Ofcom, PEMRA and Mighty Media Conglomerates

Syeda Amna Sohail

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THESIS

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by

Syeda Amna Sohail
s1018566

Supervisor:
Prof. Dr. Robert Hoppe

Referent:
Irna van der Molen

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Chapter 1

Introduction

Information and Communication Technology (ICT) has quickly paved the way, not only for developed countries but, for the world at large to convert into a global information economy [39]. However, the advance of this communications revolution is uneven within and between countries [75]. Since 1980s, Neo liberalism pervaded and the politico-economical development required state to play a catalytic role in encouraging the activities of private businesses and individuals [39]. As the president of World Bank stated in 1997, that today, "The best government is considered to be the least government". Private sector expanded because of widespread access while well established cultural values and states sovereignty became a matter of concern [42]. As sectors shifted from being dominated by government's monopolies to being privatized and more competitive, the state intensively supervised, monitored and/or enforced procedures [9, 12].

Independent Regulatory Agencies/National Regulatory Authorities (IRA/NRA) are incepted, by nation states, to exert specific "regulatory powers" [55]. IRAs are part of "agencification" trend which characterizes OECD countries(though the trend is global now). The underlying idea is that the policies are best executed at arms length from the government [44]. A certain autonomy is given to regulators who are kept estranged from the government and market forces alike [44].

IRAs regulate sectors and evade the risk of capture by any other specific interests [43, 55]. They are incepted to facilitate "economic efficiency" of private businesses while maintaining a hold on them from being unbridled. The purpose is to instill credibility and efficiency in erstwhile incompetent public service sectors. Public sectors, that were earlier at the risk of "political uncertainties", the risk that government's policies will change with the change of its powers [44, 55, 62], are now governed by technocrats. Who exert their autonomous powers in accordance with the legal remit decreed by elected officials [78] and represent significant element of new global order of regulatory Capitalism [56].

IRA's are now spread across sectors especially in liberal capitalist western countries and have become a significant third force of regulation along with the government and the regulates [44]. The trend is rather global in incepting IRAs across sectors with three functional procedures namely top bottom, bottom up and horizontal [44, 56]. Broadcasting media industry is no exception to it.

Since 1980s, broadcasting media, globally, became increasingly central vis--vis politics and so a need was felt for the inception of IRAs to legitimize their insulation from government or

state or from any other third party influence [55, 75]. With the increase of independent broadcasting industry, independent regulatory system has expanded to license and oversee the media market [75]. It is now the job of IRAs to ascertain an independent and diversified media. An independent and diversified media is considered as an emblem of democracy capable of generating varied source of information for people to make their knowledgeable decisions especially during elections [9, 44, 75].

1.1   Motivation to do the research

Empirically, the decreed legal remit does not globally compel the society's media system to abide by before mentioned rules with a straight jacket rule. Rather, the difference in socio-political preconditions exerts potential impact upon media priorities and institutional and functional repertoire of media regulatory authorities. Each nation state establishes IRA for its media system upon some underlying values and utilizes it to attain certain intermediate and ultimate goals. Thus, some statutory purpose is always at work behind the inception of media regulatory authority of every nation state.

The prime differences between nation states further influence the patterns of media operationalization and aim to achieve different ultimate objectives [40, 51]. Is it possible, then, for any media regulatory authority to be a-political in its dealings with media system? This question especially interests one if "autonomous" media regulatory authority is set under two different socio political preconditions.

The statutory purpose usually rests upon basic media normative models [76] or dissident's media theories [51]. For example, Social Democratic model specially regards general pubic interest (as in social democratic societies referred by Picard [70]) while Authoritarian model concerns about the empowerment of new political and business elites as elites as an ultimate goal [76].

Each country's media policy terrain can also be divided in different media policy paradigms based on segregated sub goals and ultimate goals in economical, political and social/cultural elements for different spans of time [40]. Keeping above in mind it would be interesting to explore the differentiated media policy paradigms of a country in successive spans of time. Similarly, different media policies and respective media regulatory authorities under take measures that usually base on different underlying values and comprise segregated civil society theories. It seems interesting in comparing two countries of starkly different s ocio political preconditions with their respective media regulatory authorities aiming varied statutory interests at different time periods.

Additionally, cross media consolidation is allowed to mushroom with the consent of public authorities globally [41]. Surprisingly, countries with different underlying media values and varied ultimate goals stand inactive in combating cross media consolidation of highly influential media tycoons. Office of Communication (Ofcom) and Pakistan Electronic Media Regulatory Authority (PEMRA), the media regulatory authorities of United Kingdom and Pakistan respectively (provide agencies of starkly different socio political setting) are two good examples in this regard.

UK legally promotes democratic value of freedom of expression and encourages market enhancement but simultaneously intervenes in media operations if the media abuses the right to freedom of expression. Negative freedom of expression or the misuse of media freedom to

incite hatred against any gender, ethnicity, religion or class of society is restricted in UK as it leads to possible social disintegration. UK is a pioneer in sticking to the public service remit for broadcasting media (over 80 years ago [62]) and is also the pioneer in introducing commercial broadcasting media in 1955. UK is emblem of democratic values and hails from the developed information based economies. Various national and supranational policy measures are in place to facilitate the democratic media structure of UK.

Pakistan, on the other hand, since 14th August, 1947, has been under military rule for half of her life span. Being a developing country with massively illiterate population, Pakistan media policy is set under different socio political pre conditions and aims at achieving different media goals than that of UK. Liberalization/privatization of media could never be the possibility in Pakistan but several external factors paved the way for liberalization of broadcasting media. Mainly, the cultural invasion threats from Indian cable TV channels in late 1990s and New Public Management (NPM) reforms through World Bank and IMF [74] compelled Musharraf regime to announce the divestiture of broadcasting media i.e. Radio stations and TV channels in Pakistan in 2001 [61]. Still, the Pakistani commercial media system resembles more with that of Central and Eastern European Countries (CEECs, because they remained under Soviet control till 1989).

As Jakubowicz [51] states that in the period after Soviet disintegration, the journalists/anchors in CEECs could not realize what new democratic institutions expected from them in regard of general public interest. They could not grasp the idea of an objective media of a democratic society which aims to empower general public at large. They rather preferred to empower new political and business elites through liberalized media system. Journalists in CEECs considered themselves as the master of state and the nation alike as they were paid heed by the both. Even after the toppling of communist regime, Journalists kept on behaving like nation's guardians and continued moral policing of the society [51].

Similar journalistic behavior is rampant in Pakistani media, be it press or broadcasting. One recent example of moral policing of society was experienced in a TV morning show "Subah Sawerey Maya Kay Sath" meaning "Morning with Maya" that aired on 17th January, 2012 on a private channel, "Samaa TV". The hostess of the show was shown visiting a public park in Karachi Clifton where she pointed out multiple couples as being on date (as being Islamic republic of Pakistan, such behavior is not considered as legitimate in Pakistani society). Later, a complaint was raised, accompanied with massive public outburst on social networking site "Facebook", against the channel and especially against the program hostess.

The reason behind the rash reaction of public was to stop media from moral policing of the society and to abstain it from intriguing into people's personal lives. Later, the hostess "Maya Khan" publicly apologized for that particular episode and was permanently rusticated from the channel and the show got off air soon. A few days later, it was shown on another private channel, in Maya khan's presence, that how all those screened couples were fake and paid actors. Media barons[1] with political affiliations, especially in CEECs, usually give partial picture in reflecting political landscape in their newspapers or in news TV channels [51]. One will try to dig deep and will try to unravel the case in regard of Pakistan and UK both.

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[1]The words like media conglomerates, media barons, corporatists and media tycoons, for the media owners who have cross media ownerships, are used interchangeably in different articles.

1.2 Political and social relevance of the topic

Primarily, socio-political landscape of any nation state defines the centrality or marginality of media system. Consequently, the state sets ultimate objectives for commercial media to serve. Media policy in turns affects the institutional and functional repertoire of media regulatory authority. Once media regulatory authority is incepted, it aims to achieve the ultimate goal through media system.

Despite the arrival of "new media" (comprising online blogs, social network sites, hyper local sites such as "Youtube", of being in vogue), the centrality of broadcasting media in all the societies can not be rejected. In Western societies like UK, people spend an average of 28.12 hours a week in watching television (Broadcaster's Audience Research Board, BARB, 2012), and 90% of the population tune into radio each week (Radio Joint Audience Research, RAJAR, 2012). In developing countries, like Pakistan, the access to broadcasting media is not equally distributed. Still, 78% are regular TV viewers (Pakistan Institute of Public Opinion, PIPO, 2010) while 39.75% of rural population and 30.5 % of urban population are regular audience of radio (British Broadcasting Corporation Pakistan, BBC Pakistan, 2008). In contemporary world, the centrality of media system vis--vis politics, its cultural contribution and the large economy it generates for the nation state is evident in all the societies. However for better understanding I have divided it for both UK and PK in following manner:

UK: Ideally, Media regulatory authorities are formulated and function as per their statutes. Their statutes are instituted by the elected parliamentarians to safeguard some underlying values with an aim to serve general public interest. The proximity between elected politicians and media barons can turn the table in most favorable positions for the former to legitimize public policy through media. Or, media barons can consolidate their media might at the expense of meager stake holders in the market. The famous Hutton Inquiry (2003) post David Kelly's death unleashed the unhampered political influences upon media system and the close political affiliations of media barons in UK.

Normatively, today's European media policy making is not similar to that of post Second World War era where most of the communication sector was part of states monopoly. Since 1980s and onwards the post industrialist countries are converted into information economies and the technological convergence has left regimes with little room in hindering this borderless information transmission. Since early 1990s, states policy making is more economically oriented and technologically driven [40].

However, during the first decade of 21st Century, British media is found guilty of doing the job of opposition party and besmirching the names of British politicians. General adversarial relationship between press and politicians has left many citizens alienated of press and politicians alike (Ditchley, 2003). With Leveson Inquiry, 2011, solemn steps are taken in curbing the unbridled and unchecked press media might in British society.

British Press is now anticipated to be regulated by a proposed Media Standards Authority, MSA. This revived regulation gives the reminiscence of British Royal Commission (1947-49) that marked the advent of British Public Service Media Policy paradigm after Second World War [40]. Freedom of expressions is now anticipated to be coupled with responsible regulated reporting to counter disintegration emanating from negative and biased reporting.

Access as another important democratic feature is more justified if it reaches masses with diversified content. Here diversity of content does not necessarily refer to the diversity of sources. Presence of highly influential media barons with in UK is good example in this regard. Surpris-

ingly, where on one hand the adversarial relations between media baron and politicians alienated citizens in UK, similar disillusionment have been prevalent in Pakistan against the biased and subjective reporting of Pakistani media. People of Pakistan are also repugnant of politicians and media alike and strict official measures are needed in the case of Pakistan as well. Having said so, the disgruntlement in Pakistanis is much graver in comparison to British citizens against the media and politicians. The case in Pakistan is as given below:

Pakistan (PK): Since 2005 onwards media is serving the role of guardian in Pakistan. Media trial of politicians is a vogue now on private news channels but the year 2007 turned out to be the darkest year for private broadcasting media in Pakistan. Media's voicing against unlawful termination of Supreme Court Chief justice Iftikhar Chaudhry and its incessant protest against authoritative measures taken by the then military ruler Pervez Musharraf led to the complete termination of major private news channels during emergency period of 2007 [82]. Media played an active role against totalitarian measures of military ruler and facilitated the process of long anticipated democratic election in March, 2008.

Right from 2008 onwards, despite being part of a deadliest country for journalists/news anchors (Committee to Protect Journalists, CPJ, 2011), Pakistani journalists and anchors have been valiantly vocal in revealing politicians corruption cases and have been serving as the only hope left to voice general public interest. However, last two years have given vent to anti media sentiments amongst the masses. Reasons are many but the most recent Media Gate Scandal has been instrumental in dismantling trust on media from people's mind. The said scandal revealed two well acclaimed anchors "Maher Bukhari and Mubashir Luqman" broadcasting an implanted interview with a convict businessman "Malik Riyaz". Malik Riaz is allegedly involved in several corruption cases and has recently accused Justice Iftikhar Chaudhry's son of being accomplice with him in bribing the epic court to get some lee way. The show was aired on 14th June, 2012, while behind the scene leaked clip was soon made available, with in few hours on Face book and on You tube. The leaked clip comprised behind the scene discussions between the two anchors, the convict businessman and their telephonic discussion with a standing convict politician, on how to take along this implanted interview. This disillusioned the public at large and ultimately unveiled that the broadcasting media is not free from political clutches. One of the hosts was exterminated the very next day while the other female anchor strived to justify to the audiences that the leaked clip was in fact a propaganda against her and the channel. She still hosts political talk show "Cross Fire" on the same private channel, "Dunya TV".

