial killings which not only challenge democracy but also increase the risk to public security. Furthermore, the online space for criticism and free speech in Pakistan has shrunk, whereas hate speech and online surveillance have increased. This study revealed that to prevent misuse, there is an urgent need to identify uncertainty in certain Constitutional provisions. A detailed understanding of free expression must also be retooled and disseminated to the public to prevent its misinterpretation as the liberty to disrespect other people's religion, values, and perspectives.

Keywords: *blasphemy; citizen security; democracy; free speech; freedom of expression; journalism; online space; Pakistan*

Abstrakt:

Každý človek v Pakistane má základné právo na slobodu prejavu, ale táto sloboda sa zriedka uplatňuje kvôli byrokratickému systému. Táto štúdia sa snaží preskúmať súčasnú situáciu v krajine, pokiaľ ide o slobodu prejavu, s cieľom identifikovať niekoľko faktorov, ktoré prispievajú k súčasnému stavu vecí, najmä k bezpečnosti jej občanov. Článok využíva kvalitatívny rámec na skúmanie sociálnych štruktúr a vyvodzovanie záverov zo širokého spektra incidentov, ku ktorým došlo v mene slobody prejavu v krajine, ako je zakotvené v niektorých ústavných princípoch.



Measuring Freedom of Expression in Pakistan: Challenges to Citizens Security

Sidra AGHA

Napriek existencii ústavného ustanovenia výskum naznačuje, že právo na slobodu prejavu je v Pakistane obmedzené z bezpečnostných dôvodov. K súčasnej situácii zneužívania slobody prejavu prispieva viacero faktorov. Toto vykorisťovanie súvisí s nárastom incidentov, ako je rúhanie, nezvestní ľudia a mimosúdne popravy, ktoré nielen spochybňujú demokraciu, ale zvyšujú aj riziko pre verejnú bezpečnosť. Okrem toho sa online priestor pre kritiku a slobodu prejavu v Pakistane zmenšil, zatiaľ čo nenávisťné prejavy a online dohľad sa zvýšili. Táto štúdia odhalila, že na zabránenie zneužívania je naliehavo potrebné identifikovať neistotu v niektorých ústavných ustanoveniach. Podrobné chápanie slobody prejavu musí byť tiež prerobené a rozšírené medzi širokú verejnosť, aby sa zabránilo jej nesprávnemu výkladu ako slobody nerešpektovať náboženstvo, hodnoty a perspektívy iných ľudí.

Kľúčové slová: *rúhanie; občianska bezpečnosť; demokracia; vol'ná reč; sloboda prejavu; žurnalistika; online priestor; Pakistan*

Introduction

Freedom of expression is widely acknowledged as an essential component of human and civil rights, which are safeguarded by a plethora of global and regional conventions, agreements, and mechanisms. In other words, the right to free expression ensures that individuals can play an active role in the consolidation of democracy. Freedom of expression in a democratic system not only allows decision-makers to comprehend the significance of opposing viewpoints but also supports their endorsement [1]. When it comes to free expression in the present era, democratic countries encounter certain challenges. The most difficult challenge is achieving a state of equilibrium between the implementation of free expression and the maintenance of public order, social harmony, and social stability in a country with a diverse range of opinions, beliefs, and ideologies. However, in the world's most modern democratic systems, such as the United States, free speech is provisionally limited. These constraints are centred on our experiences which deny the existence of absolute freedom of expression or speech because unrestricted usage of such freedom would inevitably result in total anarchy [2]. Since every democratic government has imposed a certain form of restriction on free speech, it is not generally acknowledged as an ethical obligation. As mentioned in a paper, restrictions on free expression are enforced when it contradicts other beliefs or authority, so it may be attributable to constitutional or civil punishment, or even both [3]. Pakistan, like many democratic states, protects the right to free expression, subject to religious and national security constraints. The purpose of this paper is to investigate the existing state of freedom of expression in Pakistan and the regulatory changes that have occurred under the constitutional and legal framework. It also seeks to identify the critical indicators that significantly contribute to determining the existing and dominant perspective.

