

# Nawaz Sharif vs the Press

The struggle for press freedom has gained momentum in Pakistan following the curbs imposed by the Nawaz Sharif Government on the Jang group of publications. **Beena Sarwar** writes

THE Nawaz Sharif Government's tussle with Pakistan's largest newspaper group, Jang, has given a tremendous impetus to the struggle for press freedom and could prove to be a turning point for the media in Pakistan.

On February 9, Jang requested an adjournment of its case the Supreme Court against the Government after the latter, bowing to country-wide pressure from journalists, civil liberties organisations and politicians, promised to allow the group access to its newsprint stores and some bank accounts.

The case, filed by Jang on January 29, followed several days of accusations and counter-accusations by both parties, initiated by a series of advertisements that appeared in Jang's publications from January 25, exposing what it said were the government's unjustified demands ("sack and replace 16 journalists", "support us in policy matters", "refrain from criticising the first family," and so on). At a press conference on January 28, Jang's Editor-in-Chief, Mir Shakilur Rehman played audio tapes that supported these allegations.

The startling revelations kicked off a battle of unprecedented intensity between the Government and the press. Newsprint supply to Jang, which had already been held back illegally by the Government, stopped abruptly and the group's bank accounts were frozen, to the dismay not only of the owner but the 4,000-odd employees whose pay cheques were held up. A sedition case was filed against Mir Shakilur Rehman on January 28.

But instead of backing down, Mir Shakilur Rehman held his ground and blazed away with all he had, as one columnist put it in the English daily *Dawn*. Tired of constant efforts by the Government to control and coerce the media, many joined him.

Spontaneous country-wide protests sprang up, and as they gathered momentum the Government was forced to start a dialogue with Mir Shakilur Rehman on the weekend of February 6-7. The Government, represented among others by Nawaz Sharif's younger brother Shabbaz Sharif, the powerful Chief Minister of Punjab, assured the Jang group unconditional access to its newsprint stores and bank accounts, Mir Shakilur Rehman stressed. Faced with a Supreme Court Bench that seemed disinclined to provide this relief, Mir Shakilur Rehman sought an adjournment of the case, giving rise to speculation that he had compromised on the issue. He has categorically denied this.

Whether or not there has been a compromise, the issue is far from over. It has in fact given a tremendous impetus to the struggle for press freedom.

In this, a Pakistan Federal Union of Journalists (PFUJ) petition on press freedom before the Supreme Court could play a pivotal role. Initiated by Abdul Hameed Chapra against the Government of Pakistan and the Ministry of Interior (along with two other respondents), the petition seeks a striking down of the coercive government practices that have hindered and continue to hinder press freedom. The huge

support that this cause has gained indicates that "people are desperate to keep and strengthen democratic institutions," says the PFUJ's counsel and the well-known human rights lawyer, Asma Jahangir.

The PFUJ's Constitutional Petition No. 9 of 1999 asks the Supreme Court to "direct the respondents not to interfere with the freedom of the press by mala fide and undue harassment of the members of the press... (and) not to interfere in any professional work of the newspapers of Jang group or any other publication."

Besides harassment, other

government controls over the media which have long been the bane of journalists are sought to be removed. These include the abolition of the Ministry of Information itself, which has been described as a "burden on the exchequer and being an instrument of repression and dissemination of misinformation."

The petition adds: "In the alternative, direct the said respondents to make clear laws governing the subject of information, press and publications consistent with constitutional rights."

The Government does not need a Supreme Court directive to abolish the Ministry - in fact this is a promise made by the Pakistan Muslim League (Nawaz Sharif) in its election manifesto of 1996-97. Ironically, Mushahid Hussain, a respected former editor and ardent supporter of a free press, heads the much-maligned Ministry.