Electronic media regulation and policy in Pakistan is important as "Pakistan is the first country in the South Asian region to introduce a regulatory regime". The electronic media industry is different from other corporate enterprises as it is complexly intertwined with culture, economy, and politics [73].

Be it UK or PK, the media has been considered involved with politicians for the reasons uncanny and, ironically, both the country's media systems work under media regulatory authorities to ascertain that media must not function under any political or economic influence. A thing to ponder is that whether the underlying value is set as justice/equality (in case of UK) or to maintain order (in case of PK), there are loop holes that leave ample room for media barons to exploit.

1.3 Scientific and theoretical relevance of the topic

With widespread inception of IRAs across policy areas, countries witnessed the rise of "regulatory capitalism" since 1980s (see for example [43, 55]). Not surprisingly, IRAs have been incessantly censured for being delegated the power which otherwise is domain of elected parliamentarians [44, 54, 55]. Critics say that the parliamentarians delegate IRAs the required power and discretion to act autonomously but fail in delegating them the legitimacy. Though, it is discernable for them that IRAs are incepted primarily to be insulated from day to day politics [55]. Legitimacy comes not only with the feeling of being representative of, but also with being accountable to, voters [55].

Multiple international, supranational and domestic organizations have deliberated in fighting against this "Democratic Deficit". In fighting above, IRAs must stand accountable to those who are responsible in delegating them the powers i.e. respective minister or the president. For public at large, transparency appeared as the only solution to get rid of the problem of legitimacy [9, 44, 75, 78].

Some state that IRAs must not be perceived in regard of trust deficit as they are formed in the pattern of central banks or courts and are commonly known as Non-Majoritarian Institutions (NMIs) [78]. NMIs are neither directly elected by the people, nor directly managed by elected officials and are governmental entities that possess and exercise legally delegated specialized public authority, separate from other conventional institutions [78]. They perceive NMI's with Principal-Agent approach where Principals (elected officials) are primarily in full authority to whether constitute or not to constitute agents (IRAs) remit.

Main task of IRAs is to draw fair balance between the interests of the commercial broadcasting media and its consumers. Valuable studies are produced in measuring the autonomy of IRAs [44, 56]. Apart from formal autonomy, political and financial autonomy from political or private influence is given prime significance [55]. IRA's statute plays a vital role in achieving ultimate goals of media policy.

IRAs statute is basically determined by the media definition, collectively shaped by media, citizens and state to serve respective interests. And media regulatory authorities then utilize available resources at a particular time period to achieve ultimate media goals [40, 51]. Basic normative media theories are in place to differentiate between political systems and their respective media systems. Basic four normative press theories by [76], are considered as a land mark to differentiate between media systems. Prescribing: "Soviet Communism: mainly comprising communist regimes (today's Central Eastern European bloc is remotely influenced by its relics), the Authoritarian theory: before 1950s European press was in strong aristocratic control and many monarchs today work as per this theory. Libertarian theory: aim to provide an objective and diversified information based market place where positives and negatives of news are left at the discretion of the audience. United States of America, USA, is a good example in this regard. Social Responsibility theory, where government serves general pubic interest via media system and may act as an interventionist in protecting society from abuse of freedom.

After the basic normative press theories many American and European scholars came with their minutely deviated theories from the basic four theories with dissident's media models to convert the attention towards journalist's performance. Some also presented matrix by combing two or three models and placed media in relation with audience at one end and state on the other end [51]. Development theory, by [51, 58] came into being to sufficiently represent the media system of developing countries. Here media is used to promote nation's socio-economic goals

under the impetus of Nationalism. McQuail also presented some underlying values, namely Justice/equality, Freedom and Solidarity/order, as prime prerequisite in setting media policy. McQuail talked about the impacts which these underlying values exert upon the regulatory media authority's functioning, on the patterns of media operations and relevant media outputs in modern western societies (based on McQuail [60] adopted from [51]. His categorization was later on minutely alternated by Jakubowicz, 1998 [51] as the later comprehended solidarity and order as two different values. Here order fits well for totalitarian regimes.

Media policy paradigm can also be differentiated in political, economical and social elements which in turns are directed to achieve respective goal through media system [40]. Similarly each media system rests upon different theories of civil society and directs to some particular media transformations (based on Sparks [77] adopted from Jakubowicz, 1998 [51]). The composition of civil society exerts substantial impact upon the media policy making because it either gives precedence to the interests of general public or to that of new political and business elites [51]. One plans to combine all before mentioned dimensions to gather better explanation of regulatory body's undertakings and their implications upon media systems of UK and Pakistan respectively. In regard of my before mentioned description my research question, RQ, is following:

1.4   Research question

How can one explain the underpinnings of Independent Regulatory Agencies (IRAs) for liberalized media system in UK and Pakistan with reference to Cuilenburg and McQuail, 2003 [40] and Jakubowicz, 1998 [51]?

IRAs are basically media regulatory agencies that are based on some underlying statutory values. Those values can, among others, be set for the attainment of equality and justice in the society as a whole (Jakubowicz, 1998 [51] based on McQuail, 1992 [60]) or can be based on the "Standard Model" for empowering only political elites as in the case of CEECs (Jakubowicz, 1998 [51], adapted from Sparks model [77]). In former case the satisfaction of public interest while in the latter case the paternalism or the elitist satisfaction serves as an ultimate goal. Public interests are usually product of civil society that enjoys its pluralistic space between state and citizens. But vie for complex human rights with intensified stress upon common public good.

In case of media or communication system, media, citizens and politicians define media and collectively set values to achieve collective goals. Where as elitist interests are usually set between politicians and mighty corporate forces to serve the interests of new political and business elites instead of general public at large. In former case Socialist Responsibility media theory plays the role of directing media system. Where as in latter's case the preference is empowerment of elites [51]. First media policy paradigm can further be divided in three paradigms namely economical, social and political paradigms to ultimately fulfill prime objective of public interest [40] where as the second situation, expectedly, constitutes predominantly only two paradigms namely economical and political to achieve ultimate goals as was shown in emerging communication phase of western society until Second World War [40]. By keeping above in mind, following two make my hypothesis:

1.5 Hypothesis

- H1. British media policy is influenced by the Social Democratic media theory with interventionist measures to protect society from disintegration. However, PK media policy is inspired by Authoritarian normative model.

- H2. IRAs of UK and PK are incepted to facilitate respective media policies. Both IRAs with different underlying values end up with highly influential media conglomerates.

1.6 Plan of action

In answering the question I will first elaborate the theoretical framework in the following chapter and then I will case wise, namely Ofcom and PEMRA, divide the chapters where I will describe the historical descriptive, normative parts (based on [40, 51] about the underlying values for and expected objectives from media systems in both UK and PK. Financial and political autonomy of the IRAs from public or private influence will briefly be discussed but the focus of the study would be to locate the underpinnings of both the agencies in achieving respective goals.
One will briefly locate the autonomy of Ofcom and PEMRA based on the composition, manner of appointments and powers of IRAs as is specified by Jakubowicz [51]. Attention would be given to the level of autonomy based on the political or a political status of both the IRAs as per Jakubowicz determinants [51]. I will also highlight media consolidation with importance given to two of the highly influential media barons (as mentioned above) in the setting of UK and PK each. Comparative part will follow both the cases in a separate chapter comprising comparative analysis, of both UK and PK, followed by a concluding chapter based on one's Reflections.
Media regulatory authorities Of UK and Pakistan with a special focus on two of their most influential media barons will be given in each case. For UK I have chosen Rupert Murdock of News Corp and Rothermere of DMGT group. For Pakistan I have selected Mir Shakeel Ur Rahman of Independent Media Group and Saigols/Haroons of Herald/Dawn publications. Through this essay I aim to locate the different underlying values defining different media policies. Each with different ultimate goals stand inactive against influential media barons with strong political affiliations in both the countries.

1.7 Research design and methodology

The purpose of the research is explanatory of why there are major differences behind the presence of highly consolidated media barons in the political landscapes of UK and Pakistan. The differences lie in the underlying values, the pattern applied for regulatory regimes of media systems and the objectives to achieve them in the socio political landscape of UK and PK. Here the media definition, underlying values and ultimate goals to be achieved through media, serve as independent variables to locate the structural and functional pattern of media regulatory regimes. Research model is Nomothetic with independent variables leading to two dependent variables namely the structural and functional pattern of media regulatory authority (regarding composition, manner of appointments and powers of IRAs) on one hand and the presence of highly consolidated media barons on the other hand. Unit of observation would be Ofcom, PEMRA and media conglomerates and the units of analysis would be underlying values and social, economical and political goals in setting up media regulatory authority. Data sources would

be the online portals for both OFCOM and PEMRA, scientific journals on communication policy making and other internet blogs of relevance. Theoretical framework per question: theoretically my work will be based on Cuilenburg and McQuail's phases of communication policy making, 2003 [40] and on Jakubowicz (1998) models for western societies and CEECs [51] respectively. All can be divided in historical descriptive, normative and comparative part with focus on in put, through put, output and outcome. Two sub groups of highly influential media barons for UK and PK will also be given heed. Theoretical methods are comparative models and will give some insight in both UK and PK. Detail is given in the next chapter. Following is the outline of my thesis:

1.8   Thesis outline

The thesis is divided in six chapters including this one. The chapter wise division is as follows:

- Chapter 1: Introduction: Socio political and scientific/ theoretical significance of the topic, Research question, methodology and design

- Chapter 2: Theoretical Framework: Detailed theoretical framework per sub question

- Chapter 3: OFCOM: as IRA of UK, its underlying values, its socio political and socio economical goals, example of two highly influential media barons, little attention to level of autonomy

- Chapter 4: PEMRA: as IRA as PK, its underlying values, its socio political and socio economical goals, example of two highly influential media barons, little attention of level of autonomy

- Chapter 5: Comparison between Ofcom and PEMRA: Comparative description of the two IRAs

- Chapter 6: Reflections

Chapter 2

Theoretical Framework

2.1 Introduction

Existence of politically influential media barons is a reality these days in UK and Pakistan. Their existence emphasizes that there are certain latent forces that acknowledge their presence and allow them the ample room to exist and flourish. Media regulatory authorities in contemporary world are established upon some media policy paradigm [40]. Media policies of nation states are usually based on some underlying values which remain intact with corresponding media system (Jakubowicz, 1998). Media systems comprise their respective civil society theories based on the projects through which media transforms with time [51]. Apart from above, there canbe room for any IRA to get politicized by public/private interests [51].

I aim to locate those underlying values and their related socio-political or politico-economical elements with a focus on their ultimate objectives in incepting media regulatory authorities.

