

BEYOND THE POWER OF THE PEN IN PAKISTAN AND AMERICA: THE CHANGING ETHICS OF JOURNALISM AND THE WORLD OF DIGITAL MEDIA

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INTRODUCTION

The conversation on the proliferation of citizen journalism via digital media platforms starts with the disintegration of the unspoken contract between citizens and journalistic ventures. This implicit contract, which some philosophers argue was the basis of the First Amendment's protection of freedom of press, grants the news media "exceptional protection from government interference," as long as the press reciprocates by providing the public with "the information necessary for informed civic decisions."¹ In recent years, this agreement has eroded substantially, with news media becoming part of, or heavily influenced by, mega-corporations; news media is focused on the bottom line, not on being a tool of information and the voice of the people.² This change has led to the mass consumption of citizen journalism in the form of blogs, Pinterest, Facebook, YouTube, and other digital media platforms. These platforms allow citizens to talk about the issues and happenings that matter to them, with no shareholders to answer to.

Democratic, grassroots journalism that uncovered government scandals and acted as a check against large corporations has weakened; media outlets now favor advertisers and access to the "right" sources.³ As a result, among democratic powerhouses, the American news media has become the freest press money can buy. Ironically, Christine Fair of Georgetown University had a similar critique of Pakistani news media, explaining, "the Pakistani media is up for sale to as many people want to buy it. This fiction is that the country is really benefiting from an independent media."⁴

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¹ John H. McManus, *Merger Mania in the Media: Can We Still Get All the News We Need?*, ISSUES IN ETHICS, Winter, 1996, <http://www.scu.edu/ethics/publications/iie/v7n1/mediacon.html>.

² *See generally id.* (stating "[t]he danger is even greater when news media own, or are owned by, non-news businesses. Both situations threaten to create unethical conflicts of interest. While the news side of the business may be morally obligated to provide a truthful account of the day's events, the non-news corporate partners may have a stake in slanting that account to favor their interests. Information that would adversely affect interconnected or owned businesses may be downplayed. Positive news about such corporate siblings may be promoted.").

³ Adeel A. Shah & Shehryar T. Sardar, *Sandstorm: a Leaderless Revolution in the Digital Age* 19 (2011) (stating "with corporate minds at the helm, these news outlets focused more on profit generating ratings than actual delivery of fair, unbiased news").

⁴ Issam Ahmed, *US Funding for Pakistani Journalists Raises Questions of Transparency*, THE CHRISTIAN SCIENCE MONITOR (Sept. 2, 2011), <http://www.csmonitor.com/World/Asia-South-Central/2011/0902/US-funding-for-Pakistani-journalists-raises-questions-of-transparency> (noting that Fair has called the Pakistani press "the freest press that

Pakistan's press has faced two major critiques. First, the television stations have been government run. Second, when the "free press" was given full voice under Pervez Musharraf, the "free-press" became the "corporate interest press."⁵ In the United States, the press has been respected, and freedom of press has been secured, through the consistent application of law.⁶ However, with the corporatization of media and outright examples of media bias, critics note that the American press has become irresponsible, disseminating corporate and interest-based content that skews commentary to reflect a specific and highly politicized agenda.⁷ Both countries, based on different legal frameworks and political shifts, are facing the same problem: who or what is actually representing the voice of the people?

This article, while focused primarily on an acute analysis of the role of the media in Pakistan and the United States, uses the Arab Spring—notably the Egyptian uprising in 2011—and the Occupy Wall Street movement (OWS) as stark illustrations of a broken social contract between citizens and the news media. While the Egyptian uprising was a historic revolution against government oppression, corruption, and economic despondency that had persisted for decades, both the uprising and OWS are similar in that the voices of the people reinforce expressions of economic justice in the media.

The Egyptian uprising in particular, while not caused by social media and citizen journalism, was certainly amplified and sustained to some measure by media and journalistic forums outside the purview of traditional media. Indeed, this was evident when the first reports and videos from the first eighteen days of protests were posted on Twitpic, Facebook, YouTube, Twitter and blogs, providing minute-by-minute accounts of the plight unfolding in Tahrir Square. More than 90,000 people signed on a Facebook page for the January 25, 2011 protest alone.⁸ The OWS movement, while limited in its reach, was inspired by the Arab Spring and organized through Twitter in order to protest economic inequity and the lack of genuine structural reform in the United States.