1. Freedom of Expression in Pakistan: An overview

Article 19 under the Constitution of 1973 guarantees freedom of expression to all Pakistanis, but it also imposes some restrictions related to the "glory of Islam," "social order," and "national defence" [4]. These provisions have been used against a wide range of people, most notably religious minorities, who have been subjected to anti-blasphemy regulation and voting enslavement [5]. Not only does free expression include the right to free speech, but it also includes the liberation to choose and practise one's own religious beliefs, to exercise one's political freedom, to have access to data, and to be independent

Measuring Freedom of Expression in Pakistan: Challenges to Citizens

Security

Sidra AGHA

of offensive speech [6]. Nonetheless, in the current theocratic-political regulatory paradigm, these privileges are far from guaranteed. Religious scholars and other officials frequently exploit the exemptions granted under the right to free expression to spread hateful rhetoric, accuse minority communities and other Muslims of blasphemy, and refuse to give access to information because it poses a "risk to internal sovereignty" or "national security of the country" [6]. While analyzing the concept of liberty in terms of challenging society's power structure, it is claimed that in a Pakistani democratic system, where free speech is limited, individual opinion-making is also restricted; instead, the country has a mob mentality, which limits the potential for progressive ideas [7]. Furthermore, as stated by Uddin and Tarin (2013), laws are critical in regulating one's right to free expression because they allow powerful perpetrators to go free while prosecuting passive voices [8]. To summarize, religious fundamentalism is futile and can contribute to increased social instability and anarchy which is ultimately a risk to national security of the country. Locals frequently take issues into their own hands and attack the suspected perpetrator in veneration of blasphemy. A complete right to free expression is not ideal liberty because when it has been granted, it has always resulted in anarchy and mayhem. Certain restrictions on what free expression entails should be put in place as well as be in control to ensure that it is not exploited for inciting hatred, misleading claims of truth, indecency, or hateful speech and so on. Despite that, Pakistani journalists have the right to criticize the authorities, the military, secret services, political leaders, and the judicial system in Pakistan tend to censor the media. According to the Committee to Protect Journalists (CPJ), Pakistan has long been recognized as a risky place for journalistic practices, with perpetrators of attacks on media personnel rarely identified and prosecuted. In 2020, the International Federation of Journalists (IFJ) designated Pakistan as "the most dangerous country in the world for practising journalism", citing the assassination of 138 journalists since 1990. Furthermore, the Pakistan Electronic Media Regulatory Authority (PEMRA) has developed a directing standard of practice that prohibits journalists from discussing certain subjects during live broadcasts since about 2015. These discussions include police operations, hostage situations, terrorist acts, religious hate speech, and so on. As per the rules, they were enacted to protect security interests. In a conversation with Dietz (2015), Hamid Mir, a prominent Pakistani media person who was working at a major media outlet at the time of the terror attack in 2014, said that the television station is no longer free because of the attack; they have been instructed not to discuss violations of human rights in specific areas of Pakistan, nor to disparage the political functions of certain retired generals. Besides, Nizamani (2014), while condemning opponents of a free press and free speech, contends that everything revealed by the media is true, regardless of popular opinion. He claims that various events covered by the media happened and were not made up. People are constantly afraid of being attacked by extremists, political groups, or even the armed forces unless they articulate their beliefs on politics, religion, or civil liberties. As a result of the terror, he claims, Pakistani culture has become "intellectually dishonest, socially irrational, and spiritually prejudiced". He believes it is important that society's intellectual discipline protects the right to express oneself.

When it comes to freedom of speech on the online platform as well as its ramifications in Pakistan, it is claimed that while the Pakistani Constitution contains Articles 19 and 19A about free speech and the right to information, no specific laws are governing the material posted and obtained from the internet [9]. On the other hand, it is

**Measuring Freedom of Expression in Pakistan: Challenges to Citizens
Security**
Sidra AGHA

addressed to the Pakistan Telecommunications Authority's (PTA) Acts and Ordinances about information released on digital media. Similarly, the issue of blasphemous material released by outside powers and the Pakistani government's response to it (citing the YouTube ban as an example) was examined. It was argued that because blasphemous and offensive data cannot be removed from the online platform, banning entire internet sites is not the best option. Other options for dealing with these issues include prosecuting content creators, ignoring such statements and content on the internet, and developing filtering tools, and so on. Besides that, the passage of the Cyber-crime Bill (Prevention of Electronic Crimes Act, 2016) by the National Assembly and Senate casts further doubt on Pakistan's freedom of expression, as it contradicts the legally guaranteed provision. Section 31 of the bill is highly controversial, implying that: *“Power to issue directions for removal or blocking of access of any intelligence through any information system if it considers it necessary in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, a commission of or incitement to an offence”*.