Media, citizens and politicians collectively set media definitions with a win-win situation for all [51]. Media definitions and established underlying values are then realized in the media policy to affect the pattern of media operations and media outcomes. Statutory media policies, thus, with an ultimate goal set the structural and functional pattern of media regulatory authority [51] and the plausible space for media barons (as given in Figure 2.1).
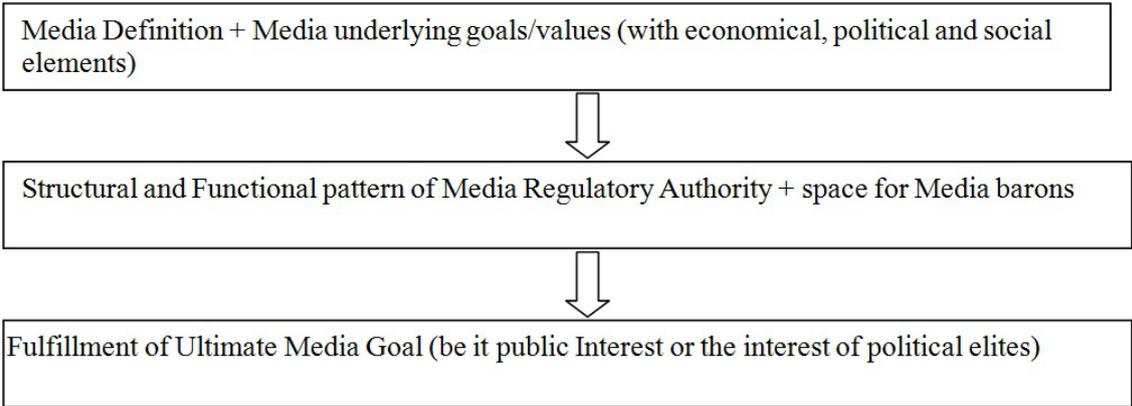

Figure 2.1: Adapted from Karol Jakubowicz, 1998 [51]

To head start my study I am taking the work of Karol Jakubowicz, 1998 [51] to find out the basic underlying values behind the underpinnings of media policy, both in UK and Pakistan. I

have chosen Jakubowicz model [51] adapted and minutely altered from that of Denis McQuail's "regarding core values of modern western society" [60] where he set "order" separately from "solidarity" and coined the former as the "basic value" for totalitarian regimes. Elements of this model, with justice as prime value can be compared with the groundwork of today's OFCOM of UK (Explained in next chapter).

I am selecting Karol Jakubowicz's another model [51] of "theories for civil society and media transformation in Central and Eastern European Countries" with emphasize on Standard model, This model, adapted from Sparks [77] resembles the case in Pakistan (elaborated later). In knowing the level of autonomy of media regulatory authorities I will apply few basic determinants specified by Jakubowicz [51] that are applicable upon PEMRA and OFCOM. The media policy paradigms, both current and previous, of UK and Pakistan respectively, will be based on the models by Cuilenburg and McQuail [40].

Cuilenburg and McQuail [40] categorized the three different paradigmatic phases as "Emerging Communication Industry", "Public Service Media Policy" and "New Communication Policy". They gave a communication model as the one by government with specified correlation between the social, political and economical elements. In the end I will elaborate two cases of highly influential media barons in UK and Pakistan each. Aim of the study is to highlight the track of media policy making ranging from the incorporation of fundamental media values, in devising media policies to shape media system, and consequently to satisfy ultimate goals of respective nation state. I will explain that how both the countries, UK and PK, end up with highly consolidated media barons but there lies great difference in intrinsic values where one strives to meet the requisites of general pubic interest and the other tries to fulfill the political elitist interests as the ultimate goal. All the selected models are given below:

2.2   Jakubowicz, 1998 [51]

Jakubowicz attributes the biased and unprofessional reporting of CEECs journalist's to their implicit intention of empowering the new political elites, instead of civil society, as an ultimate goal of their media policy. This biased and subjective attitude of journalists has culminated in lagging behind of the CEEC's media system from practices of western societies which also serve as their ideal normative models. The Jakubowicz models that I have selected to apply in my research work are given below:

2.2.1   Communication values and corresponding media system (minutely altered Denis McQuail model [60])

Denis McQuail formulated a model, in 1992, based on the basic communication values i.e. Freedom, Justice/Equality and order/solidarity of modern western societies. He said that the adoption of one of those elementary values has great impact upon the input, through put, output and outcome procedures of media systems (ranging from communication policy making to through their impact on the patterns of social communication and then on the form of media operations). McQuail claimed, in 1992, that today's modern nation states, can share the components of all the values at one time. Jakubowicz, later on, made a slight change and separated "solidarity" from "order". He attached solidarity in the bottom up social context and rendered order as the prime value for totalitarian regimes. Jakubowicz placed Freedom based media system on somewhat on the "libertarian" track with unrestrained free market system aiming at

unbridled freedom of communication. It flourishes, he said, with market oriented media system with least or light regulatory measures that allows every one, with adequate resources, to enter the market. Second value is Justice/equality which can more be seen in the lines of "socialist democratic" theory. With the Justice as intrinsic value, media propagates liberal values of fair access of media to almost every one and emerges as a true representative of the society on the whole. Regulatory authorities in this system, operate with heavy regulation and adequate interventionist measure to protect the "public interest". If a nation state sets "Solidarity" as a fundamental value then it works in the social context of various sub groups with the bottom up approach. Its means are some what similar as described in "development communication" press theory where states socio economical goals are achieved by attaching the feeling of commonality amongst masses. Its regulatory mechanism is strict with focus on diversity of content based on true representation of the sub groups. In this system, the interests of the sub groups are served out of compulsion to ultimately add up to the national coherence. McQuail set the fourth value as "order" for the top down leadership in the society. Today all the monarchs, authoritarian and socialist regimes follow the pattern of this value. Its social context is totalitarian/authoritarian system with compliance and conformity, by the masses, as underlying goals. The media system is centralized and state owned and the underlying philosophy is hegemony where main communicators are few approved voices (for better understanding, look at Table 2.1)

Table 2.1: Karol Jakubowicz model [51] based on McQuail [60] on basic communication values in western societies.

Basic Value	Freedom	Justice/ Equality	Solidarity (bottom-up)	Order (topdown)
Social context	Free Market system	Social democratic Model proposed by dissidents	Media attached to various sub-groups of society	Totalitarian/ authoritarian system
Goal	Unrestricted Freedom of communication	Equal, fair access to media, fair reflection in media of society in all diversity	Increasing commonality and sharing of out-look, voluntary attachment	Control/ compliance/ conformity
Main regulatory mechanism	Light regulation, Market Mechanism prevails	Heavy regulation: public interventionism to ensure equality in access to, and use of, means of communication	Heavy regulation: arrangements for access and positive representation of sub-groups in society	Totalitarian regulation: centralized, command system
Underlying Philosophy	Market driven Exclusion, Market exclusion	Inclusion, democracy, positive freedom	Sympathetic recognition of alternative perspectives	Political exclusion, hegemony, homogenization
Communicators	Everyone with the means to do so	All social groups	All sub-groups	Only "approved" voices

2.2.2 Different theories of civil society and media transformation projects in Central and Eastern European countries (adapted by Sparks [77])

Table 2.2 depicts the transformation phase of CEECs and contribute to the discussion of "post authoritarian communication" [51]. It emphasizes the transformation and adaptation of media system in countries where political system hailed a liberal shift but with some reservations. Majority of these countries chose the "Standard Model" as the most apt choice and empowered the new political elites under the pretext of privatization/liberalization of media system. The reasons behind the selection of standard model for media system in these countries can be one or two of the following:

1. it was hard for the state to digest the rapid inclination from "Order" as a basic value to "justice/equality" with special regard for newly built public interest (as in Belarus),

2. journalists were confused regarding who constitutes civil society, whether it is the citizens, the organizations or the political elites and they chose the latest as the right option,

3. journalists lingered on with their inherent fortress (biased and subjective reporting to attain some nefarious agenda) journalism and could not reasonably satisfy the needs of objective reporting under democratically instituted regulatory authority.

Thus the selection of Standard Model, by the journalists, can be intentional or inadvertent choice that vented fortress journalism to ultimately empower the new political elites. The standard model entails the mixture of commercial and paternal (authoritarian with conscience/elitist) streaks (of Raymond Williams, 1960s) and thus empowers the new political and business elites. In this model different versions of media transformations are set in the context of post communist regimes. Names of the models/version are given as Radical, Materialist, Idealist, Poetic, and Standard. I will elaborate only Idealist and Standard model for limited time and space. I consider idealist as resembling the most and has multiple elements of the underpinnings of the media regulatory framework of Ofcom, UK (explained later in next chapter) and standard model as the one, most similar to the understructure of PEMRA of Pakistan.

In idealist model the key elements of civil society are people, corporate bodies and state. In this model the main change to media, since 1980s, is its control by empowered associations. Its normative media theory is democratic and participant theory with a focus on diversity in content and sources. In "Standard Model" the civil society comprises the new political elites instead of the citizens. It came in to being with the transformation of CEECs media system from the clutches of communism to more democratic political structure. For majority of CEECs, the only perceived threat was the autonomy of communication from political control and thus the most appropriate solution was envisaged to empower new political elites. Political elite, then, were empowered through the help of media houses and biased reporting through the mediums of broadcasting and print media to serve political interests.

In this, the normative media theory is paternal / authoritative with conscience and commercial and so entails the mixture of political and economical goals only. An important reason behind empowering political elites instead of civil society in CEECs was the weak and passive civil society that completely trusted state for any societal development and was the by product of weak and inefficient statutory institutions and organizations of the country specifically in Poland. In

Poland the state, though weak it was, continued to play its role of forging modernization impetus in the society.

Table 2.2: Karol Jakubowicz model [51] adapted from Sparks [77] for CEECs.

Version	Key elements of civil society	Changes to media	Normative media theory	Likely regulatory regime	General theorist	Media theorist
Radical	State/ associations	Direct popular control	Direct Communicative democracy	Interventionist to ensure socialization of media	Early solidarity	Early solidarity
Materialist	State/civil society/ family	Private	Libertarian	Market Mechanism	(Hegel/ Hayek) Kornai, Klaus	Manaev
Idealist	People/ economy/ state	Empower associations to own/control media	Democratic/ participant	Interventionist to achieve social media policy goals	Arato, Cohen	Splichal
Poetic	Nice people/ power structures	Empower nice associations to own/control media	Democratic/ participant/ paternal	Interventionist to achieve social media policy goals	Keane, Dienstbier	Fedorowicz
"Standard"	Political, rather than civil society	Empower new political elite to control public broadcast media, privatize print media	Paternal/ commercial	Different regulatory regimes for broadcast and print media	New political elites	New political elites

The basic distinction, between media regulatory framework of western society and that of CEECs, lies in identifying the ultimate goal. The modern western countries reckon "Public Interest" of the citizens as the ultimate objective of public communication where as the CEECs or post authoritarian country like Pakistan consider the interests of political elites as the ultimate goal in communication policy making (for a better idea of ideal situation look at Figure 2.2).

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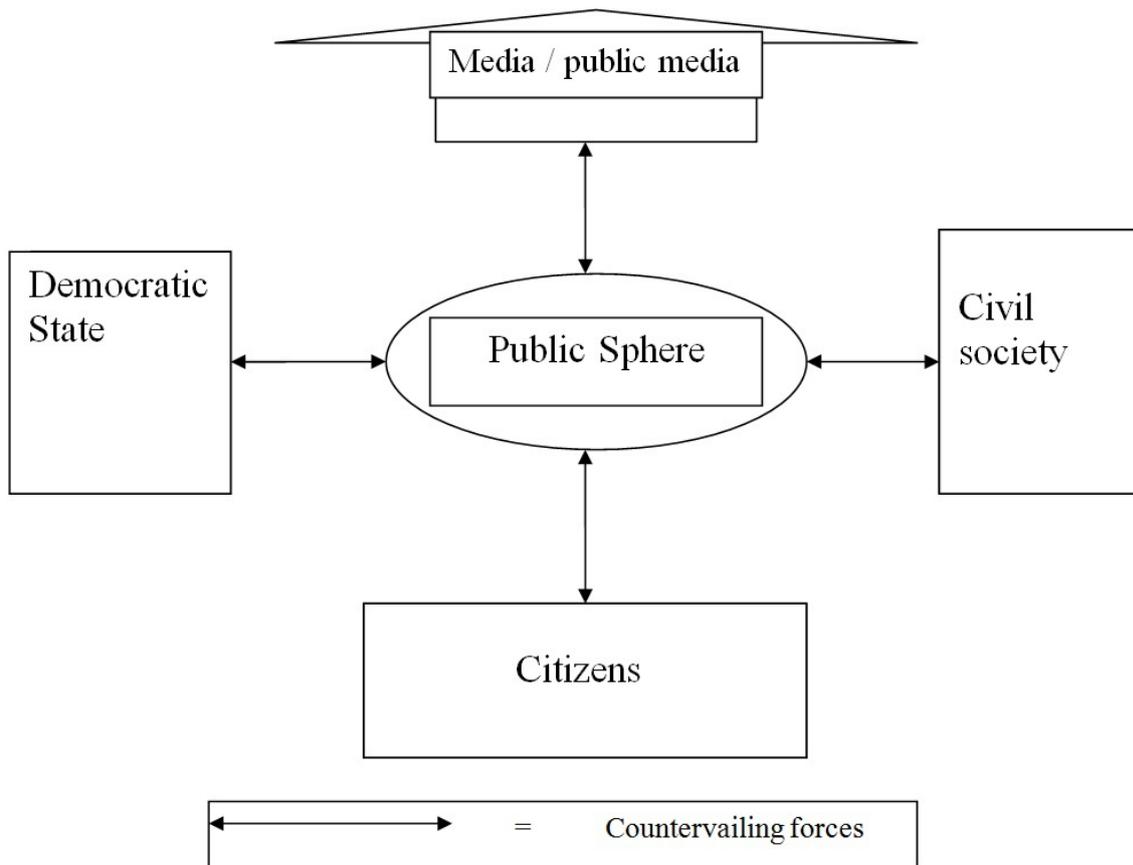
Figure 2.2: Public sphere in a democracy = Ideal (resembling with that of western society), here Public sphere contributes in defining the media definition and prime goal of public communication policy.

