

Digital Authoritarianism and Journalistic Dissent in Pakistan: An Empirical Investigation of PECA

Adeel Anwar¹, Abul Hassan^{*2}, Sidra Yousaf³

¹MPhil Scholar, School of Creative Arts, University of Lahore, Punjab, Pakistan.

^{2*}Associate Professor, School of Creative Arts, The University of Lahore, Punjab, Pakistan.

³MPhil Scholar, School of Creative Arts, University of Lahore, Punjab, Pakistan.

Corresponding author: abul.hassan@soca.uol.edu.pk

Keywords: PECA 2016, Digital Authoritarianism, Press Freedom, Journalistic Dissent, Media Censorship, Online Surveillance

DOI No:

<https://doi.org/10.56976/jsom.v3i4.170>

The technological advancement has empowered the governments to adopt ever more restraining policies under the disguise of cybersecurity. In Pakistan, the Prevention of Electronic Crimes Act (PECA) 2016 was enacted to combat the menace of cybercrimes. However, this has sparked substantial concerns over its use as a tool for state censorship and suppression of journalistic dissent. This paper examines how PECA has influenced and obstructed press freedom and media practices in the country. This study incorporated survey and in-depth interviews of long serving journalists of leading media organizations with the intent to understand their awareness and perception of PECA law in shaping the new facets of journalism in Pakistan. The findings revealed that journalists consider PECA playing a self-censorship and legal intimidation role in their professions while they feel restricted and bound to abide by their organizational owners in order to survive their livelihood. Journalists also predicted for this laws misuse in future for uncertain gains which may destroy the profession of journalism and keep hope in fair policies to be implemented in future. Moreover, this study concludes with several recommendations for balancing cybersecurity with press freedom.

1. Introduction

There is not an iota of doubt that digital advancement is transforming the societies. This also changes the way how we communicate, share information, and take part in the public discourse. Although these technologies are offering greater connectivity and better access to information, however, they are also strengthening the governments with unprecedented tools to monitor the citizens, control the narratives, and suppress the dissenting voices. This dual impact of digitalization is now a crucial part of modern governance, especially in those countries where democratic institutions are fragile and the political system is unstable. Pakistan is also exemplifying this trend with its evolving regulatory frameworks.

The Prevention of Electronic Crimes Act (PECA) was enacted in 2016 and since its enactment, this act has undergone several amendments. This significant shift was initially introduced to combat cybercrimes such as hacking, identity theft, and online harassment. However, the current study proved that it became a controversial legislative instrument, criticized for enabling state surveillance, media censorship, and the suppression of political dissent. Moreover, media professionals also think that this law has granted massive powers to law enforcement agencies and allows them to block, remove, and prosecute online content that is considered “objectionable” without proper judicial oversight. This study illustrates that cybersecurity and countering digital crimes are genuine concerns but the implementation of PECA has actually fuelled fears of authoritarian overreach amongst the journalist community.

The article “Pakistan’s Cybercrime Law: Boon or Bane” published in 2016 also portrays a miserable picture and states that the broader definitions of offenses in this law such as “anti-state narratives,” “fake news,” and “defamation” have left journalists and human rights activists vulnerable to prosecution. These terms with improper definitions provide a strong base for government authorities to criminalize criticism and control public opinion under the excuse of ensuring national security (Hassan et al., 2023). Furthermore, high-profile cases such as the prosecution of journalist Shahzeb Jillani and the enforced disappearances of several bloggers emphasize how PECA has been weaponized against dissenting voices.

Several senior journalists including Hamid Mir emphasized the chilling effect of PECA on freedom of expression during their talk shows. International organizations like Reporters Without Borders and Human Rights Watch have also stated that PECA can impact the press freedom in Pakistan and will affect the ranking of the country. They also mentioned that there are chances that country may be placed among the most dangerous places of the world for media workers.