This part of the bill allows for several different justifications for digital bans, which are utilized to conditionally censor any content in newspapers, virtual platforms, or online networking sites. Critics have labelled the bill "draconian," claiming that it constrains civil rights and focuses on moralistic beliefs rather than actual cybersecurity issues. As stated by Baloch (2016) [10], this law would stifle the free flow of ideas and communication in the digital world. To avoid this, he proposes revising the bill so that it clearly defines the crimes while not criminalizing people's freedom of speech and other fundamental human rights. In addition, according to a recent evaluation report released by Media Matters for Democracy, Pakistan failed in terms of legal and functional guarantees for its citizens' right to free expression in 2020. The predicament of Pakistani journalists, as well as records of challenges they face through assaults, threats, and abuse, is extremely damaging. Misinformation is another source of tension, which the European Union is seeking to counter both at the national and international levels. Fake or misleading information has the potential to endanger people's lives. To strengthen society's stability, it is critical to combat misinformation with open, prompt, and fact-based communication (Media Matters for Democracy). Furthermore, the report examines the state of free expression in Pakistan using a unique index comprised of six indicators: the regulatory framework, freedom of the press, digital discourse, multiculturalism, the socioeconomic and political scenario, and risk-aversion.

2. Case Studies: Security challenges to the citizens

The following section focuses on some of the most important cases relating to the situation of freedom of expression in Pakistan to reach a conclusion and analyse their impact on the social structure and overall security of the citizens.

2.1. Heroic status of blasphemy

People have been punished for the charge of blasphemy since ancient times. Anti-blasphemy provisions still exist in roughly one-quarter of the world's states and regions, with Islamic countries accounting for most of them. Pakistan's blasphemy laws were enacted during the British era, which is partly right because Section 295 was enacted

Measuring Freedom of Expression in Pakistan: Challenges to Citizens

Security

Sidra AGHA

during that period. Throughout the military dictatorship of General Zia-ul- Haq (1977-1988), additional anti-blasphemy legislation was enacted, such as laws specifically aiming at the Muslim minority community of Ahmadiyya. Among them were sections 295-B (1982), 295-C (1986), 298-A (1980), 298-B, and 298-C (both in 1984). In Pakistan, the most used blasphemy regulations today are Sections 295-A (enraging religious sentiments), 295-B (vandalizing the Holy book), 295-C (dishonouring the name of the Prophet Muhammad) and 298-A (dishonouring the name of the Prophet Muhammad, his companions, or any of the caliphs). While most of these regulations are invoked, they shall have the right to apprehend the accused perpetrator without the need for a warrant and to begin an interrogation with no involvement of a magistrate's court. As per Section 295-C of the Pakistan Penal Code (PPC), which governs blasphemy regulations, the ultimate punishment for dishonouring the name of the Prophet Muhammad is execution or life imprisonment. Human rights activists claim that such laws have been used to target people of other faiths and minorities, such as Shia Muslims. According to a report, a minimum of 1,855 people was charged with religious offences between 1987 and 2020, primarily under Sections 295-B and C to 298-C of the Pakistan Penal Code, also called the Blasphemy Laws. The highest percentage of blasphemy cases was 200 in the year 2020. At least 150 or 75% of those charged, were Muslims. Ahmadis accounted for 40% of all recorded cases among non-Muslims, Christians for 7%, and Hindus for 2%. Moreover, the religion of one individual is still unconfirmed.

In this study, the author has highlighted a few cases; to start with the brutal incident of Mashal Khan, a 23-year-old student from the Department of Mass Communication at Abdul Wali Khan University in Mardan, who was beaten and killed by a group of students on 13th April 2017 following accusations of blasphemy. He was assassinated in his university's dorm, which was captured on video and then shared on a digital platform. The tragic event alarmed the country, igniting heated discussions about the exploitation of Pakistan's blasphemy laws. According to a report released in June 2017 by a joint investigation team (JIT) of 13 members, the accusations of bigotry levelled against Mashal were groundless which were used to incite a backlash against the assassinated student. The anti-terrorism court (ATC) found 31 of the 57 defendants in the murder trial guilty on February 7, 2018, with the main convicted Imran receiving the death penalty, five others receiving life sentences, and 25 others receiving three years in prison. In Pakistan, there is a rise in blasphemy-related killings. In the past, Shahbaz Bhatti, a Christian Federal Minister, and Salman Taseer, the ex-Governor of Punjab, were both assassinated for calling for the blasphemy law to be amended or its abuse to be stopped. Mumtaz Qadri, Taseer's murderer, was sentenced to death and executed, but the tide of fanaticism continued. The court struggled to impose the death penalty, and when it did, over 10,000 people attended the assassin's funeral. His supporters hailed him as a hero, and a monument was built on his grave near the federal capital, attracting tens of thousands of visitors every year. Similarly, those charged in such cases are welcomed with open arms, and most liberals are concerned that those acquitted will soon be given heroic recognition as well.

