

Book Review

Sharif al Mujahid

Javed Jabbar and Qazi Faez Isa (comp.). *Mass Media Laws and Regulations in Pakistan — and a Commentary from a Historical Perspective*. published by Asian Media Information and Communication Centre (AMIC). Singapore. Distributed in Pakistan by Royal Book Company. 949. xxii. Price Rs.1200.00

Asia Media Information and Communication Centre (Singapore). funded by the Government of Singapore and the Rriedrich-Ebert-Stiffung. has been serving as a regional documentation centre (in collaboration with UNESCO) and as a mass communication centre, striving to raise the standards of teaching, research and practice of mass communication in the Asia-Pacific region. For over twenty-five years, it has been successfully handling a wide-ranging, multi-dimensional programme — organizing conferences, seminars, and refresher courses, offering consultancy, documentation and information services to both researchers and institutions, and publishing a bi-annual journal, a quarterly journal, a bi-monthly news letter, monographs, occasional papers, bibliographies, etc. From its modest beginnings in 1971, it has surged forward to become the leading mass communication NGO in the region under its long-serving Secretary-General, Vijay Menon. The present work is part of a series on media laws and regulations in the South Asian region initiated by AMIC over a decade ago. Other works in the series, published earlier, focused on Bangladesh, India, Nepal and Sri Lanka.

A more suitable editor for the present volume could not have been selected. Javed Jabbar, a former Federal Minister of State for Information and Broadcasting and later, for Science and Technology, has been, "a household name" in media, information and advertising fields. In the last one, he has done more than anyone else to make it creative, dynamic,

vibrant and global in Pakistan. For long he has been associated with the Asian Advertising Congress, having been its Secretary-General in 1979 and its Chairman in 1989. He was responsible for the 16th Congress held in Lahore in February 1989, which, participated in by some 300 media people, was considered an astounding success. He was also the founding Vice-Chairman of the Asian Federation of Advertising Association. At present he is associated with numerous bodies actively involved in voluntary work and is Chairman, Strengthening Participatory Organization (SPO).

The co-compiler, Barrister Qazi Faez Isa, is the son of Qazi Mohammad Isa, a close associate of the Quaid. Called to the bar in England in 1982, and associated with one of the country's leading law firms, he has studied and written on constitutional issues in depth. While the commentary is by Javed Jabbar, the compilation of laws and material pertaining to the media is the handiwork of Isa. Having been involved with compilation work for long, I know for sure how exacting, how tedious, and how time-consuming such compilation from diverse and scattered sources is. Isa has shown a measure of dedication which is indeed commendable.

By any standard, this is a massive work, almost monumental in its scope. Part A of the work provides a "handy guide", listing constitutional provisions and titles (with brief notes) of mass media laws, regulations, rules, codes, court judgements and other media-related issues. It attempts to provide an accurate record of dates on which several changes were accomplished.

The nature of these changes are discussed in Part B, which is a narrative "commentary". It focuses on all major themes and event impinging upon the political and media history from a legal perspective, and delineates the inter-relationship between the political and the media-legal variables. Thus it provides the contextual background of the various media laws and regulations.

Though by no means either a political or a mass media history, the "commentary" yet provides an extremely illuminating overview, encapsulating the major media-related developments that unravel the course that media laws and regulations had generally taken in Pakistan, discussing, *inter alia*, the reasons for taking the course they did, and the respective role of the various rulers and regimes in shackling the media and distorting its role. Among other things, the "commentary" brings out the curious fact that while, except for the promulgation of the Wage

Board, the "elected governments have generally failed to enact reforms as the caretaker governments did...." In 1988 was repealed the 1963 Press and Publication Ordinance, and in 1977 were enacted the Freedom of Information Ordinance, and the Electronic Media Regulatory Authority Ordinance which is "probably the most progressive law for electronic media in South Asia". These three measures represent "radical new directions" the Pakistani media are poised to move into. Though comprising only 104 pages, the 'Commentary' has yet both breath and depth, providing an unfailing index to the editor's expertise on media issues.

Part C, among others, features texts of relevant provisions of the constitution, media laws and of other laws which are partially applicable to mass media, and relevant codes and rules. This section also includes eight court judgements/orders, Justice (Rtd.) Dorab Patel's comment on the contempt of court issue and HRCP's recommendations for changes in law to ensure press freedom. Jinnah's two speeches and one message included here, however, fall outside the scope of the work.

The Appendix comprises three items including the text of the constitutional petition filed by Javed Jabbar (in collaboration with Dr. Mubashar Hasan) in the Supreme Court under Article 183 (4) in May 1996, requesting the Court to declare the air waves to be a national asset whose utilization can only be done on the basis of law or on the basis of defined principles of equity and transparency, and calling upon the Court to examine the non-transparent nature of awarding the permits for the FM radio stations and the cabal TV to some of the cronies of (Benazir Bhutto's) regime.

All said and done, the work has been imaginatively conceived, and methodically planned. As Chief Justice (Rtd.) Syed Sajjad Ali Shah says, the compilers "have put together a wealth of material" which "researchers, writers, speakers and the general public will find... very useful and valuable". And as Chief Justice (Rtd.) Nasim Hasan Shah remarks, the work is "most timely and brings out the fact that Pakistan is poised for a fusion between the laws of the mass media and the aspirations of its citizens for a free, just and open society". Both AMIC and the compilers deserve thanks and commendation for gifting the nation with this massive reference work on the occasion of its golden jubilee.