

## Development of Media Policies and Reforms during In Pakistan With Reference To the Democratic and Dictatorship Regime

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### ABSTRACT

This article studies the comparison between democratic and dictatorship regime in Pakistan, primarily focusing on creation of media policies and laws. It is said that development of any society is dependent on number of factors and progressive areas in which media has a vital role. The progressive role of mass media in any society does not only educate and inform the general public but also helps in the formulation of national identity.

For the developing countries like Pakistan, the role of media especially becomes crucial when it has to fulfill the requirements of watchdog and simultaneously promotes the national interest and builds positive image of society all around the world. This responsibility of media becomes more difficult when the society has several powerful and influential people, having power to distort, manipulate and biased the opinions of mass media to favor their own good. The article also studies about the opportunities that were present for the media industry and how the new laws and regulations have welcomed the investments with arms wide open.

This article, in detail, studies the role of mass media and its growth in democratic and dictatorship regime. Although the general public opinion of the state is always in the favor of the democracy, yet it is quite astonished to know that media's success was noticeably documented rather in military eras and to be more specific in General Pervez Musharraf's era. This advancement of mass media resulted in freedom of speech which lately became a trouble for Retired General himself.

Political pressure on media is an unavoidable factor in Pakistan that is mostly done indirectly. One handy tactic frequently used by the government is to cut off 'unfriendly' media from governmental advertising. Also with the use of strict laws the government has also directly banned or officially silenced popular television channels. The Pakistan Electronic Media Regulatory Authority (PEMRA) which was initially created for the support and flourishing of the mass media industry, has also been used by the influential and dominating players a number of times to quiet the broadcast media by either suspending licenses or by simply threatening to do so. In addition to this, media has also been exposed to propaganda from state agencies, pressured by powerful political elements and even non-state actors that are either affected or involved in the conflicts. However, keeping in mind these numbers of distortions, it is also being said that in spite of political pressure and direct bans, to a larger extent, the media still enjoys freedom of expression and freedom of speech and plays a phenomenal role that was the need of the hour in certain circumstances.

### INTRODUCTION

Development in any society is the product of progression of different areas or fields that are interrelated to each other (Nawaz, 1983). Economic, political, cultural and social developments are considered one of the most essential and vital areas for progress of any country, as it allows for a secure future for the citizens of the respective country (Rosero-Bixby, 1990). Since, for the sake of evaluation of progression for a particular society, we cannot isolate economic development from political, cultural or social development, thus the progressive role of mass media plays a prime role in this phenomenon (Schramm, 1964). Thus in the light of this perspective, we can say that the process of nation building and economic growth are directly dependent on the advancement of mass media. (Nawaz, 1983)

### Emergence, Ideology and the dilemma of vision of Pakistan:

#### *The political scenario of the state*

The emergence of Pakistan is the story of a dream that Muslim minority of the subcontinent should have a separate state where they can freely practice their beliefs, values, culture and ideology. This dream became reality on 14<sup>th</sup> August 1947 when the British plan to partition the subcontinent.

After the independence, Pakistan faced different issues regarding state governance, out of which one major issue was to define the vision of Pakistan, on which the foundation of constitutions and laws would be based (Rizvi, 2000). Republic of Pakistan at that time, had two different options for state visions; Muhammad Ali Jinnah's vision of secular state, particularly created for Indo-Muslims but based on European notion of the nation-state or Allama Iqbal's vision of religious Islamic state,

created for the sole purpose of implementation of Islamic laws and principles. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

Unfortunately, Jinnah's sudden death in 1948 left Pakistan in abeyance and the declaration of the clear vision for the state remained an unfinished business (Khan, 2005). In 1956, Pakistan's first constitution was agreed upon in which Pakistan was finally declared as Islamic Republic. However, even after the official declaration, no significant changes were implemented to prove the state as Islamic state (Cohen, 2004). Under the Islamic label, Pakistan still had executed old British constitution. This led to greater doubts and more questions were raised about the identity of state. The country was considered liberal and the influence of conservative religious forces was marginal (Cohen, 2004).