The theoretical background for this research is based on the concept of “digital authoritarianism” which is basically a governance model where states use technologies only to limit the rights related to the freedom of expression. In this context, PECA helps as a legislative tool that allows surveillance, censorship, and media control. This ability of the state to monitor and manipulate the content that is available online with the help of different tools directly influence the independence of journalists. Due to which journalists then use different techniques to hide their identities.

1.1 Problem Statement

The Prevention of Electronic Crimes Act (PECA) was passed in Pakistan in 2016 to fight cybercrime. However, media workers openly declared this law as a potential threat for

their freedom. Journalists stated that many parts of the law are not clearly defined which will lead towards their prosecution without any fault. Media workers also protested and stated that it is important to control cybercrimes but measure must be clear. Due to this reason, researcher planned to investigate that how PECA is influencing the media workers and why they are declaring this law as a threat for them. This point is exposed in this study after detailed analysis of the law and after taking the observations of the journalists.

1.2 Significance of the Study

This paper is about the impact of the Prevention of Electronic Crimes Act (PECA) on the practices of journalism in Pakistan. It is very important due to number of reasons. Researcher has tried to fill the gap in existing research on this topic. With the help of the findings of this research one can improve the existing environment of Pakistan. It is true that there are lot of things that needs to be improved for the betterment of media freedom. So, this research also has aim to promote press freedom in the country. Researcher has designed this study to give theoretical perceptions about the digital authoritarianism and discourse of democracy. The findings will help both the journalists and the policymakers as they will be able to understand the actual relationship between these concepts. This research will also help them to understand the views of journalists about PECA.

1.3 Research Questions

1. How does the Prevention of Electronic Crimes Act (PECA) restrict journalistic dissent in Pakistan?
2. How PECA is shaping the online reporting practices, self-censorship, and critical expression of Pakistani Journalists?
3. What are the perceptions of Pakistani journalists regarding PECA's implications on press freedom?

2. Literature Review

The Prevention of Electronic Crimes Act (PECA) was passed by the government of Pakistan in 2016 for cybercrimes under the national action plan. Government stated it as an important part of national security. however, when this law was introduced, media persons started labelling this as a law to control the media and the journalists. It was stated that this law can be misused against the journalists in order to control them. The literature review in this study will examine the existing researchers on these types of views and the content related to this topic.

This aim of this review is to understand the concept of authoritarianism that is due to the use of digital technologies and that is a threat for the democracy. It is important to definer digital authoritarianism, which states that it is an approach used by the governments to control the media by surveillance and censorship (Hassan et al., 2020; Morozov, 2011). In underdeveloped countries like Pakistan, governments are increasingly employing digital tools to impose restrictions on media freedoms through several laws including PECA, with clear aims to repress dissenting voices.

These trends have far-reaching implications because they not only affect individual journalists and media professionals but also undermine the basic principles of democracy by

limiting public access to critical information. Moreover, the rapid advancement of digital media has also transformed the lifestyle of people. This digitalization changed the ways how people consume and share information. Now social media platforms are powerful tools for political engagements and mobilizations. However, they have also been used by the state to control the dissenting voices. Authoritarian regimes worldwide have increasingly turned to digital technologies to monitor citizens and suppress dissenting voices (Freedom House, 2022). It is observed that the government of Pakistan is also using tool and platforms to control the opposing views of the journalists which is harming the liberty of media (Reporters Without Borders, 2022). Freedom of expression is the fundamental right of the public which should not be changed by using different means.

There is massive discussion about the importance of free media in the democracy and the reformation of human societies. Freedom of media is the ability of media workers and the media organizations to report the incidents without any fear (Siebert et al., 1956). Criminal cases that are launched against the journalists shows that there is threat to the freedom of the media in Pakistan (Human Rights Watch, 2020). Researcher in this paper with the help of the journalists suggested that press freedom is very important for democracy. When journalists are free, they can easily question the doubted parts (Herman & Chafi, 2018; Bhatti & Hassan 2014). So, it is now clear that journalists are controlled by using censorship and by launching different cases against them.