The Egyptian uprising and the OWS movement are striking examples of what happens when the people's voice is blunted and ignored by embedded institutions that traditionally serve as channels for expression. Rather than seek approval from the traditional news media to give their voices coverage, the organizers and protestors behind these two events used the infrastructure of social media and, with active assistance from Google, Twitter, and Facebook, demanded that the international community listen to them.

The Arab Spring and the OWS movement have revealed deficiencies in traditional broadcast and print media; these deficiencies will be discussed more fully below.

money can buy").

⁵ See generally Nicolas D. Kristof, *That "Free Press" in Pakistan*, N.Y. TIMES, Mar. 26, 2007, <http://kristof.blogs.nytimes.com/2007/03/26/that-free-press-in-pakistan/> (describing how the "free press" in Pakistan has altered Kristof's articles for the benefit of Musharraf and how Pakistani journalists are at risk of being "disappeared" if they offend those with power and influence).

⁶ See generally David A. Anderson, *Freedom of the Press*, 80 TEX. L. REV. 429, 482-87 (2002) (describing the tradition of free press in the United States, as well as the legal protections that the free press receives, including legally mandated access to information and protection from subpoenas and search warrants).

⁷ See Nadir Hassan, *When Journalists and Politicians Become Friends*, THE EXPRESS TRIB. BLOG, Jan. 16, 2012, <http://blogs.tribune.com.pk/story/9747/when-journalists-and-politicians-become-friends/>.

⁸ Amir Ahmed, *Thousands Protest in Egypt*, CNN, Jan. 25, 2011, http://articles.cnn.com/2011-01-25/world/egypt.protests_1_street-protests-thousands-protest-economic-policies?_s=PM:WORLD.

I. DEMOCRACIES AND NEWS MEDIA

A. *Pakistan's Press: Oppressed or Repressive?*

In Pakistan, the predominately free press has primarily existed in the form of print media. In papers like *Jang* and *Dawn*, print journalists have fought government tyranny through hard-hitting stories and exposés.⁹ From the dictatorial times of Muhammad Zia-ul-Haq, when journalists were flogged, to the democratic interludes of Benazir Bhutto and Nawaz Sharif, when editors of several publications still suffered governmental wrath, the press did not back down from their mission to inform the public as to what was really transpiring in the world.¹⁰

However, in a country such as Pakistan, where the adult literacy rate is around fifty-six percent,¹¹ the print media is not mass media. Outside of urban areas, there is limited use or understanding of print media. Utilizing formal linguistics, the print media creates a widening gap in consumption because those with basic literacy skills do not grasp the complexities of the language used by journalists. That, combined with a lack of access to any other information, leaves a large portion of the Pakistani public uninformed about the issues faced by their country.

Additionally, this portion of the population receives news from government-controlled television channels such as Pakistan Television (PTV).¹² For a long time, PTV was the only television voice heard by the people; the free press's fight for transparency excluded a larger portion of the population.¹³ In a country that boasted democratic rule under its first female ruler, Benazir Bhutto, the television media was strictly controlled and the print media was heavily oppressed.

This changed under Pervez Musharraf. He promulgated laws that extended freedoms to television news media by enabling the privatization of satellite channels.¹⁴ When the first private channels went on air, Musharraf, unlike his predecessors, allowed the press to function as commentators on events occurring in Pakistan.¹⁵ As with other democracies, there was an implicit contract in this decision; the press would be free as long as its function was to keep the public informed.

About twenty private news channels came into being in Pakistan between 1999 and

⁹ See generally Ghulam Haider, *Khawar*, VIEWPOINT, <http://www.viewpointonline.net/khawar.html> (discussing the activism of journalists under the regime of military dictator Zia-ul-Haq).

¹⁰ See generally Anthony Mills et al., *Top U.S. Military Official Says Pakistan Government Sanctioned Journalist Murder*, INT'L PRESS INST., July 8, 2011, http://www.freemedia.at/index.php?id=288&tx_ttnews%5Btt_news%5D=5641&cHash=86236c7f90 (listing the journalists killed in Pakistan since 1997).

¹¹ UNITED NATIONS CHILDREN'S FUND, *Pakistan: Statistics*, http://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html (last visited May 6, 2012).

¹² Umer Farooq, *The Media Revolution in Pakistan*, ASHARQ ALAWASAT, Apr. 4, 2010, <http://www.asharq-e.com/news.asp?section=5&id=20460>.