Due to the Civil War of 1971, Bangladesh (formerly East Pakistan) demanded separation from Pakistan (formerly West Pakistan). This resulted in the partition with the realization by state that a stronger national sentiment is required to keep the nation united (Cohen, 2004). The civil war reflected that Jinnah's vision of secular state that has been particularly created for Indo-Muslims isn't an effective national association that could overcome the internal differences among people of Pakistan regarding their culture, ethnicity or language. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009) In order to create a stronger sense of association and bond of nationalism, political leaders decided to promote religion as a building block in the national identity (Hassan, 2007). The notion of Pakistan as an Islamic state that implements the true version of Islam was encouraged. This notion thus became the core basis in the creation of 1973 constitution of Pakistan which is considered as the first constitution to instruct Islam as prime and state religion (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009). The constitution presented new state practices based on Islamic guidelines. Both the Prime Minister and the President now had to be Muslim; the Muslim minority sect called the Ahmadis was labelled non-Muslims (Rehman, 2001).

Afterwards, under Zia Ul-Haq's rule from 1977 to 1988, Pakistan underwent Islamisation, which rolled back Muhammad Ali Jinnah's original vision of Pakistan as a secular nation-state. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

Today the Islamic Republic of Pakistan is a presidential federal democratic republic with Islam as the state religion however the nation still is in ambiguity about national identity and gives the impression to be divided upon the cultural, ethnic and linguistic differences (Qadeer, 2006). An ongoing clash between liberal and religious forces is still observed. The former moderate South Asian Sufi-inspired version of Islam is now under pressure from a more strict and conservative version that has gained in strength over the past three decades.

#### ***The impact of socio-political context on media:***

With the above stated and defined background, it is quite obvious that the urge for self-defense runs strongly in Pakistan national identity and the state people's mindset. Pakistani nation considers national identity as a mean of safe guard and protection, due to the circumstances before independence and the role played prior as a minority and a victim. The Pakistani army is one of the caretakers and defenders of national identity which has beside hostility towards India, the national religion, Islam: and the national language, Urdu, as its cornerstones. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

Religion also has its prime importance in building the national identity of the state. Since a stronger emphasis on Islam as a major pillar of national identity has been given, so this has led to an alliance between the custodians of Islam (i.e. the religious leaders) with the military, the civil bureaucracy, and the intelligence services. This alliance and relationship between the national parties and the national guardians has had a huge influence on Pakistani media as they tried to use or control media to defend their interests and the national identity. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

The different military administrations in Pakistan have had a special interest in controlling the media, and thus have impact and modified the media in their own way throughout the years. The four eras of dictatorship written in the history of the state, are considered to be behind many of the media laws which have both liberalized and controlled the media at the same time.

Religious leaders have propagated blasphemy laws that have restricted freedom of speech and have manipulated the freedom of expression. Due to their stronger impact, religion is still considered and maintained as the prime pillar of national identity. The intelligence services have manipulated the media, and the civil bureaucracy has been controlling the media through its administration of media laws, licensing and placement of public funds for ads. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

#### **OVERVIEW OF MEDIA IN PAKISTAN**

An independent media is reflected as a fundamental civil right which is recognized and accepted all around the world. Pakistan's media is considered as one of the most vibrant, effervescent and dynamic media in South Asia. In Pakistan, Article 19 of the Constitution of Pakistan certifies the freedom of media and expression as it states:

*“Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defense of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offence.”*

The media in Pakistan dates back to pre-partition era where the sole purpose of established media was to promote the notion of two-nation theory and to counter the anti-Muslim propaganda. The first newspaper designed in this regard was named as “Nawa-e-Waqt”, which was based on conventional medium and was considered as a voice of Muslim elites who were strong supporters of the idea of independence. Afterwards in 1941, Daily “Dawn” newspaper was founded by Quaid-e-Azam Mohammad Ali Jinnah, to aid the theory of independence. With this sense, it can be said that initially, Pakistan’s print media was originated with the solitary determination of promulgating the idea of independent state, however, it transmuted with time and emerged as a medium to highlight the suppression of Hindu majority and as a form of self-defense against suppression. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

Up to today, more than 90 television channels diversified in news, soaps, dramas, music programs, movies, religious shows, cultural shows cooking shows and political talk shows have been since created (List of Satellite TV Licence Issued by PEMRA). Similarly, many radio channels have been launched provided with a greater reach and wider range especially targeting the people of rural areas. Besides the national channel Radio Pakistan, many private radios carry liberated journalistic content and news. But mostly all radio channels provide entertainment with a little bit indication of news and political talk shows. There are hundreds of Pakistani newspapers ranging from the large nationwide Urdu newspapers to the small local vernacular newspapers. Although media in Pakistan has always been criticized for their amateur behavior and yellow journalism, yet the diversity in media industry that took place in recent years, have caused a greater impact on the mindsets of nation and their corresponding behavior. (Nawaz, 1983)