This pubic sphere and public media model is the one set by state. State sets priorities for the state itself and for its citizens while media houses/media system set their own priorities which then are realized in media policy making after the mutual understanding of both, the media system and the state [51]. But for states, citizens are not always the priority while setting its public media policies. Jakubowicz gave two more models with varying ultimate goals that are given below.
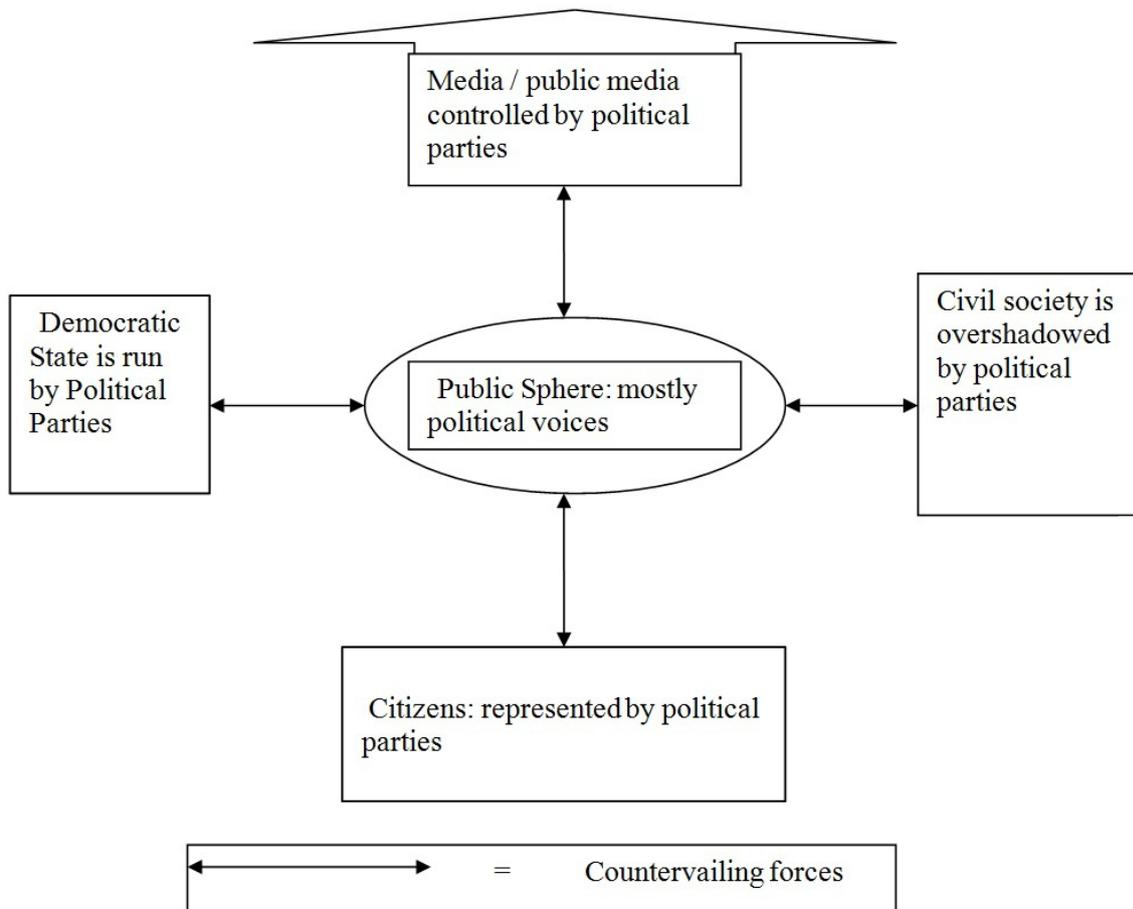
Figure 2.3: Post communist countries (such as Poland) in transition.

Here ultimate goal is to satisfy the interests of political parties/ business elites and not of the public interest. The combination of normative theory here is of libertarian (with free market), social responsibility (with interventionist measures) and authoritarian press theories. Jakubowicz sketched another picture of some more desperate post communist countries where situation is even worse. For Better understanding look at the figure below:
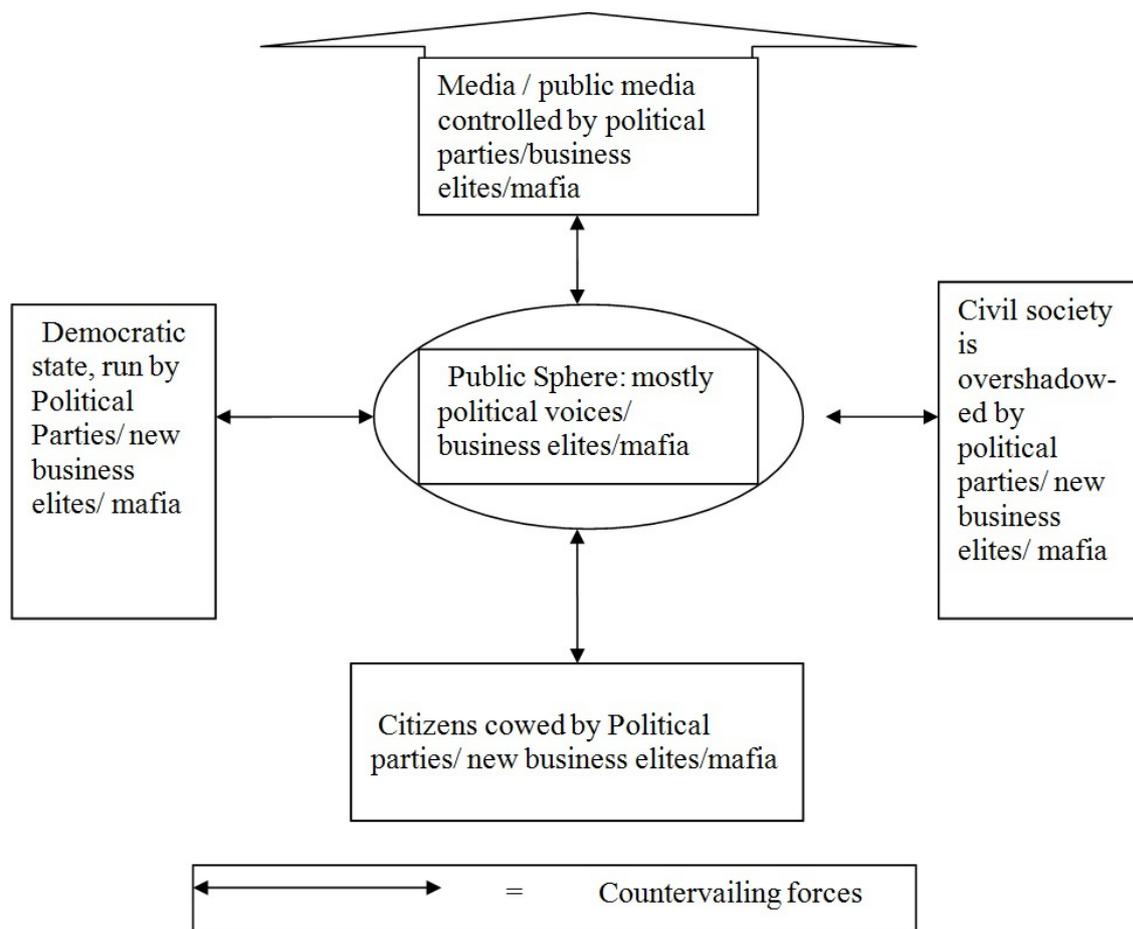
Figure 2.4: Post communist countries (most of them in the CIS) in transition.

Here all mentioned elements are in control and are a bit similar to the current situation of Pakistan (Explained later).

2.2.3 Level of autonomy depends upon the combination, the selection procedure and the powers of media regulatory authorities (Jakubowicz [51])

Jakubowicz suggested that the normative theory in most of the CEECs is speculatively the mixture of authoritarian and soviet normative theory where regulatory authorities are incepted specifically for the privately owned media (as is the case in Pakistan and UK). This does not only signify the centrality of broadcasting media vis--vis politics but also implies that the privatized broadcasting media is actually state backed. Apart from this, the combination, selection of the regulatory authority's members and powers bestowed upon media regulatory authority also insinuate the level of autonomy of regulatory authority. Jakubowicz suggested that if selection of the members of media regulatory authority is not done by president or parliament then the institution can be expected as a-political.

Political/government influence upon regulatory authority is more evident if the media regulatory authority does its job in collaboration with other statutory or executive institutions or when the authority's statues justifies such collaboration and grants, the state or executive, them any or combination of following powers: secondary legislation, licensing, supervision of public

service broadcasters and appointment of their top governing bodies. I will apply these pointers upon both OFCOM and PEMRA to check the level of their real autonomy.

2.3 Cuilenburg and McQuail, 2003

I will focus on the Cuilenburg and McQuail model [40] for the historical description of the media policy making of UK and PK (later in chapter 2). In chapter 3, I will elaborate how consecutive decline of ideology of communication policy paved the way for the consolidation of highly influential media mughals in UK and how since 2004 onwards, Europe is again heading, towards the replay of Public Service Media Policy. This transition of European Communication policy is also evident in the regulatory measures taken by Ofcom and Press Complaints Commission, PCC (explained in chapter 3) of UK. Eventually, I will use this theory to unwrap the sub goals of social, economical and political considerations of the society in case of media policies of UK and PK in chapter 3 and chapter 4 respectively).

Before commencing the historical description of communication policy of UK and PK, let me introduce the Cuilenburg and McQuail cumulative communication policy model [40] in Figure 2.5. In this model they established the general pubic interest as an ultimate communication goal which is subject to interpretation in different countries. To identify and attain the ultimate goal more precisely, sub goals are classified to distinguish between the political, social and economical welfare of the society. Political welfare is supported and attained by democratic institutions and primarily rests upon the freedom of expression/publishing. Political welfare also values the equality of the citizens in getting access to the means of media and participation of the society in media system. Social welfare on the other hand has multiple dimensions and can have starkly different underlying values in different nation states.