2.1 Digital Authoritarianism: Theoretical Framework

Governments can use different techniques to control the flow of information and to monitor the public with the help of digital tools (Morozov, 2011; Deibert, 2013). This framework is crucial in understanding the different dynamics of state authority in Pakistan, where these tools have increasingly been used to suppress dissent. Competitive authoritarianism is a perfect framework to analyze the Pakistani context, where repressive measures are adopted in democratic structures (Levitsky & Way, 2010). In this environment, PECA-like laws serve as tools of digital authoritarianism by providing legal justification for media censorship. The provisions of such laws can be interpreted broadly which allows the authorities to flak the journalists not falling in line. At this point, journalists prefer self-censorship as a survival strategy because they fear legal repercussions for their critical reporting.

2.2 Mechanisms of Digital Control

The government of Pakistan uses several tactics to put control over dissenting voices and digital discourse. These tactics include censorship, surveillance, and even intimidation. These strategies directly shape the media landscape in the country. Censorship is used globally to control the flow of information. Freedom House in 2022 reported that numerous news websites and social media platforms have faced restrictions or outright bans due to their content being deemed critical of the state or its policies. Censorship measures have become increasingly overt, with government actions directly targeting platforms perceived as threatening to state narratives (Jamil, 2021). Due to this trend, journalists are concerned about press freedom which has been eroded under the guise of curbing the menace of cybercrimes. The legal framework established by PECA includes several provisions that criminalize various

forms of online expression as defamatory. These provisions can be used against journalists for their critical reporting style (Human Rights Watch, 2020).

Governments are also using surveillance as a mechanism to maintain control over their citizens. Several systems grant broad powers to monitor online activities and to create a chilling effect on journalistic practices (Jahangir, 2024). This not only concerns privacy rights but also gives birth to such an environment where journalists remain conscious which forces them to self-censorship.

Intimidation is another mechanism used to ensure digital control. Journalists with critical expression or dissenting views often face threats and violence from state and non-state actors. Human Rights Watch documented numerous instances in 2020 where journalists faced harassment and violence for their reporting. These instances contributed to the creation of an environment of fear and discouraged investigative journalism. The culture of intimidation not only affects individual journalists but also has a broader impact on media organizations that may choose to avoid covering contentious issues altogether due to safety concerns (Jamil, 2021). This culture discourages investigative journalism and stifles dissenting voices in public discourse (Ahmed et al, 2023).

2.3 PECA and Its Implications for Journalistic Dissent

This act was enacted in 2016 to combat cybercrime and terrorism in Pakistan (Pakistan Telecommunication Authority, 2016). However, the broad and unclear parts of this law are serious threat for the freedom of the media in the country (Human Rights Watch, 2020). There are many reports about the misuse of this law just to control the media professionals and to keep the opposing views silent (Freedom House, 2022). In this way, researcher has pointed that PECA has important role in controlling the behavior of the journalists.

2.4 Understanding the Impact of PECA on Journalistic Dissent

Researcher has examined number of concepts in this part of the study including the basic theoretical frameworks that can be used to understand the impact of Prevention of Electronic Crimes Act (PECA) on journalistic dissent in the country. These frameworks basically can be used to analyze the complex part of any study. For instance, in this study, it is important to explain the relationship between this law, digital authoritarianism and journalistic disagreement.

One of the important and basic frameworks which is related to this study is digital authoritarianism a term which was used in number of studies. (Morozov, 2011). It explains that how digital technologies can be used to maintain power and control on the online platforms and to control the those who are not obeying or not in line. In this study, researcher has also used this concept to explain how different provisions of this law can be used to control the journalists and media professionals.

Apart from this, the propaganda model is also a relevant framework for understanding the working (Herman & Chomsky, 1988). This model suggests that media can be used as a tool by the ruling powers to shape the media landscape as well as public opinion. Here at this point, this model suggests that several ambiguous provisions of PECA are enacted deliberately just to control the dissenting narratives and suppress those who are not in line (Herman & Chomsky, 1988).