### **Divisions of Media**

Media demographics reflect a multi-linguistic, multi-ethnic and stratified class society with a distinct division between English and Urdu media (Ricchiardi, 2012). Urdu media are typically consumed by the rural population of Pakistan. However, English media basically targets the urban and the elite class of society and is considered as more liberal and professional in comparison with Urdu media (Abbas, 1993). English print, television and radio channels have far smaller audience segment than their Urdu counterparts, but have much greater leverage among the opinion makers, political figures, statesmen, business communities, and the upper strata of society. Besides the Urdu/English and Rural/Urban division, Pakistani media can also be classified linguistically with a number of media in local languages, such as Punjabi, Balochi, Kashmiri, Saraiki, Pashto and Sindhi. Pakistani media is also divided onto the basis of religion. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

The channels were mainly transmitted through satellite but now the cable system has taken its place. The cable TV system, in terms of content and variety of channels, offered significantly more than the conventional terrestrial broadcast and thus its popularity spread very quickly. Coupled with the arrival of Chinese products, the cost of television was brought down dramatically, increasing the chances of being purchased. As TV was now considered as a cheap source of entertainment it became an essential household commodity – currently more than half of the country’s population has access to it. (Cable Viewership in Pakistan)

Due to the increase in the access of television, a whole new industry jumped to life in slightly more than a decade. With the development of industry, many opportunities came and availed. New positions and jobs were offered with improved salaries and fringe benefits and thus young professionals were encouraged to join. Youth became a majority in media industry, bringing down the average age of a journalist in Pakistan from 47 to 23. (Baig & Cheema, 2015)

Pakistan Federal Union of Journalists (PFUJ) that is considered as the state’s major journalists’ union, also experienced a drastic growth. Survey states that within a short time of 10 years, the membership was increased five times that was from 2,000 members to about 10,000 members. This growth and progress substantially complemented corporate development and further investments were being made. In year 2001 – 2002, Pakistan’s annual ad-spending, which was about 7 billion according to Asian Communication Handbook (2008) escalated to a massive 35 billion in 2013. (Media Ad Spending in Pakistan) Television became the preferred and attractive medium for advertisers and investors. Cable television licenses also observed a rise which was from about 900 (in 2002 – 2003) to 2700 (till 2014).

This advancement and progress provided a financial favor to the state and also stimulated the culture of social and moral accountability. This tremendous media industrial growth result in strengthening the voices of people and for the first time in the country’s history, questioned the groups & individuals that were otherwise considered unquestionable. Media discourses simplified, the complex and complicated governance issues for masses and armed citizens with information and awareness to political decisions. Extensive media coverage of constitutional, parliamentary, national and international affairs gave a common man, an understanding of critical and grave issues with an immediate impact on the nation. Without any doubt, the

newest trends in media like hourly (or half-hourly) news bulletins, special Interviews and political talk-shows drastically improved the country's information flow and general public's awareness.

### **MEDIA UNDER THE INFLUENCE OF DEMOCRACY**

Studies reveal that media's role in democracy should be that of a platform where people can have their say and can express their views freely. Democratic administration result in democracy in media too. It is said that democracy is a government of the people and by the people. Under the essence of the stated definition, the opinion of people should matter the most in democratic systems and moreover these opinions are essentially needed to be expressed to masses. In a democratic environment public opinion not only should be encouraged but also respected so that the state government remains answerable and accountable to people. (Hassan, 2007)

If the state regime is working against the will of masses and doesn't consider itself as responsible for respective decisions and actions then it should be replaced, but only through the vote of people. The role of media here is that the power of people must be conveyed and acknowledged to masses and to inform people what they are eligible to do and what are their rights. But if some sections are not heard or are depicted in a negative frame, it would undermine democracy. (Hassan, 2007)

There is no denying that marginalization of any segment in a state is not a useful practice because it leads to subduing a huge potential of societal growth as it has been said priorly that development in economic, political, cultural and social segments collectively make progression of any country. As Wilcox said that it is rationally absurd that an intelligent, self-governing community should be helpless victim of the caprice of newspapers managed solely for individual profits. (D. Wilcox, 16 July 1989) It is a common and known fact that media holds the authority to affect public opinion; thus, media should perform its role with responsibility and utmost caution and care that benefits the state and nation. The fourth pillar has been traditionally regarded as one of the classic checks and balances in the division of power. (Norris, 2004) As a watchdog, it is media's foremost obligation to keep people informed about all the developments at the national and the international levels, so that people know what is happening around them. But, more crucially, as an agent of social balance, it is supposed to be unbiased and fair when dealing with different components of a democratic society.