The blasphemy laws have sparked a wave in which some citizens, such as plaintiffs and their allies in blasphemy incidents, believe they have the right to take the law into their own hands while the authorities remain silent. The laws have been exploited as a shield by offenders of mass violence. The growing number of victims from religious minorities has been a notable feature of such vigilante justice. For example, in March

2014, Sawan Masih was found guilty of blasphemy and was given judicial execution in Punjab after charges of disrespecting the Prophet Muhammad. Locals from a neighbouring group and representatives from a nearby mosque jumped on the allegations, sparking a violent riot in the Christian community at his residential place in Lahore's Badami Bagh. Rather than helping the residents, the police ordered them to flee for their well-being. The perpetrators went house to house the next day, slathering the houses with toxic materials before torching them. Many cases have been reported in Pakistan of blasphemy laws being misused and abused by a small mob or a few individuals, causing them to violate their international moral obligations to uphold and defend the rights to life, liberty, morality, culture or religion, freedom of thought and expression, equal treatment under the law, and discrimination restrictions. In 2021, Muslim co-workers at a public hospital in the city of Faisalabad accused two nurses of degrading Islam by erasing and vandalizing a wall-hanging containing Quran scriptures. The accusations spread like wildfire throughout the hospital, prompting many employees to organize a protest to force legal action against their Christian coworkers. An enraged Muslim mob, primarily made up of activists from an Islamist group from a nearby town, eventually joined the mob. According to witnesses, an enraged protester attacked one of the nurses, Mariyum Lal, with a knife and injured her before armed police arrived and took both ladies into "police custody" and removed them from the scene of the incident. Lal officially informed authorities that she had been instructed to clean the cupboard of a Muslim female charge nurse. Lal claimed that while working, she erased the sealant wall-hanging and gave it to the charge nurse before finishing the night duty with the other alleged Christian coworker and going home. As stated by Lal, the next morning, in front of other Muslim coworkers, the head nurse accused her of dishonouring the holy verses. Thus, Forte (1994) stated that the blasphemy law has been used to target minority religions, resulting in an "implicit infringement of international human rights standards defending religious rights," but its use in personal and political feuds has made it "mainstream" [11]. He highlighted, "not only are accusations of blasphemy frequently filed for political and personal reasons but once ushered, the convicted is vulnerable to incidents of personal violence". Additionally, it is claimed that the existence of these "dogmatic regulations" in Pakistan gives rise to "discriminatory practices," providing opportunities for deciding individual, financial, ethnic, and religious dissimilarities against opponents by imprisoning them for so many years on false allegations [12]. Amnesty International has also advocated for the amendment of these laws in a report stating that "the expansive, ambiguous, and repressive form of blasphemy laws violates the rights to religious and belief freedom, as well as the right to free expression".

2.2. Shrinking online space

The cybercrime bill in Pakistan has been used to prosecute individuals for exercising their right to free expression and participating in social media movements. Even though an earlier version of the regulations, the Citizens Protection (Against Online Harm) Rules, 2020, had been stalled due to pressure from political parties, civil society representatives, and media outlets, the government had authorized contentious laws regarding online control. Since authorities continued to block political, social, and institutional sites, as well as an unstated strategy of access controls and misinformation, increased internet freedom has declined significantly in 2020. As a result of their online/social media practices and statements, many media persons and human rights

Measuring Freedom of Expression in Pakistan: Challenges to Citizens Security

Sidra AGHA

activists have been subjected to investigations, kidnappings, interrogations, prosecutions, and criminal charges. The regulators have also begun tracking netizens' cyber practices by contracting the services of a foreign firm that "employs Deep Packet Inspection" to collect data from online contacts, website traffic, and phone calls on PTA's behalf. It is concerning to see how the overall impact of weakening digital rights protection is leading to the closure of more digital communities in Pakistan. There was more surveillance of web content in 2020, with guidelines created to regulate what could be posted on these sites. The sudden suspension of Tik Tok, a video-sharing platform, exemplified the diminishing space for open speech on digital platforms, which are typically regarded as more transparent and open platforms for information exchange. Regulations for digital media were released in November 2020, limiting the space for online criticism, discourse, and dialogue. During periods of political instability, the internet and telecommunication networks have frequently been shut down, usually for specific reasons allegedly referring to national security. There could be a few explanations for this, like effectively mitigating political activism. When the government considers massive demonstrations by political opponents to be a threat, cellular and internet services are frequently suspended for several days. Closures are strategically implemented in this country to suppress political rivals rather than prevent crime. During political marches, demonstrations, and large-scale protests, communication breakdowns are common. For example, social media access in the country was recently blocked during violent anti-France protests by one of the country's rigid Islamist parties, Tehrike Labaik Pakistan (TLP).