¹³ See Shahan Mufti, *Musharraf's Monster*, COLUM. JOURNALISM REV., Nov./Dec., 2007, at 48, available at http://shahanmufti.com/cjr/NOVDEC_2007_Musharrafs_monster.pdf (describing how, in rural areas of Pakistan, state-run television was one of the main sources of information).

¹⁴ See Tahir Naqvi, *Private Satellite Media and the Geo-Politics of Moderation in Pakistan*, in SOUTH ASIAN MEDIA CULTURES: AUDIENCES, REPRESENTATIONS, CONTEXTS 109, 112-13 (Shakuntala Banaji ed., 2011) (describing the deregulation of Pakistani media under Musharraf).

¹⁵ See *id.* at 114 (describing the Pakistani media's reporting methods of various events in Pakistan, including the dismissal of Pakistan's Chief Justice Iftikhar Chaudhry in March 2007).

2007, including GEO TV, ARY, and AAJ TV.¹⁶ Just as quickly, these news channels took a strong stance against the Musharraf government and began waging character debates and creating news instead of covering it.¹⁷ During the Red Mosque situation in Pakistan, GEO News put the leader of the mosque and a state minister on air to negotiate a settlement; the negotiation failed completely.¹⁸ Instead of covering the news as it was developing, the media began creating news to increase ratings. Talat Hussain, the bureau chief in Islamabad for AAJ-TV, stated that viewers “look up to us as the holders of truth, yet they want to hear what they already believe. Neutrality is a sin, and the remote control is god.”¹⁹

While news channels began airing rating-focused content, print journalism began receiving its share of criticism for biased reporting. For example, *Express News* and *Dunya News* were chastised for presenting biased content and for their lack of transparency. Both news outlets employed journalists paid by the non-profit America Abroad Media (AAM), which receives funding from the United States State Department.²⁰

With both print and television media no longer focused on transparency and providing factual information to the general public, false information began to seep into Pakistan’s culture. The voice of the people was lost amongst the words of the elite, and the search for truth was lost in the media’s effort to appease the masses with what they allegedly wanted to hear. The only viable avenue remaining for the masses to ensure the democratic dissemination of information and to preserve the voice of the people was social media. Only recently have the people of Pakistan begun to take advantage of this powerful and diffusive tool.

In 2012, self-proclaimed journalist Maya Khan launched a morality-police style segment for her show on Samaa TV.²¹ The segment followed unknowing couples on dates around Karachi in order to publically embarrass them on television. Clips of the show went viral on social media platforms and the reaction against Khan and Samaa TV was so negative that Khan was forced to apologize to viewers.²² When her apology did not satisfy her viewership, both in the United States and abroad, Samaa TV was forced to fire Khan and her entire team.²³

It was the first time Pakistani citizens took on Pakistan’s powerful television news media so publically and won. They did not have to voice their grievances through channels and newspapers owned by the journalism fraternity; they could speak when and how they desired, and their actions made a discernible difference.

¹⁶ See Farooq, *supra* note 13.

¹⁷ *Id.*

¹⁸ Mufti, *supra* note 14, at 49-50 (explaining that “Imran Aslam, the CEO and one of the founders of GEO-TV, is blunt about his network’s performance during the crisis: ‘It was a miserable failure.’”).

¹⁹ *Id.* at 50.

²⁰ Issam Ahmed, *supra* note 5 (noting that AAM also admitted to having production meetings with the newspapers, where it discussed content).

²¹ See Maya Khan, *Controversial Pakistani TV Host, Fired*, THE HUFFINGTON POST, Jan. 29, 2012, http://www.huffingtonpost.com/2012/01/29/maya-khan-tv-host-fired_n_1239968.html.

²² *Id.*

²³ See Faisal Farooq, *Maya Khan Fired: First Success of Social Media in Pakistan*, NEWS PAKISTAN, Jan. 30, 2012, <http://www.newspakistan.pk/2012/01/30/maya-khan-fired-success-social-media-pakistan/>. A well-known BBC journalist stated, “[i]f you have a mike and a camera in Pakistan, you are assistants to God on earth and can do whatever you like.” *Id.* The article also noted that “not only journalist but owners and management of the TV channels sometimes also create controversies to get higher ratings.” *Id.*

B. The United States: Free Press for Sale?

While Pakistan's "free" press has had a checkered history, the idea of free press is deeply rooted in American history. The press exists in the United States as a fourth set of checks and balances for the democratic government; "the point of the press is to keep a watch on those in positions of power over us, in order to report what is actually happening and being done in our name."²⁴ This implicit contract between the press and citizens is arguably the basis for the First Amendment right to freedom of press. However, as the coverage of the Arab Spring of 2011 and the OWS movement has highlighted, this contract has been eroded.