It is a matter of critical and serious argument that whether the media in Pakistan has been fulfilling its responsibilities in a democracy or not. Media is exceptionally commercialized, so it is commonly assumed that it is controlled and influenced either by the government or by those officials who are influential and exercise financial power. The critics have an opinion that rather than following the requirements and agenda of social responsibility, it is working in favor of the agenda of the few at the cost of diverse voices and opinions. This elevates concern because in a democracy, it is generally expected that media is supposed to provide and spread information to people in an impartial and neutral manner, letting them decide what is in their interest; it must not manipulate and biased news or preach agenda of those at the helm. Mazhar Arif- the executive director of the society of alternative media and research raised a serious concern saying that it was impossible for the media to be free in Pakistan if the organization's owners and their family had the right to set policies. Mazhar Arif in a conference organized by the Council of Pakistan Newspaper Editors and the United Nations Development Program (UNDP), said that "In Pakistan, the media is not free. It is private. For example, you cannot do an investigative story against some telecommunication companies."

Surely, democracy burgeons when general public and masses are provided with equal rights to express their views, state their demands and freely cast their votes to elect their representatives. Media is a platform that can sustain democracy but it can only be done if the diverse media, gives equal voice to every segment of society, in the true spirit of the theory of libertarianism. It is predominantly true for a developing country like Pakistan that local communities and their organizations commonly known as civil society are heard and considered in the media. While media are a central and chief part of local communication, local communities echo voices that principally communicate through media. Media with biased and partial interpretation can only benefit and provide advantage to a fraction of people but not masses or people at large and so they are deprived of their right to have just, objective, impartial and balanced views. (Hassan, 2007)

In democracy, civil society represents several voices of all areas, including women, youth, political parties, charities and NGOs, so going by the libertarianism, it needs to be properly, factually and objectively covered. A diverse society has many social groups, and therefore displays a diversity of different voices. These may have different social perspectives and may even differ in views, but within a democracy all are allowed to speak and will have access to media. (Hassan, 2007)

Democracy undoubtedly remains popular and favorable among the common people of Pakistan. Media has tried to contribute to the development of an infant democracy in the country, but its role, as widely comprehend, remains inadequate and insufficient. Looking at the hindrances, the media faces in the advancement of democracy, it may be right to say that the media has been into the hands of a few influential and set the agenda on their behalf. It is vital, therefore, that in view of the above arguments; it adopts and embraces a social responsibility model in order to satisfy the requirements of a pluralistic civil. Social Responsibility Theory underlines the need for an independent press that scrutinizes and inspects other social institutions and provides unbiased, neutral and accurate news reports. In a developing country like Pakistan where democracy is still taking roots, this imperative is doubly justified. (Hassan, 2007)

## **MEDIA UNDER THE INFLUENCE OF DICTATORSHIP**

Pakistan's media since the independence of the state, has faced the eras of four dictatorships in which it has experienced several censors, bans, influences and power-display dictator happenstances (Akhtar, 2000). While the situations get worsened Pakistani media has paid in the form of losing the lives of valuable reporters and media partners as a result of target killing. (Baig & Cheema, 2015)

The first step in introducing media laws and regulations in the country was done by the military ruler Field Martial of that time, Ayub Khan who passed the media ordinance of the Press and Publication Ordinance (PPO) in 1962. The law authorized the governing authorities to seize newspapers, close down news providers, and arrest journalists. By using these laws, Ayub Khan nationalized a greater part of the press and took over one of the two largest news agencies. Thus these laws and regulations were documented for personal benefits and were not in the favor of the media industry. Pakistan Radio and TV, established in mid-1960 was also brought under the strict control of the government. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

Then afterwards, in second military era, more rigid and authoritarian decisions, rules and regulations were made to the PPO during the control of General Zia Haq in the 1980's (Iqbal&Shabir, 2010). According to these new amendments, the publisher would be liable for his respective publications and he could be even prosecuted if a story was not much to the fondness of the administration even if the publication was based on facts or was in the favor of national interest. These modification and amendment's prime purpose was to promote Haq's Islamist leanings and were used as a way to communicate the alliance between the military and religious leaders. Censorship during the General ZiaHaq's era was clear, concrete and autocratic. Newspapers were scrutinized; critical or undesired sections of an article censored. In short, General Zia's era was not of much support to the revival of media industry. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