In short, due to PECA journalists engaged themselves in self-censorship. This research has indicated that media professionals are now trying to avoid covering critical and controversial stories (Jahangir et al., 2024). These types of changes are now undermining the role of journalism as a watchdog. This also has limited the public to very limited perspectives of any story. Moreover, self-censorship has number of faces, for instance, journalists may avoid reporting specific issues or may speak hesitantly and tone down the whole story (Ahmed et al., 2023). Such types of practices not only affect the capabilities of journalists but also alter the media landscape.

To conclude this whole discussion, this literature review has not only highlighted the significance of different theoretical frameworks but will also prove substantial in understanding the impact of PECA on dissenting voices. Moreover, a detailed analysis of existing literature on digital authoritarianism, censorship, and the propaganda model assisted in uncovering the relationship between PECA, journalistic dissent, and freedom of speech in Pakistan.

3. Methodology

A mixed-method approach has been used in this study to explore the impact of PECA on journalistic dissent in the country. The paper includes online surveys of 25 persons and in-depth interviews with 5 media professionals in order to collect both qualitative and quantitative data. This approach helped to create a comprehensive understanding of how this act has affected the freedom of the press and online practices of Pakistani journalists. This methodology was adopted intentionally to capture broad patterns and deeper insights not only through surveys but also through in-depth interviews.

Furthermore, the design of the research is descriptive and exploratory and utilizes both quantitative and qualitative methods to answer the research questions. In this study, the quantitative approach will assist in assessing the general impact of PECA on the practices of the media professionals, whereas, the qualitative approach will dig out the personal experiences and perceptions. These two approaches will better answer the question of how journalists are coping with the new situation by adopting different strategies. So, both measurable and subjective aspects of the study are covered with the help of this combination.

3.1 Data Collection

The online survey was conducted for this research paper. Journalists from five leading media organizations were shortlisted with at least 10 years of online journalism and mainstream media experiences. For this purpose, a structured questionnaire was developed to investigate the influence of PECA on overall press freedom, journalists' awareness about the PECA law, outcomes of restrictions posed by PECA, opinion of journalists regarding the importance of dissenting narratives and future of journalism under such regulations.

The first part was about the basic information and was included for profiling the individuals. The second part included the questions related to the individual's perception of PECA and this was included to know the familiarity of participants with PECA. The next part included the questions related to the experience of the participants with this act.

Furthermore, the fourth and fifth parts included questions related to digital authoritarianism and the importance of journalistic dissent in any democratic society. These two parts were included to know how this authoritarianism is shaping the practices of journalists and to understand the importance of dissenting voices. The last part of the

questionnaire involved to know that how PECA has influenced the journalistic practices in the country. A purposive technique was adopted for selecting the participants for the survey. In short, this survey assisted in understanding different perspectives linked with this research paper.

Similarly, in-depth interviews were also conducted with a small group of journalists. Although a small sample size was selected due to several constraints this sample has provided valuable insights into the general impact of PECA on the media professionals. This practice was to capture the personal experiences and detailed perspectives of some journalists on the impact of PECA. These interviews were semi-structured to allow for flexibility in order to explore the participant's views and the challenges they are facing in this environment.

Interviews focused primarily on understanding that how PECA is affecting the ability of media professionals on sensitive matters and what strategies they are adopting to cope with legal as well as online threats. This also covered the perception of participants about freedom of the press under PECA. Furthermore, the purposive sampling technique was used to locate interviewees. The long serving journalists with more than 10 years of experience in multiple media organizations as well as independent social media handles were selected as they could not only tell about media laws but they could relate with concurrent PECA regulations with contemporary situation with journalism profession.

4. Findings

The findings of this paper highlight the significant role played by the Prevention of Electronic Crimes Act (PECA) on the practices of media professionals in Pakistan. This study provides deep insights into the complex relationship between freedom of the press, self-censorship, and digital authoritarianism. Although most of the participants had similar opinions on the major points, some of the participants also provided different views.