However, the most common among all is the social cohesion and national integration through media system. Economic welfare is experiencing continuous flux in regard of its interpretation in different states but its predominant prerequisite in modern democratic states is maintenance of efficient and innovative communication market that is functionally operative as an information economy. The model they formulated was based on the one on behalf of government where the business strategy influence could also be represented. They said that the corporate bodies are usually more concerned, in communication policy, about following three things: in striking a fair balance between the corporate and social interest, in State's significance attached to the national economic welfare, and the ownership of distribution infrastructure. Cuilenburg and McQuail [40] divided media policy as inclining towards the left hand side of the model with a bent on socio-political welfare of the society where as telecommunication policy shows a bend on the right side of the model (look at the figure below).
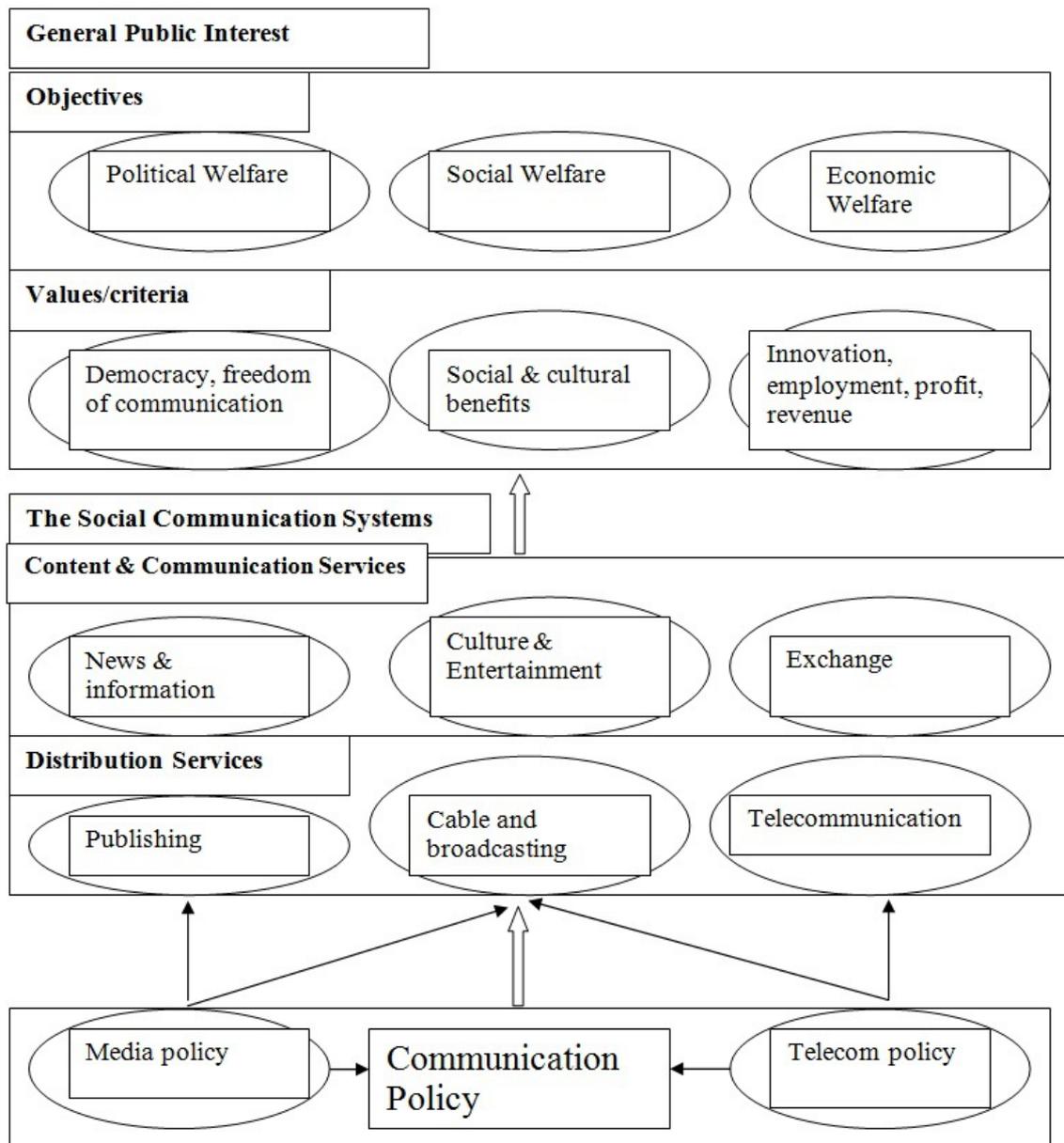
Figure 2.5: Elements of a national communication policy: adapted from Cuilenburg and Slaa [80].

Cuilenburg and McQuail, in 2003 [40] gave three paradigmatic phases of communication policy of modern western states. According to them the first phase of "Emerging Communication Policy" started off from the mid nineteenth century and lasted till Second World War (explained later). The second phase, of Pubic Service Media Policy, started post Second World War and continued till 1980s-1990s. The last phase then started from then onwards till the time this paper was written in 2003. I aim to apply these paradigmatic phases by Cuilenburg and McQuail [40] in highlighting the historical description of European communication policy with a focus on UK. Following that I will try to locate the gradual policy changes on similar patterns in case of recently liberated media system of Pakistan.

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2.4   Historical description

Here the historical description of the communication policy of modern western European democracies, especially UK, is highlighted in three paradigmatic phases with a focus on interrelation between the economical, political and social/cultural elements. In case of PK, the phase of Emerging Communication Policy is found most similar with the streaks of social and cultural considerations but the ultimate goal is empowerment of new political elites instead of citizens at large (explained later in this chapter). The three phases are as given below:

2.4.1   Phase I: Emerging communication policy (till Second World War for modern western European countries)

The economical, political and social sub goals of media regulatory authority are always instrumental in fulfilling the ultimate goal of General public interest. The communication policy of western European states can be characterized in three paradigmatic phases (until 2003) with differentiated correlation between underlying objectives to ultimately serve the purpose of Public interest. Differentiated correlation between underlying values signifies the political inclinations amongst the social/cultural, economical and political elements of the state that are to be met by appropriate media policy. The first phase in this regard is transitional from the time of no policy to the more ad hoc (piece meal adoption of varied measures) measures adopted by western European countries from 1850s to late 1940s. In this phase the political function of the communication services was unknown and unregulated. However, print media was the focal point for the political discourse.

By the turn of the century, Cinema was also introduced and soon regulated for being centrally political. In emerging communication industry phase, European communication policy concentrated on maintaining the control of public monopolies over telegraphy, telephony and postal service. Therefore communication was considered a public good operated solely by the public itself. Since 1868, In Britain, telegraphy and to good extent the telephony was monitored under public monopoly of Post Office. Electronic media was considered essential for the use of state and industry and was reckoned as apolitical i.e. outside the scope of democratic political debate and outside the domain of consumer goods. In this phase the public utility model promised universal access principal but failed in being operative empirically. Emergence of Radio bridged the gap between the Emerging Communication Industry Phase to the Public Service Media Policy. Radio was initially considered as commercial and industrial device with the market considerations only.

Soon in 1920s-1930s, different forms of public ownership and government controls came in vogue. They included early interventionist measures for public interest with regard to access, standards and purposes of performance. Over all, this period was marked by political considerations for state by keeping in mind the financial benefits of corporate enterprises. An important tool in this regard was the separation of communication regimes (posts, cable, telegraphy, telephony), which allegedly, was based on attaining mercenary gains by the state and corporate alike. Thus separate regulatory authorities were assigned to regulate different communication regimes. Press was driven by the notion of freedom of expression and was under marginal public scrutiny. There also existed heavy regulation that included private ownership, distribution infrastructure and broadcasting content. First the wireless and then TV followed the footprints of other communication careers (such as telegraph and telephony) in facing heavy regulatory

measures. For a better understanding, look at the figure below:

Ultimate Goal/ Public Interest

Efficient Public Service   System Development

Intermediate Goals

Interest of State   Corporate Interest

Control & Economic welfare   Competition & profitability

Emerging communication Industry
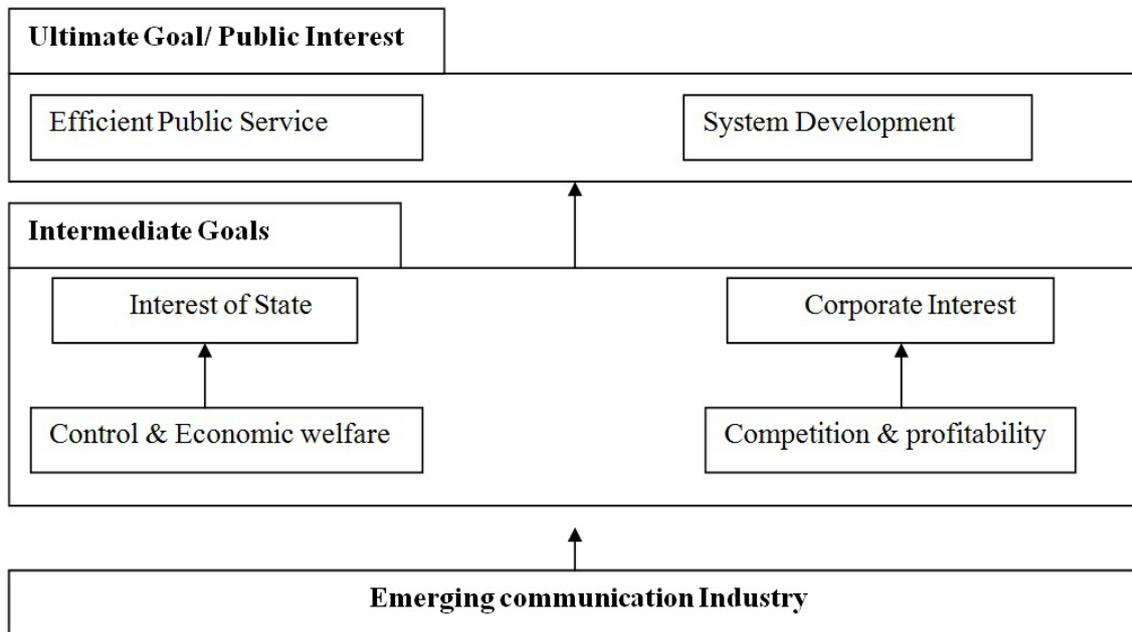
Figure 2.6: Emerging communication industry policy.

2.4.2 Phase II: Public service media policy

This phase ranges from the advent of Second World War to 1980s. In this time period, so-
cial life in modern western democracies was experiencing the maturation of democracy. This
time period was characterized by normative and political considerations with a special regard
for social coherence and national stability. Because of the centrality of mass media vis--vis
politics and public life, economic and strategic concerns were kept at the back end. And the
broadcasting media acted more like a political instrument, biased against labor and progressive
reforms. This phase paved the way for more diversified media, both in sources and content,
which formally endeavored to insert a full stop on the fortress journalism of press media and
the unbridled might of consolidated media barons. During this phase, the European countries,
maintained pubic monopolies over press and broadcasting media. Britain was a partial excep-
tion in this regards because both, the public and private broadcasters, were largely supported
with heavy state finances and were accountable to elected politicians for the quality and content
of the broadcasting. The traditional political bias of press medium and incessant economic con-
centration of media barons led the government to make the press accountable. In Britain a Royal
Commission on the press was set up, 1947-9, to take solemn actions against press complaints
and to ensure the plurality in press ownership and diversity in its content. The notion of positive
freedom gained volumes and got attached with the Picard's Socialist Democratic theory [70]
with emphasis on "free and responsible press". Stress on plural and diversified press kept this
phase as being more bound by national interest. States also legitimized public intervention for
social purposes in private markets with highly active policy making based on perpetual revisions
and innovations. Public Service Media Policy phase roused the need of autonomous regulatory
authorities, to operate in seclusion from the state or government or any third party influences, to
ensure general pubic interest. The normative measures of the media authorities were basically

derived from the representative and participatory elements of democratic politics. Challenges to this phase started from liberal economic fervor (mainly from Germany and UK), since 1982 onwards, with the competition in, newly emerged, privately owned broadcasting and cable systems. This phase was derived from the notions of egalitarianism and social cohesion. For better understanding of the phase II, look at the figure below:
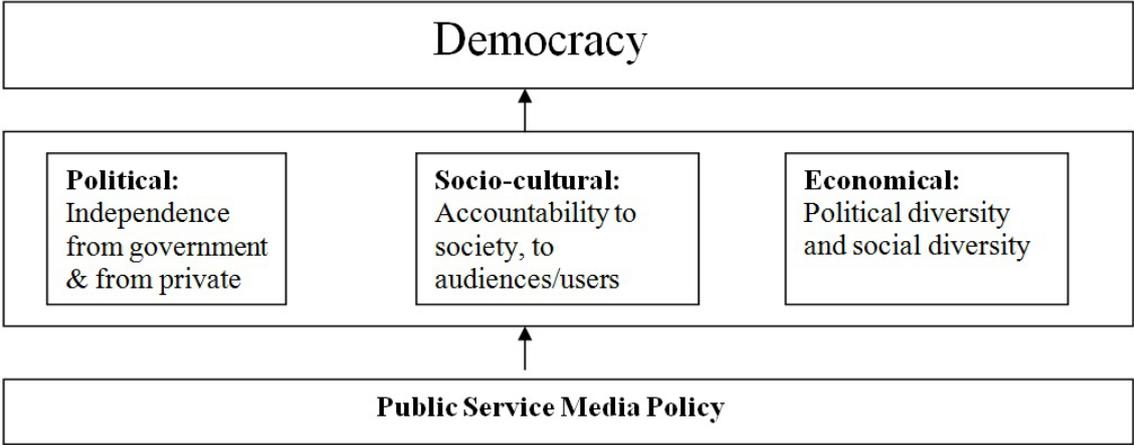
Figure 2.7: Public service media policy.