The petition seeks an equitable policy "for a just distribution" of government advertisements to newspapers. The arbitrary withholding of government advertisements, it pleads, should be declared "violate of Articles 18, 19 & 25 of the Constitution". The petition seeks a Supreme Court directive to the Government and the Interior Ministry "to allow proper access for journalists to all governmental records and the records of subordinate offices and authorities so as to enable them to perform their functions effectively and properly." It also seeks a new law to allow journalists "access to public records" and till such time as this is provided and a well-defined and equitable policy is laid down, it says, "the Supreme Court should lay down principles regarding journalists' access to official records."

Lack of access to such records is a major factor in efforts to control the press; journalists are often forced to resort to underhand methods to obtain information which should be a matter of public record. The PFUJ also plans to include a plea against government control over the electronic media, according to Chapra. Several people and organisations are lending support to the journalists' organisation. Among them is the rock band Junoon, which has been banned from Pakistan Television after the group made what the Government considers to be anti-Pakistan remarks during a tour of India. Junoon, guitarist Salman Ahmed, who visited journalists on a token hunger strike at the Lahore Press Club, expressed the group's solidarity with journalists in any efforts to end government control over the media.

Former Minister for Information Javed Jabbar said: "Radio stations and television

channels should have the freedom to originate their own political content such as news and current affairs programmes." Currently with former President Farooq Leghari's Millat Party, which has come out strongly in support of the press, Jabbar had filed a case in 1996 in the Supreme Court to achieve this end. His co-petitioner was Dr. Mubashir Hasan, former Finance Minister and now president of the Punjab unit of Murtaza Bhutto's Pakistan People's Party (SPP), and a leading exponent of India-Pakistan cooperation and people-to-people dialogue.

Jabbar, who authored *Mass Media Laws and Regulations in Pakistan* (Asian Media and Communication Information Centre, 1998), is also the convener of the Citizens Media Commission, which was set up in 1997 as "an independent forum for the analysis of media-related laws, policies, issues and media content from a public interest perspective."

Last year the CMC declared February 14 of each year as

Electronic Media Freedom Day to mark the anniversary of the day the Caretaker Government of President Farooq Leghari promulgated the Electronic Media Regulatory Authority Ordinance, 1997, which lapsed in June of that year. "Several organisations in other South Asian countries have expressed an interest in taking this day too," Jabbar says.

Another important law promulgated by the Caretaker Government was the Freedom of Information Ordinance, 1997. Although both ordinances have their drawbacks, they were important first steps in the direction of making media in Pakistan free, and could have been the basis for improved legislation in this area.

"Every secretary was hostile to the idea," recalled Najam Sethi, Editor of *The Friday Times*, who was interviewed for the weekly *The News* on Sunday for a Special Report on Freedom of Information ("Who Needs to Know", May 11, 1997). Sethi, who was adviser on Political Affairs and Accountability to the Caretaker Prime Minister, and a member of the Cabinet Committee which drafted the ordinance, stated: "All bureaucrats hate the press. All sorts of roadblocks were set up on one pretext or another. Every Ministry wanted to shield its records from the press... I'm not exactly sanguine about the feelings harboured by the PML Government towards the press, notwithstanding the presence of a former journalist in the Cabinet. I think we are in for a long haul."

His misgivings, like those of many others, have unfortunately proved correct. The long haul continues, but the cause of a free press has only been boosted by the Government's high-handedness and hostility - for instance its foot-dragging over the release of newsprint to Jang in defiance of the Supreme Court's order of February 1 and the manhandling of journalists who protested against this.

In Lahore, the newly formed Committee for a Free Press (CFP), comprising senior journalists from various publications, has vowed to pursue the issues of press freedom in Pakistan. On February 3, responding to a call by the CFP, some 5,000 journalists (the numbers were duly played down by some

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# Nothing is Easy at the Valley of Dispute

**Aziz Siddiqui** is of the opinion that India has truly set against any outside auspices in its disputes with Pakistan

GETTING the Indians even to mention Kashmir in mutual exchanges has been held up as achievement enough by successive governments here. It has been flaunted as a badge of success. That speaks for the durability of the Indians. It speaks for the limits of our own capability also.