Due to ZiaUIHaq's sudden and unfortunate death, the government system was again returned to democracy. In this way, media industry found some hope and the road to success for media was paved to abate the draconian media laws, through a revision of media legislation also known as the Revised PPO (RPPO). (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

Although, media advancement is usually attributed to democratic regime and dictatorship is considered as an antagonist for media progress, however, this belief goes wrong in case of Pakistan. All substantial efforts for the freedom of Pakistani media were made during the authoritarian era of Former President, Retired General Pervez Musharraf. (Baig & Cheema, 2015). While some expert in the industry say that the whole created picture was still a strategic move to project a liberal image globally and to defend against the label of a conventional dictator on himself; but nonetheless it is a commendable achievement of his political era. Had he known this initiative of his, would ultimately become his humiliation, he would have thought twice. With the establishment of Pakistan Electronic Media Regulatory Authority (PEMRA) in March 2002, Pakistan's media industry experienced somewhat of a revolution. (Baig & Cheema, 2015)

From 2002, under General Pervez Musharraf, media faced a significant development that had led to a boom and prosperity in Pakistani electronic media and also it has smooth the way to it gaining political power (Talbot, 2002). Fresh liberal media laws broke the state's monopoly on electronic media. TV broadcasting and FM radio licenses were issued to private media outlets. (Baig & Cheema, 2015) The bar on private media ownership was raised, making space for privately owned and operated FM radios and television channels, broadcasting news, infotainment and entertainment content. Pakistan's media industry where earlier than year 2000, the characterization of private media was strictly restricted to print, and there was no as such concept of digital content, flourished dramatically when 91 television licenses and 140 FM radio licenses issued thus far, in merely a short period of only 12 years. (Baig & Cheema, 2015) This initiative of relaxed policy, as expected, was welcomed with arms wide open. 'Indus Vision', a subsidiary of Indus Television Network, was the first to hit the market. Then came 'ARY Digital', a subsidiary of ARY group, 'Geo Television', a subsidiary of Jang Media Group and then the list goes on. (Baig & Cheema, 2015)

Behind this whole scenario, the military's motives for liberalizing media licensing could also be based on an assumption that Pakistani media could be used to strengthen national security and counter the threat from India. This shift was prompted and inspired by the military's unscrupulous experience during two past clashes with India out of which, one was the Kargil War and the other was the hijacking of the Indian Airline by the "so-called" Pakistan based militants. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009) In both these confrontations, the Pakistani military felt that it had lost the media war to India. The government, the intelligentsia, the security agencies and the military had astrong opinion about media that Pakistan was now left with no options to reciprocate the confrontations because its electronic media were inferior to that of Indian. Better electronic media capacity was needed in the future and thus, keeping this opportunity in mind, the market for electronic media was liberalized. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

The justification was just as much an aspiration to counter Indian media power, as it was a wish to set the media “free” with the rights that electronic media had in liberal, open civilizations. The military thought it could still control and regulate the media and harness it if it strayed from what the regime believed was in the national interest – and in the accordance with its own political agenda. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

This assumption however proved to be wrong as the media and in particular, the many new news channels became a powerful force in civil society. Media undoubtedly became an important element in the course that led to the fall of Musharraf and his regime (Javaid, 2014). By providing detailed and extensive coverage of the Lawyers Movement’s struggle to get the chief justice restored in 2007, the media played a noteworthy role in mobilizing civil society. This protest and movement by lawyers, with masses of Pakistanis taking it to the street in the name of an independent judiciary and democratic rule, left Musharraf with little backing from civil society and the army. Ultimately, he had to call for elections. Afterwards, due to a transformed relationship between civil society organizations, the Lawyers’ Movement and the electronic media, Pakistan’s newly elected President, Asif Ali Zardari had to give in to public and political pressure and reinstate the chief justice. The emergence of influential civil society players is an exceptional in Pakistani history. These could not have gained in strength without the role of media, which will need to continue to play a pivotal role if Pakistan has to develop a stronger and durable democracy, greater stability and take on socio-political reforms. (Between radicalisation and democratisation in an unfolding conflict: Media in Pakistan, 2009)

“The only hope for Pakistanis is that the media will continue to mobilize people. The media have done a great job, even if they are at times very unprofessional, and have to come to term with the limits between journalism and political engagement”, says Christine Fair, Senior Political analyst and specialist at Rand Corporation. (Weekendavisen, 2009)

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