Another method of implementing closures is to utilize them as a disciplinary measure. During political processions or mass protests, these types of outages are usually limited to a week. They contrast sharply with a few of Pakistan's long-term closures, like those in Balochistan and the tribal areas of the country. This defining difference to shutdowns is significant because it implies that a specific motive may be actively engaged. The month-long closures that are usual in Balochistan and the tribal areas suggest a different rationale, one that is less about technically putting an end to the insurgency but more about the centralized rule. To comprehend why such closures occur, one must first understand the position of Pakistan's remote areas, such as Balochistan. The closures are part of a larger movement between Balochistan and the Pakistani state for greater autonomy and political freedom [13]. Balochistan's energy resources and infrastructure are becoming increasingly important for Pakistan's national interests, as "densely packed, mineral-rich Balochistan is Pakistan's largest province, accounting for nearly 44 per cent of the country's total land area" [7]. As a result of these circumstances, the Pakistani government has implemented a "zero-tolerance policy and the brutal killing of insurgent groups" [13]. In this instance, regular, long-term communications outages have become all too common since 2005. While the actual figure of communication breakdowns has yet to be determined, those in the situation claim that closures are both frequent and lengthy, continuing for weeks or months and occurring several times each year. Like Balochistan, there are continuing clashes for legitimacy and authority within the Pakistani governance structure between the central political system and the remote territories. Closures must be seen in this light, in which specific remote areas are subjected to long-term coercive closures that are hard to distinguish from coercive measures.

Another reason for these closures could be a denial of the presence of "Others." Even so, merely labelling such measures as coercive, oppressive, or administrative is

**Measuring Freedom of Expression in Pakistan: Challenges to Citizens
Security**
Sidra AGHA

insufficient to accurately define them. It is indeed worth noting that this is not just a disciplinary discourse; it focuses on everyday social interactions. In Pakistan, state actors frequently disconnect networks to monitor the practices of specific, almost always marginalized communities. For large segments of the population, social interaction can be limited to in-person interactions or one-to-many contact via television or radio. Space and “symbolic proximity” [14] are also greatly extended as the gap becomes much harder to cross. Tensions between social groups in Pakistan present themselves in physical confrontation as well as in the design of technical infrastructure. As a result, communication blackouts aid in defining who is and is not a part of Pakistani society. People who are disconnected appear to be unable to communicate in virtual space with one another or with the rest of the world. This attitude demonstrates that the Pakistani government does not regard political activists or minority groups such as Balochs or those living in remote areas as complete members of the social structure. As a result, their detachment from the communication system is both a technological and a symbolic gesture, attempting to control a group while also establishing their existence as “others” within the social structure. This is a more severe version of what academics have discovered to be a common link between communication accessibility and ethnic group isolation [15]. According to Weidmann, the disengagement of certain ethnic groups from network service delivery is due to political prejudice, which is also visible in Pakistan. Frequent shutdowns with little Internet access may amplify the consequences of an Internet service delivery failure. Nonetheless, it is possible to speculate that limited internet access has a different symbolic impact on the target population than the forced discontinuation of Web and cell phone service for a set period. While an absence of availability is more likely to have major systemic consequences, the latter is more probable to be metaphorically aggressive in dividing sections of a community from everyone else. It can also be viewed as a tool for limiting long-term interactional contact between members of society, effectively “atomizing” individuals and isolating them from the rest of society [16]. According to Glasius, most Latin American and Eastern European progressives see individual atomization as a critical process of authoritarianism, because such regimes want to block and ‘atomise’ communities to stay in power forever. Long-term interactional blockages can be perceived as a related authoritarian strategy for atomizing communities and preventing the formation of liberal democracies. Concurrently, such impediments have a significant impact on an oppressed community's ability to freely communicate for itself [17]. This is especially true in the Federally Administered Tribal Area (FATA), which has less political clout than the rest of the country, and the people who live there are still “spoken about” by FATA authorities in several cases.

Closing communications not only makes life more difficult for marginalized people but also deters them from living in an interactive virtual world. They are incapable of registering their lives on social media and reporting to the outside world about violations of human rights in their community (which are unknown to the online platform). If the online platform is closed, they will have a much more difficult time getting their concerns addressed in both domestic and global societies. Closing the network reduces the openness and commitment of government policy in tribal regions by hiding data that would otherwise be available to a segment of society living in a remote region, as well as their real challenges and struggles.