Media professionals were very much aware of PECA as the majority of participants responded positively about this act and very few respondents reported unawareness about this law. This level of awareness about this law indicates that it is playing a central role in shaping the media environment where media professionals are facing a number of problems while performing their duties. However, there was a difference of opinion regarding the influence of this law among the journalists. Some believed that PECA is negatively impacting the freedom of the press but a notable proportion of participants highlighted that it has little or no impact on media freedom.

In the second part, participants were asked about the influence of PECA on overall press freedom. Few responded that it is restricting to some extent whereas several pointed out that it is now more difficult to report on sensitive matters. Journalists also pointed that they are encountering self-censorship due to the fear of this law. Some other respondents also stated that they have already altered their practices in order to protect themselves from the potential threat of prosecution under PECA.

Moreover, most of the participants indicated that PECA with its ambiguous provisions can be used to silence the dissenting voices. This portrays that a major portion of media professionals perceive this law as a tool for political control rather than combating cybercrimes. Many respondents also felt that there was an increase in surveillance and censorship after the implementation of PECA. Such types of sentiments and views of media professionals indicate that the environment is not in favour of diverse perspectives.

There were also questions related to the outcomes of restrictions posed by PECA and number of professionals responded that they have changed their practices by employing several strategies to hide their identity. Many of them said they are using VPNs and pen names to safeguard their identities while speaking on sensitive issues. A considerable ratio was also with a view that they now normally avoid controversial topics.

It was also part of the study to examine the opinion of journalists regarding the importance of dissenting narratives or challenging the narratives of the government in Pakistan. A number of respondents mentioned that it is important for journalists to counter the narrative to maintain a democratic environment. However, fear of legal repercussions forces the professionals to avoid challenging the narratives and policies.

In the end, the findings of this study depict that journalists and media professionals are working in a restrictive environment in Pakistan because of several provisions of PECA. This environment where journalists use self-censorship and avoid controversial topics due to the fear of legal provisions is harmful for the democratic societies. This is why most of the journalists were considering these steps as a threat for the freedom of press. These journalists were also worried because they were with the view that digital technologies are now becoming tools and digital authoritarianism is increasing day by day. With the help of these findings, it is very important to reconsider the provisions of this law so that journalists may feel free to express their voices.

5. Conclusion

As per the findings of this research, the following recommendations are suggested to solve the issues due to the Prevention of Electronic Crimes Act (PECA) and its impact on journalistic dissent in the country.

It is recommended that provisions of this law must be clearly defined and it is the need of time to amend PECA. This step will confirm that no one can use PECA to negatively impact the freedom of the press. Clear definitions of what constitutes cybercrime and terrorism are essential to prevent the law from being used as a tool to silence dissenting voices (Human Rights Watch, 2020). Media professionals must be free to express their views and to challenge the opinion of the government. This will not only provide a diverse perspective on any issue but also nourish the democratic system. However, media professionals also have to use this liberty with responsibility.

In this digital era, it is becoming essential to strengthen the legal protections for media professionals. This step will ensure that journalists can work without any fear. So, the government also needs to take these steps timely. For this purpose, a more robust system must be there for the accountability of those who are involved in online harassment. Moreover, the independence of the press is the basic component of any democratic setup. Encouraging the establishment of an independent press commission could help address complaints related to harassment and censorship, ensuring a free and open media environment (Siebert et al., 1956).

Furthermore, the negative impact of PECA can be countered with the nationwide awareness campaign to educate the public on the importance of the freedom of the press. It is also crucial that the public must understand the impact of PECA on journalistic freedom. In this way, a more informed and active society can be created.

It is expected that the balance between measures for cybercrimes and the freedom of the press can be achieved in a better way after the implementation of these recommendations. These measures will not only enhance the safety of media professionals but will also contribute to a healthier democratic media environment. This practice will lead to the creation of a system where there will be a free flow of information and the fostering of diverse public discourse.

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