Initially, United States media seemed to refuse to cover the Egyptian Revolution, and when it did cover it, the information was more editorial than factual. The American public, frustrated by a lack of accurate information from news channels, turned to social media to get up-to-date reports on the events transpiring in the Middle East. The media finally ended the blackout and began full-fledged coverage of the Arab Spring when they began losing viewership to blogs, Twitter, and YouTube.²⁵

The public witnessed a similar blackout and bias during the 2011 OWS movement in New York City. Traditional news media covered a fraction of the events and presented the protestors as ill-advised and unorganized to confront the corporate giants, who were frequent guests on news channels.²⁶ From print media to television media, the reaction to Occupy Wall Street was largely negative, with Americans receiving a constant stream of misinformation.²⁷ The protestors, however, were largely tech-savvy and got their message out through Twitter, Facebook, blogs, and digital newspapers.²⁸ They managed to raise thousands of dollars for their cause through crowdfunding platforms and social media campaigns.²⁹ Regardless of whether their protest was a success, they demonstrated that they did not need the traditional media to give them credibility. Nonetheless, the lack of traditional media support disincentivized any meaningful policy reform by the government.³⁰ While the media has historically been a tool to keep the government and the powers-that-be in check, that task has been increasingly abandoned in a world tied to quarterly earnings and the bottom line.

²⁴ MATTHEW KIERAN, *MEDIA ETHICS: A PHILOSOPHICAL APPROACH* 26 (1997).

²⁵ SHAH & SARDAR, *supra* note 4, at 2.

²⁶ See Douglas Rushkoff, *Think Occupy Wall St. Is a Phase? You Don't Get It*, CNN, Oct. 5, 2011, <http://www.cnn.com/2011/10/05/opinion/rushkoff-occupy-wall-street/index.html>.

²⁷ See *Wall Street Protests Receive Limited Attention*, PEW RESEARCH CENTER, Oct. 12, 2011, <http://www.people-press.org/2011/10/12/wall-street-protests-receive-limited-attention/>.

²⁸ See Tyler Kingkade, *New Protest Apps Crowd-Sourced From Occupy Wall Street Hackers*, THE HUFFINGTON POST, Oct. 26, 2011, http://www.huffingtonpost.com/2011/10/26/occupy-wall-street-a-diy-tech-tools-protest_n_1032518.html.

²⁹ See Colin Moynihan, *Occupying, and Now Publishing, Too*, N.Y. TIMES, Oct. 1, 2011, <http://cityroom.blogs.nytimes.com/2011/10/01/occupying-and-now-publishing-too/> (describing the publication of "The Occupied Wall Street Journal," which was funded using crowdfunding platform Kickstarter).

³⁰ See Marty Linsky, *Occupy Wall Street is Going Nowhere Without Leadership*, CNN, Oct. 27, 2011, http://articles.cnn.com/2011-10-27/opinion/opinion_linsky-occupy-wall-street-leadership_1_grievance-consensus-change?_s=PM:OPINION.

II. CONCLUSION

With the media essentially for sale, either for ratings or in the name of obtaining prestigious sources, the question becomes: can social media construct a viable framework for ethics applicable to citizen journalism? This question is an optimistic one, as social media platforms are highly susceptible to self-policing. If the web discovers that a blog or tweet was based on purposeful misinformation, it is quickly exposed and just as quickly replaced by accurate information. This process of self-governance reinforces the idea that within the social media generation, the leader is not necessarily an individual, but information that represents the truth. This was no more evident than during the Egyptian revolution, where videos and reports of unfolding events presented themselves in near real-time, corroborated visually by the masses who witnessed them. Still, risk remains as social media continues to evolve and construct the architecture of an alternative forum for news and citizen journalism. Social media's genesis of ethics may meet its most formidable challenge yet in its battle against the corporatization of traditional news media as it seeks to create an alternative media ecosystem.