2.3. Challenging Journalism

For many years, Pakistan's record on press freedom has been dismal. According to Reporters Without Borders' 2020 world press freedom index, Pakistan has dropped six places to 145th place out of 180 countries. A fear culture has hampered the media's ability to report on violations committed by both government forces and terrorist organizations. Journalists who have been threatened or attacked have resorted to self-censorship. Officials from the government have put pressure on the media to refrain from criticizing government agencies or the judicial system. In some situations, government regulatory bodies have barred cable providers and television networks from broadcasting controversial shows in 2020. Furthermore, the Pakistani government threatened and even penalized human rights activists, lawyers, and media practitioners in 2020 for opposing public officers and government practices. The Federal Investigation Agency (FIA) launched an investigation into at least 12 journalists and activist groups in late September for allegedly violating the Electronic Crimes Act. Journalists have also been accused of making comments on digital media. Bilal Farooqi, a news editor at the Express Tribune, was put on trial and charged with treason on September 11 and held in custody for several hours until being granted parole. Absar Alam, a senior journalist in Jhelum, Punjab province, was prosecuted on September 9 for a "treasonous act" for using "offensive words" against the state authorities on digital platforms. Asad Ali Toor, a media person from Samaa television tv Rawalpindi, was convicted of treason on September 15 after posting Twitter comments. The Pakistan Electronic Media Regulatory Authority (PEMRA) permanently revoked the license of television network 24NewsHD, in July for allegedly broadcasting "illegitimate news and current affairs information". Journalists and activists' groups asserted they were being penalised for broadcasting a backlash against the government. On July 21, unknown assailants kidnapped journalist Matiullah Jan in Islamabad, when he was to testify in front of the Supreme Court for reportedly "speaking a hateful language and demonizing the judicial system". He was finally set free following several hours of the abduction. He claimed he had been kidnapped to scare him. In August, an association of prominent female media persons stated denouncing a "clear-cut and orchestrated movement" of digital media vulnerabilities, which included violent threats against female journalists and activists who criticized the government.

PEMRA had issued several orders to broadcast media outlets, making it difficult for them to provide their audiences with a complete picture. News organizations were unable to report on current happenings in the country because entire sections of content were blocked, such as the prohibition on statements by absconders. COVID-19 also took the lives of several Pakistani journalists and affected many others. It posed a threat to newsrooms in terms of implementing the necessary standardized operating procedures to maintain the wellbeing of their employees who were frequently on the front lines of the virus's spread. Journalists covering COVID-19 activities had to deal with virus spread information while also adhering to reporting standards set by government officials. As a result of their reporting on a quarantine centre, journalists have been threatened and detained. Journalism in Pakistan has been challenging from the start. Those who felt journalists were threatening some perspectives through their job role, which began with the press and progressed to radio and television shows, frequently questioned journalism. Recognizing the openness and integrity that journalism provides to society through its narrative has always been overlooked in such a scenario. Internal determinants such as lack of professionalism, unethical behaviour, and outright fraud have posed a threat to

Measuring Freedom of Expression in Pakistan: Challenges to Citizens

Security

Sidra AGHA

the media, as they have to any industry. As a result, journalists' reputations have suffered, and the organization's brand image has suffered. Rather than internal reform, the media industry identified itself as a place where those who danced to the tunes of power and authority were rewarded, while those who disobeyed them were fined. Defiance frequently comes at a high cost. Some sectors of Pakistan's media industry continue to bear the brunt of the damage.

Discussion

According to the human rights declaration, free expression is the right of every human being to express themselves freely and to pursue, obtain, and share knowledge and opinions through any medium and across all borders. Supporters of free expression associate it with the right to free speech and free expression of viewpoints regarding issues of public concern, associating it with religious activity and teaching, whereas opponents associate it with defamatory speech and expression. The right to free expression is hampered by social and institutional barriers. Individuals are not permitted by law to publicly discuss topics such as religion, obtaining knowledge from across geographical borders, or national security concerns. The findings suggest that blasphemy cases have an impact on liberal circles in the country, which believe that there is less room for progressive views. As human rights organizations have pointed out, blasphemy laws are frequently used in Pakistan, often against Muslims, to settle personal feuds or to condemn minority groups. In Pakistan, almost everyone who speaks out against blasphemy laws and trials risks being lynched or subjected to vigilante violence on the streets. Blasphemy laws in Pakistan infringe on the rights to live, think, form opinions, and practice one's faith or religion, as well as free expression and opinion. It is becoming more difficult to define blasphemy. The irregular enforcement of an alleged crime is problematic not only because the emphasis is on language rather than acts, but also because its meaning is ambiguous and arbitrary. Due to the lack of a crime scene and the scarcity of facts, this legislation has become a noose that is pulled by whoever is in power at the moment. Because there is no specific concept of blasphemy in Islamic law, nor are there any clear penalty recommendations, its implementation is a source of disagreement among different theoretical perspectives.