2.4.3 Phase III: New communication policy paradigm (1980s/90s - till 2003)

This phase marks the re-convergence of communication regimes and mainly rests upon the willingness of media corporations and state alike to avail the financial benefits emanating from new communication technology. The convergence of mass communication and telecommunication became the new mantra first for the US and then for the EU for its new approach towards communication policy (CEC, 1997). Technological and economical convergence, in this era, took a clear shape in the late 20th Century and gave the idea of collective communication policy making (Figure 2.5). Consequently the media regulation became connected with the telecommunication regulation. Decline in ideology and a shift towards more market friendly regulation became a vogue in western society. Pragmatism and populism prevailed in media policy.

Multinational media played a vital role in globalization and successfully left massive impact upon extended audiences. ICT permeated national frontiers but states still played the lead role in the national policy arena. In some respect the phase I of emerging communication policy replayed itself in this time period but with different political and social back drop. The highlight was once again to give precedence to economic considerations over social or cultural values while setting priorities. Though, this phase was driven by economic and technological logic but there existed few normative elements too. An important product of this phase, the internet, appeared in the form of "new media" which was made in the absence of any regulatory framework and in the spirit of un governability. The challenges like child protection measures, consumer's confidentiality, national security and commerce requirement confirmed the internet's elusiveness to control.

European Commission gave certain proposals for communication policy regulation with the focus on competition (economic consideration) with converged infrastructure and diverged sector specific regulation of different communication regimes. Commission asked for harmonized regulation among MS and necessity of IRAs with light regulation with a focus on extended access

to European communication. In this phase the prime purpose of the European Communication policy was to facilitate an open frontier, dynamic market with a standard framework that is responsive of the society's needs. Communication framework was to follow the economical and technological derive along with being responsive to society's need instead of being an instructor, that takes the audiences along in one direction towards nation's solidarity and coherence. This shift towards lucrative measures was the result of a shift in underlying values.

Social responsibility requirements, public service broadcasting and altruism (non profit goals) were subdued by economic and consumerist considerations. The conception of equality in terms of access was also substituted by the underlying motives of commerce and control. Because of the emergence of new media disintegrated audiences and gave vent to information gaps. To fight against "information gaps", institution based access was given precedence upon homes an individuals. Nevertheless, Member states were given adequate space in regard of their policies in dealing the security issues or in being responsive to the publics needs. In this paradigmatic phase the ultimate goal remained the Pubic interest but the composition of co relating elements changed with an inclination towards economic interests instead of political considerations and the underlying values shifted (as mentioned before). For better understanding of last phase by Cuilenburg and McQuail, 2003, [40] look at the figure below:
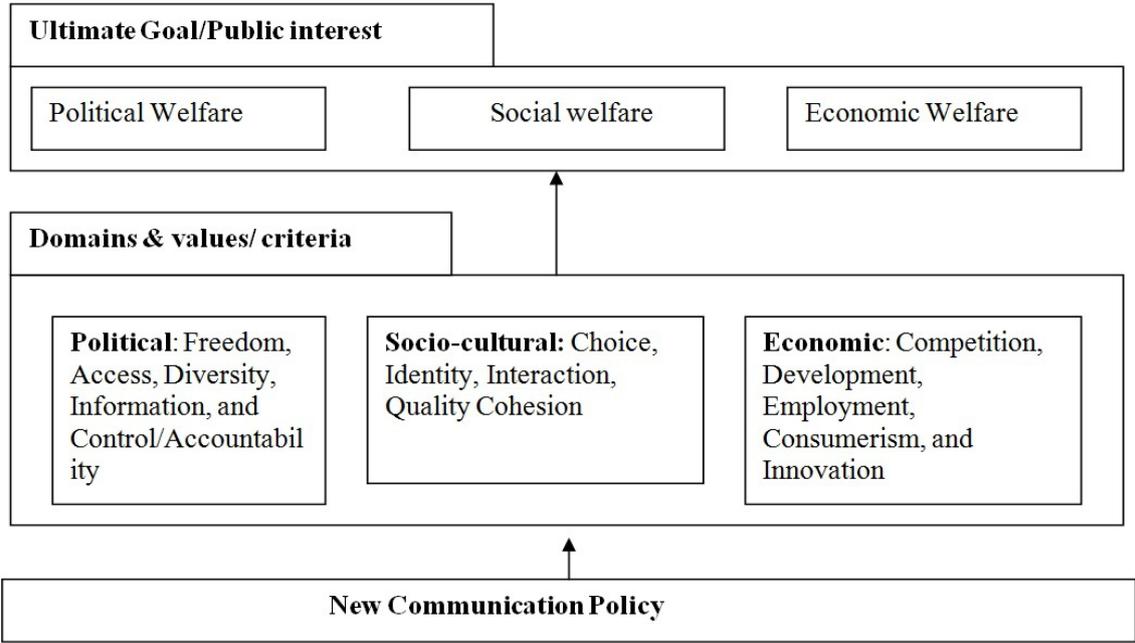
Figure 2.8: The new communication policy of modern western society such as UK.

Following the technological and economical convergence in communication sector the policy has also followed the convergence trend in the case of UK, Ofcom. A policy framework with singular regulatory apparatus was designed, based on the theoretical underpinnings of [39], to achieve common ultimate goals was implemented by the UK in the form of Ofcom. This trend was adopted from European level policy thinking to develop IRA for media system in public sphere. This sort of communication framework had certain set standards regarding freedom and diversity but different kind of content were treated differently (such as advertising, art, news, pornography etc). All this was to maintain the distinction between the audiences and

the content. Diversity in the sources and in the audiences was given attention to counteract the issues of media consolidation and limited media impact respectively. The underlying values still could be attached to the public regard for consumer's sentiments and to keep them protected from flagrant content.

After this period various amendments were made in the communication policy frame work of European community and of Ofcom. After 2003 until today, the communication policy of European community in general and of UK in particular once again became inclined to the Public Service Media Policy (explained in next chapter).

2.4.4 PK Communication policy

In all sorts of democratic systems, ranging from market driven libertarian system to the interventionist socialist democratic ones, the governments intermittently meet with the corporate enterprises and civil society to modify the interpretations of how media should operate at a given point in time [51]. However, the authoritarian and soviet normative models deny such interactions and aim at achieving continuous hold over power with full control over states media. Pakistan is a developing country which neither belongs to the political setting of libertarian or socialist democratic systems neither does categorically fits in Soviet normative models (as was propagated in basic four theoretical frameworks by Siebert et. al. [76]. McQuail in 1987 [59] introduced a media normative model named as Development Communication theory [51].

Development Communication theory highlighted the media system of many third world countries. In this the media system aimed at social development by invigorating social responsibility in the audiences towards society. The intrinsic values were to achieve certain social and economic goals with the stimulus of nationalism. To acquire aspired socio political goals the media system in most of the third world countries remained under the control of public monopolies for decades and audiences were given the freedom of choosing amongst the publicly approved content only. Similar findings can be traced in Pakistan.

Pakistan first aired its TV transmission with Pakistan Television (PTV) in November, 1964, that was later accompanied with two sister channels namely PTV-2 and PTV home. Till late 1990s there was only one private broadcasting channel: Shalimar Television Network (STN) with restriction on news airing. Few FM radio stations were operational while only a state owned "Radio Pakistan" had the authority to broadcast news. And then the development communication of Pakistani media system changed with many internal and external factors. Internally, satellite broadcasting and cable television emerged as popular and alternative means of entertainment and information in the middle of the 1990s.

Unfortunately Pakistani channels were not only publicly run but were also least in number and in audience ratings. Indian channels on the other hand successfully penetrated into Pakistani soil through cable and satellite TV and soon became famous among the masses [65]. Political and cultural invasion threats from India compelled the then government to avail the ample space in broadcasting media (Chairman PEMRA, 2002) [73]. Externally, New Public Management (NPM) reforms through World Bank and IMF's [74] also pressurized Musharraf regime to announce the divestiture of broadcasting media i.e. Radio stations and TV channels in Pakistan in 2001 [61].

Lifting cross media ownership restrictions in 2002 allowed media conglomerates to quickly utilize the available space [73]. To follow the democratic principles the state paid heed to the

propositions of equality in access and participation of liberalized private media (by 2007 one third of Pakistani population had the access to cable TV). And to curtail unbridled media concentration, a formal limit was set for the media owners to restrain from having more than four TV channels/ four radio stations along with 4 newspapers (PEMRA, 2010). And soon after 2002, PEMRA spread extensive CTV (Cable TV) networks to increase country wide viewership of commercial media at very economical rate.

Pakistani media industry, over the years has seen "a continued growth pattern in its clientele of cable TV operators" (PEMRA annual report, 2010 [2, 3]). Broadcasting media saw a rapid boom in Pakistan during first decade of the 21st Centaury. As a sole licensing and regulatory body of liberal media, PEMRA has so far licensed 85 Pakistani TV channels out of which almost 80 are operational. 26 international channels are given the landing rights through satellite. PEMRA has also granted 138 FM Radio licenses (which were around 25 in 2003) out of which 114 (out of which 94 are operational) licenses are commercial radio stations while 24 (out of which 21 are operational) are non-commercial (PEMRA Annual report, 2010 [2, 3]). According to 2010-11 figures PEMRA generated revenue increase of 55% as compared to last year (PEMRA Annual report, 2010-11 [2, 3]).

Media not only voiced the interests of otherwise ignored society but also held, erstwhile forlorn politicians, accountable to the poor public and gave democratic attire to otherwise naked autocracy. But this positive transition of Pakistani media system experienced a halt from 2005 onwards and the situation only got worst afterwards. Myriad of internal and external socio political factors soon turned the newly liberalized media from a protected child of the state to its open enemy [83].

Today, the ongoing repulsion and mutual disgruntlements on the part of Pakistani government and media system present the streaks more similar to that of Soviet or authoritarian normative models. Or one can state that the broadcasting media only extended and more ghastly highlighted the ever lasting strife between the press and state actors [72].

Pakistani Press on the other hand has had a history of troubled relations with the state and is more inclined towards the soviet and authoritarian normative models. Though press of Pakistan never had a formal regulatory body for its supervision but always experienced hindrances in seeking news paper licenses from the local body governments (of the city of publication). Censorship of the press content has always been strictly done by the government. From 1964 till early 1990s, the National Press Trust acted as the government's front to control the press. The Trust sold or liquidated its newspapers and magazines in the early 1990s but government gives advertising revenues from public exchequer and pressurizes press if needed.

However, government started loosing control over media with privatization of most of public service sectors and mushrooming of many industrialists and corporatists. Newly emerged powerful elites utilized press medium to propagate their political and religious inclinations. Soon, many pressure groups and leaders emerged in Pakistan that comprised military men, religious scholars, land owners, industrialist and small merchants [72]. Journalists unfortunately served as the pawns of pressure groups at the expense of national integration. This was because they were routinely under paid and were on un-official pay roll of competing interests [72]. Still, the popularity of press by the turn of 20th century was such that Pakistan started off with the mere four Lahore based newspapers in 1947 and reached to the total combined circulation of daily newspapers and other periodicals amounting 3.5 million. Print media included 424 dailies, 718 weeklies, 107 fortnightlies, and 553 monthlies (All-Pakistan Newspaper Society, APNS, 1997).

Another reason behind press popularity was because it was central to public life for serving as a debating forum of burning national issues. This attribute also led press to suffer much under various political leaders but it always emerged as a resilient force. So much so that it replaced the think tanks and competing political parties in the society [72]. The description of Pakistani media post 2003(based on the work of Cuilenburg and McQuail [40]) is given in chapter 4 comprising PEMRA of Pakistan.