There is doubtless a slight difference now. The Kashmiris' own struggle, nuclearisation of the subcontinent and certain global factors have contributed to the presence of the conflict getting recognized more than in several years in the past. They have even added an edge of urgency comparable to the early 60s.

The factor of the Kashmiri struggle should not however be exaggerated. The sacrifices the fighters have been making are beyond question, but any assumption that they have driven the might of the Indian army to the wall, as supposedly happened in the case of the Soviets in Afghanistan, overstates the point. The Indians cannot like the position they are caught in. It does no good to the morale of the army or the credibility of the Indian state. Yet New Delhi has by no means reached the end of its political tether, nor seems likely to in a long time. No cost in its view can be too heavy for hanging on.

But the struggle becomes important when joined with the other factors. The end of the cold war left only one superpower in the field, which has since been keen to try and rearrange the world in its critical parts. There is no one now to challenge its effort nor its perceptions of its global interests.

However to see a wider desire

for a resolution of the Kashmir issue is one thing, to assume that there is also a wish or a likelihood of the resolution being after the Pakistani heart is quite another. It is even contrary to all evidence.

Pakistan's official position has remained fixed on the UN resolution, which prescribes a unitarian plebiscite for the whole state of Jammu and Kashmir. Public posture has often to remain maximalist and appear to be based on principles. But far-sighted governments also prepare for fallback positions. Has ours been considering any feasible alternatives in its inner councils? When you offer negotiations, also commit yourself to compromises, to some give-and-take. How much of give is our ceiling and how much of take our bottom line?

The foreign office ought to have done some hard thinking on this. There has almost been no serious debate among the public. The official publicity prepares the people for no softening of the line. All the groping that has been done has mostly been by outsiders. And whenever any suggestions have been offered they have been seized upon by the army of experts and torn to pieces. We are all rejections. It is possible to be that and also be logical. But rejections never go to the negotiating table; and if the logicians do, they never succeed.

One of the outsiders who did some honest, practical thinking on the subject was Alistaire Lamb, perhaps one of the acutest and most hard-working of scholars on the border issues of India, Pakistan and China.

Courtesy: *The Dawn of Pakistan*

That leaves the Valley and Azad Kashmir. For these Lamb suggests a solution like Andorra on the borders of France and Spain. These should be autonomous territories, with their own local governments and with their defence and foreign affairs in the hands respectively of India and Pakistan. There should be ease of travel for the Kashmiris across their border.

It is possible to punch any number of holes in this. But that is just one idea to try variations on when and if it will be time to cast for alternatives.

SAID

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SAID

# Sonia Looks Fairly Involved

U.P. Congress chief pulls off major victory with Gandhi visit, writes **Sharat Pradhan** from Lucknow



For the same cause (country): We're not going to commit suicide; are we?

UTTAR Pradesh Congress chief Salman Khurshid's untiring efforts to revive a disorganized, divided and defunct party in India's politically most important state have been systematically thwarted by forces, not from anywhere else but from within.

All political parties except the ruling PML(N) have come together on the issue of press freedom as many parties did for the first time, last year when opposing Nawaz Sharif's Constitutional Amendment 15, the *Shariat Bill*, and this is evident from the mammoth Press Freedom Marches, organised by the All Parties Press Freedom Committee in Karachi and Islamabad-Rawalpindi on February 8. Using the occasion to pull herself further out of the political isolation she has been in danger of slipping into, Benazir Bhutto demanded that government controls on the electronic media be lifted. "The unilateral propaganda (on the electronic media) against the elected representatives and the political parties should be stopped forthwith," a resolution passed at the rally stated.

However, as has been noted by more than one observer, the Opposition parties which are champions of press freedom now, and become its enemies once they are in power - a shameless shift of position that the two Governments of Benazir Bhutto were also guilty of.

That the state will stop at nothing to teach its adversaries a lesson is reflected in the sedition cases registered in Karachi on January 28 against Mir Shakilur Rehman and the editors of the newspapers dailies Aman and Parcham for printing advertisements (on January 1) by the Muttahida Qaumi Movement (MQM) seeking donations to fund the families of victims of police excesses.