Security concerns do not appear to be a valid reason for Pakistani shutdowns, which occur regularly. Though Pakistan is undoubtedly confronted with a variety of security challenges, so are several other countries. They may not, however, prevent such communication channels from occurring. Due to the secrecy surrounding security reasons, determining the true efficacy of shutdowns in improving security and protecting the country is difficult. To maintain security, two cases are typically raised in support of mobile and internet closures. To begin, it is widely assumed that cell phones can be utilized as a catalyst for destructive devices. Although this is correct, there are numerous other triggering elements for explosive objects, and shutting down communications networks throughout the country for hours, days, or weeks does not appear to be a primarily impactful method of stopping the use of destructive devices. Terrorist organizations in Pakistan appear to have mastered the utilization of a variety of explosive gadgets in addition to smartphone triggers [18-19]. Second, online communications can be exploited to disseminate information quickly. It is claimed that the rapid dissemination of knowledge can have negative consequences in politically complex situations such as political unrest or civil unrest. Even though this has appeared

**Measuring Freedom of Expression in Pakistan: Challenges to Citizens
Security**
Sidra AGHA

in some cases, the underlying message of the preceding statement appears to be to avoid political activism. While blocking communication channels is one option, it is far from the only one, and it has some negative consequences. Furthermore, there is a high risk that these types of shutdowns will be abused, especially during times of social movements and political activities such as demonstrations or election campaigns. It is simple to instil a high risk of violence in large crowds and attempting to do so can have an impact on the outcome of a rally or campaign if the movement is thwarted. Communication systems are an integral aspect of social structure, and as their significance progresses, so does the concern about mishandling them to justify authoritarian policies. They broaden the scope of the state even further into peoples' interactional lifeworld.

The scope of the steps taken to stifle press freedom and the free exchange of ideas in Pakistan has presented the Pakistani media with unique challenges, both in terms of content to report on and the complexity of the mechanisms used to stifle their freedom and their personal safety. The current government's efforts to "regulate" communication have led to widespread self-censorship by journalists and editors, including hate groups on social sites to economically pressuring media outlets and security complaints about activists' "abductions". With reports of journalists being kidnapped, missing, or even killed, the media has entered a state of panic and vulnerability. In the past, investigative reporting in Pakistan was never easy. From Zia ul Haq's notorious scrutiny of the press to Nawaz Sharif's surveillance of editors' phone conversations, media outlets have always been targeted. However, the existing situation is particularly troubling due to contradictory regulations, a long list of issues deemed "critical," and the abuse of cybersecurity legislation. Many media practitioners and staff have been murdered or assaulted in Pakistan, demonstrating the country's complete inability to protect them from abuse and hold offenders accountable. In almost every case, the perpetrators go unpunished. There have been no legally binding reforms enacted to improve the rights of media employees or organizations. There appears to be an onslaught of pressure. Journalists are constantly watched, both personally and professionally. The risk here appears to be that journalism devolves into propaganda. The goal of journalism is to serve the national good while remaining independent of the government and holding it answerable. Journalism has no place if journalists are not permitted to practise it. Pakistan's media has been attacked from all sides in the year 2020, from responding to the task of reporting the pandemic to operate in an extremely repressive environment for free speech and free press. The media's survival is in jeopardy, and as the room for free speech tightens, both digitally and in conventional media, journalists are being expected to conform. The loss of transparency for media crimes, the most recent strategies for establishing guidelines for content policing, and authoritarian tactics for suppressing dissent all contribute to a terror and censorship culture.

Conclusion

It is concluded and suggested that the government needs to make immediate changes to the legal system to ensure that law enforcement, lawyers, and the judiciary continue to perform their duties impartially without fear or coercion in such cases. Blasphemy laws must be amended to ensure that they are not misapplied. Furthermore, police should provide adequate security against religious abuse, attacks, and coercion directed at anyone suspected of blasphemy, their relatives, attorneys, and prosecutors

Measuring Freedom of Expression in Pakistan: Challenges to Citizens Security

Sidra AGHA

associated with their lawsuit, religious minorities' holy sites, and anyone else who may be threatened in this context.