Chapter 3

Operationalization (OFCOM: Office of Communication, UK)

3.1 Introduction

Ofcom Act, in 2002, formally announced the establishment of Ofcom, which then assumed its powers in December, 2003. Office of Communication (Ofcom) is a statutory corporate body that issues licenses and regulates communication industry along with its spectrum management. Collectively, Ofcom strictly regulates the telecommunication, radio-communication, cable and broadcasting media in UK.

Across the Europe, Ofcom is considered to have most comprehensive regulatory frameworks. Ofcom's statute is complex mainly because it encompassed the functional and institutional responsibilities of almost 7 defunct organizations at the time of its foundation. Brief description of those predecessors along with their duties is as follows: the Broadcasting Standards Commission (BSC), responsible to register unfair or standard complaints from broadcasting media consumers (established by the Broadcasting act, 1996, to ensure social welfare of the society), the Independent Television Commission (ITC), a regulatory body for commercial television broadcasting in the UK (established by the Broadcasting Act 1990), Office of Telecommunication (Oftel), UK telecommunications industry regulator (incepted under Telecommunications Act 1984), the Radio Authority, an independent radio licensing and regulatory body (in accordance with the statutory requirements of the Broadcasting Acts 1990 and 1996), the Radiocommunications Agency, Executive Agency, established in April 1990, by the Department of Trade and Industry responsible for the management of non-military radio spectrum in the UK, and the Spectrum Management Advisory Group (SMAG), An advisory public body on strategic spectrum issues, established in 1997 and formalized in Wireless Telegraphy act, 1998. Even after the foundation of Ofcom the merging process continued and The Postal Services Bill, 2010 provided for the transfer of Postcom, an independent regulator for postal services, set up in 2000 for the regulatory responsibility of British postal sector and its staff to Ofcom. Postcom, after 1st October 2011, is now regulated under OFCOM.

The before mentioned description suggests that the statutory policies of UK considered communication convergence as the most appropriate option in attaining ultimate communication goal of General Pubic interest. The inception of Ofcom marks the identification of British state to achieve a collective ultimate goal of British communication to collectively serve the social-cultural needs of the society through technological and economic advancements.

3.2 Prevalent media policy paradigm (based on Cuilenburg and Mcquail [40])

Cuilenburg and McQuail [40] presented a model to elaborate the media policy paradigms of western information economies. I have tried to extend their work from 2003 till date i.e. 2012. But before unraveling the prevalent media policy paradigm, one would like to discuss about the external and internal forces which paved the way for PSMP paradigm in UK. The background of the media policy paradigm of EU in general and UK in particular is given below:

3.2.1 Brief background of PSB in Europe and UK (from 2003 onwards)

Media regulatory bodies serve different political goals and interests over time. Ofcom is good illustration in moving (Cuilenburg & McQuail theory [40]) from deregulation and technological convergence at its inception to a more Public Service Broadcasting, PSB, serving design later on. In PSB Media policy, national interests remain the focal point where governments often intervene in communication market to ascertain fulfillment of the social welfare of the society. So, the ultimate goal of communication policy remains the attainment of democratic values (see Figure 2.7).

Cuilenburg and McQuail's description of phase of Public Service Media Policy [40] appears to replay (especially during last five years) in the current media landscape of UK. Several audio visual policy measures at international and supranational level have necessitated Ofcom to further incorporate measures that aim to achieve socio cultural well fare of the society. UK itself also proved to be willing to hold fast to public service remit in broadcasting media. Below is given the description of some measures that were undertaken by EU:

- The EU is regulating cross-border TV broadcasting with in Member States, MSs, since 1989. First content regulation in this regard was "Television With out Frontiers" Directive (TVWF Directive, 1989). This Directive (binding EU law to achieve prescribed goals by Member states irrespective of means) contained two prime objectives: the free broadcasting of European TV programs within the internal market of Member States and the requirement for TV channels to reserve at least 50% of their transmission time for European made content ("broadcasting quota"). The TVWF Directive also took care of certain important public interest objectives such as cultural diversity, the protection of minors and the consumer's right of reply to media content. But its prime aim was to achieve an internal market for broadcasting media within EU. In December 2005 the Commission submitted a proposal to revise the TVWF Directive on the basis of socio cultural well being of European community and in 2007 the directive was revised. But prior to this Amsterdam protocol for PSB, in 1997, stressed the need of PSB within each Member State.

- Treaty of Amsterdam, in 1999, incorporated measures to satisfy the democratic and socio-cultural needs of EU citizens along with protecting the industry from being dominated by one or several big players. In this way Member States became committed to Public Service Broadcasting. Audiovisual Media Services Directive, AMSD, 2007, and the Media Programs are the two cornerstones of EU media policy. Below is given a brief description of AMSD (EU content regulation) and Media programs (internal market through financial assistance) respectively.

- Audiovisual Media Services Directive, AMSD: In 2010, AMSD was enforced to expand the EU regulatory powers in the Audiovisual Media Services of Europe with an emphasis on a single market. AMSD demanded intensified cooperation between MSs towards a single media market on the basis of Article 167 of the Treaty. The Community's objectives were promotion of European cultural diversity, the protection of minors, protection against incitement of hatred against any race, sex, religion or nationality, integration of people with visual or hearing disabilities, and accessibility of audio visual media services within Europe. Separate clauses for on demand video broadcasting and commercial broadcasters were given to assure positive freedom of expression. Special regard was given to maintain European integration. Where AMSD aimed at European content regulation, Media programs were conducted by EU to facilitate internal market through financial assistance.

- Media Programs, Commission and Council of EU: During 1970-80s, European Community experienced two major upheavals in European media market: 1). Introduction of the competition in television industry, 2). a sudden decline in European cinema attendance (especially for European productions). Both these factors gave vent to European MEDIA Programs (EC support mechanisms). Since January, 1991, consecutive four MEDIA programs were set forth. In first three programs, focus remained at the economic (technological, competitive) and political (access) uplift of the European media market. However, in the 4th program, measures were incorporated to highlight the cultural heritage and intercultural diversity of Member States within an open and competitive media market across Europe. MEDIA programs are following: 1) MEDIA I (1991-1995) was adopted on 21 December 1990, with a budget of 200 million Euro, under Council decision 90/685/CE. 2) MEDIA II (1996-2000), On 23 July 1993, the Commission presented an evaluation of MEDIA I. MEDIA II- Training and MEDIA II- Development and Distribution, established by Council Decisions 95/564/CE of 22 December 1995 and 95/563/CE respectively with a budget of 265 million. 3) MEDIA Plus (2001-2006), was adopted by Council Decision 2000/821/CE in December 2000, with a budget of 350 million for its activities between 1 January 2001 to 31 December 2005. The Council of Ministers extended the MEDIA Plus program until 31 December 2006, on 26 April 2004 (Decision 846/2004/CE). The budget was surged to 453.6 million. 4) MEDIA 2007 (2007-2013). On 15th of November, 2006 the European Parliament and the Council adopted a new program, MEDIA 2007. The budget was set 755 million for over seven years (2007-13). This time the EU funding was decided to be channeled through a single program. The overall objectives of MEDIA 2007 were: to preserve and enhance European cultural diversity and its cinematographic and audiovisual heritage; to guarantee accessibility for Europeans and promote intercultural dialogue; to increase the circulation of European audiovisual works inside and outside the EU; to strengthen the competitiveness of the European audiovisual sector in the framework of an open and competitive market. Apart from above, measures were taken by European Commission, EU Council, European Parliament and European Council in enhancing cultural and social developments within European Union and UK proved to be willing in contributing her part. Below is given a brief description in this regard:

- Commission: In 2005, the Commission adopted a European "decision"(binding law) for

the state aid compensation to Public Service Broadcasters in case of financial deficit. During 2008 and 2009, the Commission held several public consultations to review 2001 Broadcasting Communication. Currently, the Commission is aiming to consolidate the state aid to facilitate PSB with the help of regular general public consultations. The recent market and legal developments are today helping the Commission in analyzing the principles in the application of Articles 87 and 86(2) of the EC Treaty for the public funding for PSB (Commission, 2009/C 257, 02).

- Council of Ministers: The importance of PSB in contributing to the social and cultural life of the Union was reaffirmed in the Council Resolution (non binding law) regarding PSB. The Resolution demanded massive public access to various channels and services on the basis of equal opportunities as a necessary tool to fulfill the special obligation of PSB (Commission, 2009/C 257/02).

- European Parliament: After the implementation of Amsterdam Protocol regarding PSB remit in Europe, the Parliamentary Assembly Recommendation, on PSB suggested the Member States (MS) to make PSB a strong and vibrant element of their nations broadcasting landscape (Assembly Recommendation 1641 (2004) on PSB, 2004). Later it was stated in Recommendation 1878 (2009) that the MSs must start funding PSB in adhering to public service remit in their nation states with at least one PSB channel within their respective states. The European demands for PSB were maintained in parliamentary assembly, 2009. The parliament demanded from Public Service Broadcasters of MSs to provide quality based, objective, independent, and diversified content under higher public scrutiny and accountability than commercial broadcasters. All this was required along the prerequisites of universal access to content and socio-cultural integration of consumers.

Below is given the Contribution made by UK to AMSD:

- UK and AMSD: The revised EU Audiovisual Media Services directive (AMSD) 89/552/EEC, was adopted by UK in December 2007. In April, 2009, Dr Carole Tongue (Former MEP, and spokesperson on public service broadcasting Chair of the UK Coalition for Cultural Diversity) presented a report to the "House Of Lords Select Committee on Communications Call for Evidence" for The British film and television industries. She reported to the house that TVWF demanded from Member States to ensure that all audiovisual media services broadcast at least 51% of EU/national PSB in their output. This was applied to all relevant services licensed in the UK. In promoting British Film industry and broadcasters financing of them was based on the overarching legislative framework of EU. Another key component of public service television is investment in high quality local audiovisual material to encourage and highlight the diversity of culture and that of neighbors.

- UNESCO, 2005 and its impact upon European Council's decision: An active role of PSB to promote cultural diversity was highlighted by the UNESCO Convention, 2005, on the Protection and Promotion of the Diversity of Cultural Expressions that was later approved by the Council and thus formed part of EC law (Commission, 2009/C 257/02). The Convention demanded that each state may adopt 'measures aimed at protecting and promoting the diversity of cultural expressions within its territory'. The recommendations included:

the enhanced diversified media through PSB and recommended council concerning media pluralism and diversity of media content. The recommendations called upon the members of the Council of Europe to 'guarantee PSB in a transparent and accountable manner'. - Britain's Contribution to UNESCO, 2005: UK signed this convention in October 2005 and ratified it in November 2007. This convention underpins nation states' rights to take measures aimed at enhancing the diversity of cultural means of expression.

- Britain's contribution overall in promoting PSB with the aim of contributing to the social well being of the society is not a new thing. This has its roots in the early nineteenth Century. UK pioneered PSB in an institutionalized form over 80 years ago, with the establishment of BBC in 1936. Today BBC is worlds oldest and largest Public Service Broadcaster. BBC is also a pioneer in originating procedures to govern and analyze PSB in the early 2000s [62]. BBC Trust first used the title of "Public Value Test" in measuring public service remit in broadcasting industry in 2004 and revised this procedure in 2006 [62]. Where as, the evaluation requirements for PSB in EU were first appeared in EC's Broadcasting Communication in 2009. "Yet, the pioneering role of UK public service broadcasting governance can be said to have inspired the layout of the recent European ex ante test requirements" [62].

- Where, BBC Trust is an autonomous regulator for publicly owned and run, BBC network. Ofcom, on the other hand, is instituted to regulate commercial Pubic Service Broadcasters and is evaluating the PSB of commercial broadcasters since the year 2007 on annual basis. Those are ITV (launched in 1955 making it worlds oldest commercial PSB, also known as Channel 3), Channel 4 (launched in 1982 as publicly owned and commercially run PSB channel) and Channel 5 (launched in 1997 as a fifth and last national analogue terrestrial channel). Channel 4 is one of its kind PSB networks within Europe. It pioneered in being publicly owned and commercially funded public service broadcaster. This unique status ascertains its priority in delivering its public service remit. Channel 4 is also a pioneer in making its content available on an on demand basis with the launch of 4oD in December 2006. This introduced the idea of an interactive broadcasting media in Britain.