But this is nothing new. People still remember the sedition case that was instituted in 1992 by the first Nawaz Sharif Government against *The News* of Rawalpindi, for publishing a poem against the cooperatives scandal. The Government had to retract, egg on its face, after having over-reacted as it has once again, and as it doubtless will yet again - unless journalists and other citizens unite on a common platform to ensure that this can never happen.

His misgivings, like those of many others, have unfortunately proved correct. The long haul continues, but the cause of a free press has only been boosted by the Government's high-handedness and hostility - for instance its foot-dragging over the release of newsprint to Jang in defiance of the Supreme Court's order of February 1 and the manhandling of journalists who protested against this.

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manage to ensure a packed Hazrat Mahal Park to its 100,000 capacity, but what impressed all was the crowd's spontaneity. The speeches did evoke repeated applause and supportive slogan-shouting.

Sonia's 15-minute address focussed directly on "communalism" and "casteism," whereby she made it clear that her party was equally averse to the Bharatiya Janata Party (BJP) and the so-called "third-force" under Samajwadi Party (SP) chief Mulayam Singh Yadav's tutelage.

Far from lauding the initiative of the dynamic young leader, who has been virtually slogging day in and day out traversing the length and breadth of this sprawling state, his detractors within the Congress party have been out to run him down. Whether it was for his failure to give the party a committee of office-bearers or for his modern way of running the organisation, Khurshid was always at the receiving end.

No wonder then there was scepticism when Khurshid set out to invite party president Sonia Gandhi to address a rally in Lucknow. The fact that the Congress party had not held such an event for the past five years only added to the irony of the situation.

The last major Congress rally here was organised by former federal minister Kalpana Rai with then Prime Minister P.V. Narasimha Rao as the chief speaker.

Since then, much water had flowed down the Gomti river. The Congress party has been reduced to virtual non-existence. Even in the last parliamentary and state Assembly elections, when Sonia Gandhi went on a whirlwind tour of different parts of the state, she failed to draw crowds in most places. Barring Varanasi and Amethi, the latter a favoured constituency with the Nehru-Gandhi family, former Prime Minister Rajiv Gandhi's widow Khurshid had virtually written off for the past few years, came out in support of the young leader while Mohsinah Kidwai, another senior party leader, also pumped in all her resources.

Many like Pramod Tiwari and his supporters like Akhilesh Das, the former Lucknow Mayor and now Rajya Sabha or Upper House of Parliament member, were highly visible on posters, but observers failed to find any other active part by them.

Young R.P.N. Singh, the new state Congress chief, left no stone unturned to reactivate a "dead" unit and mobilise the young crowd to converge at Lucknow's Begum Hazrat Mahal Park.

Not only did the organisers

SAID

# Sailing with Vajpayee is No Joke

Naidu had to support Bihar motion to ensure political survival, reports **Mohammed Siddiq** from Hyderabad

BEHIND the Telugu Desam Party's (TDP's) last-minute decision to sail with Prime Minister Atal Bihari Vajpayee's government on the proclamation of President's rule in Bihar was hard political logic.

Even though it meant going back on the party's consistent stand against Article 356 of the Constitution which provides for imposition of President's rule, TDP leader and Andhra Pradesh Chief Minister Nara Chandrababu Naidu had to ensure that Vajpayee stays in office at least till the end of his term.

The proposal rules out a unitarian plebiscite. Ladakh and Jammu and Kashmir will belong where they now do, except for minor adjustments. They are non-Muslim save for the Kargil area, and therefore outside the pre-condition of being contiguous Muslim territories. The Northern Areas it puts out of all contention. It did not really belong to the princely state and Pakistan was wrong to have kept regarding it as part of the disputed territory. It should have fully integrated it.

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It was the "fear of the Congress" that finally won over the TDP's anti-Article 356 stand when Andhra Pradesh Finance Minister P. Ashok Gajapati Raju told the Inter-State Council meeting in New Delhi that his party was ideologically opposed to the party supported the use of Article 356.

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