According to this article, the Pakistani government has several reasons for closing network systems that have nothing to do with safety or social order. Network shutdowns, on the other hand, are a regulatory mechanism to discourage oppressed "others" from participating in political debates and recording their concerns, as well as it is a diplomatic policy to maintain activism and support the government. This segregation creates digital barriers not only to the outer world but also within societies, restricting their capacity to converse with one another. As a result, it is a far more restrictive authoritarian governance tool than simply blocking online platforms or restricting collective Web access. There should be detailed analysis and debate by the government and political institutions in practising shutdowns as a governance mechanism.

Media and Democracy are inextricably intertwined. One's shortfall has ramifications for the other since they reinforce one another. To help the media maintain its professional standards and perform its duty with responsibility and objective attitude, the government should take effective measures especially ensuring journalists' safety.

References

- [1] SUN, L. (2014). The role of diversity on freedom of speech in democratic societies. *International journal of sustainable human development*, 2(2), 44-51.
- [2] ZAFAR AZIZ CHAUDARY (2014), Freedom of speech and its parameters, available at <https://dailytimes.com.pk/104870/freedom-of-speech-and-its-parameters/>
- [3] VAN MILL, D. (2002). Freedom of speech.
- [4] MEDIA Defense (2014), Major Challenges to Fundamental Right of Freedom of Speech in Pakistan, available at <https://www.mediadefence.org/news/major-challenges-to-fundamental-right-of-freedom-of-speech-in-pakistan/>
- [5] CRSS (2016), Report on Blasphemy laws in Pakistan, available at <https://crss.pk/wp-content/uploads/2010/07/Report-on-Blasphemy-Laws-.pdf>
- [6] JINNAH INSTITUTE (2012), Free Speech on the Internet and Its Limits in Pakistan, LUMS Initiative on Internet and Society, Lahore, available at <https://jinnah-institute.org/event/freedom-of-expression-on-the-internet-and-its-limitations/>
- [7] AHMAD, S., & DAD, N. (2011). Pakistan: Internet rights and democratisation
- [8] UDDIN, A. T., & TARIN, H. (2013). Rethinking the "red line": The Intersection of Free Speech, Religious Freedom, and Social Change. Project on US Relations with the Islamic World, Saban Center for Middle East Policy at Brookings.
- [9] IMAM (2012), Free Speech on the Internet and Its Limits in Pakistan, LUMS Initiative on Internet and Society, Lahore, available at <http://pakmed.net/infoforum/?p=45344>

**Measuring Freedom of Expression in Pakistan: Challenges to Citizens
Security**

Sidra AGHA

- [10] BALOCH, H. (2016). Internet Rights and Legislation in Pakistan: A Critique on Cyber Crime Bill, 2016. *Accessed on 23rd June*.
- [11] FORTE, D. F. (1994). Apostasy and blasphemy in Pakistan. *Conn. J. Int'l L.*, 10, 27.
- [12] RAOUF, F. (2016). Modernizing Pakistan's Blasphemy Law as Hate Speech.
- [13] WIRSING, R. (2008). Baloch nationalism and the geopolitics of energy resources: The changing context of separatism in Pakistan. Carlisle, PA: Strategic Studies Institute, U.S. Army War College.
- [14] WURTZEL, A., & TURNER, C. (1976, April 2). *Latent functions of the telephone: What missing the extension means*. Paper presented at the Fourth Annual Conference on Telecommunications Policy Research, Arlie, VA.
- [15] WEIDMANN, N. B., BENITEZ-BALEATO, S., HUNZIKER, P., GLATZ, E., & DIMITROPOULOS, X. (2016). Digital discrimination: Political bias in Internet service provision across ethnic groups. *Science*, 353(6304), 1151–1155. doi:10.1126/science.aaf5062
- [16] GLASIUS, M. (2012). Dissident writings as political theory on civil society and democracy. *Review of International Studies*, 38(02), 343–364. doi:10.1017/S0260210511000155
- [17] SPIVAK, G. C. (1988). Can the subaltern speak? In R. C. Morris (Ed.), *Can the subaltern speak? Reflections on the history of an idea* (pp. 21–78). New York, NY: Columbia University Press.
- [18] JONES, S. G., & JOHNSTON, P. B. (2013). The future of insurgency. *Studies in Conflict & Terrorism*, 36(1), 1–25.
- [19] BARKER, A. D. (2011). Improvised explosive devices in southern Afghanistan and western Pakistan, 2002– 2009. *Studies in Conflict & Terrorism*, 34(8), 600–620.

Autors:

¹**Sidra Agha** – SMI University, Aiwan e Tijarat Road Karachi, Pakistan, sagma@smiu.edu.pk; University of Public Service Ludovika, Budapest Hungary, Agha.Sidra@uni-nke.hu