- UK pays special attention to Public Service Broadcasting. "Public Service Broadcasters, PSBs, are by far the largest investors in the production of original European content. In UK, the PSBs account for some 90% of total UK originated investments in content (Channel 4 response to EU Commission's Green paper, 2010). Another place it is said that "the public service paradigm emphasizes the role of media in society and demands the diversity of society to be reflected in the media; a paradigm more prevalent in the United Kingdom" [79]. In order to locate the current trend in British media policy, over all, one would like to give a brief description of British Press and its regulation procedures in the text below:

British Press; British press is regulated according to the Enterprise Act, 2002. Press media is so far given the opportunity of self regulation with no formal supervisory body. However, for its pre publication advice and anti harassment services there exists a Press Complaints Commission, PCC. PCC is a successor of Press Council, which was based on a self-regulatory mechanism.
PCC is however, after the nine months toil of Leveson Inquiry, is under transition these days. In

the last month of the inquiry, Hugh Tomlinson and his team proposed to institute a new statute backed autonomous press regulator, Media Standards Authority, MSA. MSA for them would have the powers of adjudication, enforcement and investigation to conduct regular audit reports and to ensure that the publishers comply with the editors code [45]. This shows a discernable pressing desire on Britain's part in incorporating its press media policy with certain social pre requisites. To ensure social and cultural well being of British society, the state is ready to intervene in the proceedings of the Press media if the latter is found guilty in exercising negative freedom (freedom of expression that can incite hatred against other gender, religion, race, ethnicity etc).

These measures give the reminiscence of the inception of Royal Commission on Press in Britain 1947-49. Royal Commission, RC, was established to deal more effectively with the consumer's complaints against press content. Apart from this RC had to countervail monopolistic forces in British press market and to promote pluralistic and diversified press media. The establishment of Royal Commission, Cuilenburg and McQuail, 2003 claimed, marked the beginning of the era of Pubic Service Media Policy [40]. Currently with the proposed MSA, one can speculate that history is about to repeat itself in promoting PSB. Press is undergoing transition and is anticipated to be regulated by an independent MSA, it is anticipated that it will not exercise a strict and comprehensive regulatory framework like Ofcom. "Lord Justice Leveson has revealed that he will not impose tough Ofcom-style statutory regulation on newspapers" [45].

To further locate the sub goals and ultimate goals of British media regulatory framework, let us extend the work of Cuilenburg and McQuail [40] in the text given below:

3.2.2 Extension of Cuilenburg and McQuail model [40]

Cuilenburg and McQuail stated that Europe shifted its media policy in 1980s-90s in attaining more economical and technological advancements at the expense of cultural wellbeing of nation states. According to them the European urge for convergence in communication was basically led by the technological and economical convergence with a simultaneous decline of ideology. However in post 2003 era, especially since 2007 onwards, the succession of European policy measures in regard of PSB shows a trend driven by social and cultural inclinations to facilitate democratic values in Europe.

The fulfillment of democratic values based on cultural and social welfare of the society is prominent in the structural and functional underpinnings of Ofcom of UK as well. The Socialist Democratic media system, (elements of which were highlighted by Public Service Media Policy, PSMP, [40], permits media houses the positive freedom of expression only. This means that the Socialist Democratic Media System restrains negative freedom or abuse of freedom by incorporating protectionist and interventionist measures in the statute of media regulatory authority to safeguard the general public interest.

At the time of Ofcom inception, Ofcom was everything which Communication Act, 2003 [8] was and was nothing which this act was not. However the British communication policy slowly and gradually incorporated more ideology driven measures to enhance the citizen's rights through Media system. Recently, in 2011, the "Ofcom Broadcasting Act" came into being which amalgamated the "Communication Act, 2003 [8]" and "Broadcasting Act, 1996" to ensure a media system that is objective, inclusive, and responsive of social and cultural needs and strictly adheres to the PSB remit. One of Ofcom's key regulatory principles is to ensure that its interventions must be evidence-based, proportionate, consistent, accountable and transparent

in both deliberation and outcome.

In regard of PSMP, Cuilenburg and McQuail [40] stated that in order to reach out to the ultimate goal of media regulatory authority, there exist three intermediate goals. Let us examine whether Ofcom's statute satisfies the prerequisite of those sub goals in attaining the ultimate democratic goal of general public interest or not.

The three intermediate goals are; Independence (of communication market from government or private monopoly), Accountability (of regulatory regime to society, to audience and to users of communication market) and Diversity (social and political). Below is given the description of Ofcom in respect of intermediate goals prescribed by Cuilenburg and McQuail [40]:

1. Independence: Cuilenburg and McQuail, suggested independence from public or private monopoly of media system to ascertain fair playing field for market players. Independence, if taken in the terms of freedom of expression than the provisions of competition and media plurality contribute to media policy. EU policy making has, to a good extent, shaped UK media policy in maintaining media plurality and competition. Internally, UK media pluralism is under the legal bindings of UK Competition Law, 1998, Enterprise Law, 2002 and Communication Act, 2003 [8]. All these laws are predominantly influenced by Community Treaty article 81-82 (against restricted competition or abuse of dominant position). The state aid for PSB was propagated by Amsterdam protocol, 1997 while media liberalization and external pluralism (foreign commercial broadcasters) were intensified by the concept of internal market for MS through TVWFD (1989 & 2007).External pluralism is usually more "conducive to media independence because they are usually less entangled in local and regional politics and economic interests than domestic investors' [41]. Furthermore, the correlation between ownership concentration and independence might be more complicated than generally assumed. For example: in Romania, since EU-membership, the cross media consolidation has actually facilitated independence of media reporting mainly because earlier the fragmented media landscape depended heavily on pubic exchequer, whereas now the mighty media conglomerates are economically independent of state interference. Small markets face graver challenges regarding independence and media pluralism. Aukse Balcytiene states about the Baltic States that because of smaller media markets and less population, they lack in advertisement revenues and the source to generate adequate public fees. The outcome is high media consolidation and low plurality because of the high share of fixed costs in media production. State subsidies conflict with the idea of economic deregulation and liberalization as is affirmed by the prevailing paradigm of the European Commission's economic policies.

   This is why the ides of a single European media market is in contrast to the cultural aspects of each MS in media, which the state aid for PSB intend to strengthen. Plurality of media mitigates if media independence is predominantly considered as commercial freedom and not as freedom of communication, comprising diversified media content as a public value. A prerequisite for this positive effect of transnational media investments is that the investors promotes the idea of press freedom as a democratic goal, which might contradict the goal to produce profits, at least in the short term. The probable co existence of external pluralism, liberalization and media plurality is also acknowledged by Ward, in 2004. David Ward authored a study on behalf of Netherlands Regulatory Authority,

Commissariaat voor de Media, in 2004, regarding media consolidation in Europe and stated "excessive market concentration does not threaten the possibility of competitive and plural media markets", [38]. Ofcom gives prime importance to media plurality but simultaneously allows media enterprises to expand and mushroom, [38]. UK takes care of content diversity to sustain democratic values in media system. Further elaboration of media plurality and content diversity is given under "Diversity" post "Accountability" below.

2. Accountability: Accountability to society, audiences and to consumers of British liberalized media system is assured by keeping the former abreast with the activities of National Regulatory Authority i.e. Ofcom. The accountability and transparency always go hand in hand in legitimizing the activities of media regulatory authorities [55]. Apart from publishing its boards meeting minutes, Ofcom annually publishes its annual reports based on PSB of commercial channels including the audit reports in the official web site of Ofcom. For better policy formulation, before implementation, the regulatory framework of Ofcom is spread amongst all stake holders to get a direct feedback and input in assessing its impact. Ofcom also takes notice of Annual Consumer Experience and Communication Market Reports in making regulations and keeps in mind the consumer's trends, use and aspirations regarding communication services. Ofcom has its complaint registering bodies that can be availed in case of a person wanting to complain in Ofcom either against the way the consultation procedure went or against the policies or proposals of Ofcom [1, 14, 19].
Cuilenburg and McQuail attached significant importance to the provision of accountability to audience in facilitating democratic values in second phase of Pubic Service Media Policy. To ensure similar sort of accountability, Ofcom's annual reports on Public Service Broadcasting (PSB annual reports since 2007 onwards) and Ofcom annual reports on audits are available on its website [1, 14, 19, 20].

3. Diversity: Diversity in content based on the social and political diversities of the society is given precedence in PSB media policy by Cuilenburg and McQuail. The dissident theory of Democratic Participant theory [59] supports small scale, interactive, diversified and un institutionalized local media. Its ultimate aim is facilitation of democratic values through media regulation. In this way it resembles Socialist Responsible media theory but it differs from the latter as it keeps the control of the media in owner's hand. Both described models are at work in UK media policy but UK keeps the regulatory powers of media system with in the strong hold of Ofcom.
"The UK television broadcasting sector is characterized by a high degree of public intervention", spf, 2008. In its response to EU regarding media consolidation and media content diversity, Ofcom stated "as diversity of services and news provision increases, and as consumer control grows, the need for ownership regulation diminishes" [38]. Thus, Ofcom has conduced media plurality but not as such the plurality of ownership in UK. This is the case with many other bigger media markets in EU [38, 53]. Plurality of ownership and media plurality are two different provisions and the former is not the sufficient or direct causal condition for the latter (Commission Working Paper, 2007) [38, 53]. Media plurality is confirmed through content diversity and media independence (as mentioned before). This is why cross media consolidation is rampant in UK.

UK has two privately owned public service commercial TV providers. Out of which Channel Five is owned by Northern and Shell (in 2010). Northern & Shell owns four national newspapers and is a 50 per cent joint venture partner in two more in Eire with additional 12 foreign editions and operates in all major areas of publishing. The remaining one private owner is the Independent TV (ITv). ITv production arm is Itv studios that produce commercial broadcasting in UK, USA, Australia, France, Germany and Sweden and Itv is UK's leading commercial terrestrial broadcaster. Still, media plurality is ascertained in UK in the absence of provisions to confirm plurality of ownership.

Media plurality or content diversity in UK is made possible "through distinguishing media services which differ in the ways that they function, are constituted, or are financed" (e.g., public service media, community media, non-profit media and regional autonomous media (like Welish S4C). Useful categories of distinction also include geographical, political, cultural, typological, and genre pluralism" [53]. So, media plurality and content diversity can be achieved by dividing the broadcasting channels on the basis of their functions, constituents, geographical locations and the way they are financed. Distinction based on geographical locations adds up a lot of diversity within the content produced in different localities.

Each TV channel which is located separate, geographically, produces home grown content with local news as priority. For example, ITv has 6 broadcasting channels with further 15 regional TV channels. TV channels belonging to different regions with in nation state focus more on regional and local news than national ones. 76% of British residents think that British "regional news programs provide a wide range of good quality news about my area" [20]. For further local representation, UK has proposed to launch "Local TV", with 21 local Tele Stations. The upfront cost of 25 million Pounds be given by BBC (now private broadcaster, the BEEB) to Ofcom and BBC will also buy content costing 5 million pounds annually from local TV stations. Aim is to encourage the content from within the area covered to produce at least an hour of local news [46]. All these measures are taken to promote cultural representation of Britain.

Apart from internal and local news, external plurality also accentuates the content diversity at regional and international level. GMTV with its production arm produces broadcasting in USA, Australia, France, Germany, and Sweden along with UK. On the other hand, channels with different modes of financing and functioning end up emanating diversified content as well.

Channel 4 is statutory non-profit TV broadcaster. It is funded predominantly by advertising and sponsorship and works across TV, Film and digital media to deliver Public Service Remit [8]. It is though a non profit corporation and the revenue generated is reinvested to deliver pubic service remit. Its portfolio includes four channels: E4, More4, Film4 and 4Music. Channel Five and Itv are privately run and owned channels and follow Public service remit. BBC is a publicly owned and publicly run PSB channels.

The consolidation of mighty media barons is allowed to augment in Britain but small stations are not allowed to bear the brunt. Ofcom serves as a protectionist for small media enterprises and keep them protected from giant media conglomerates. In this manner where UK successfully gains economic in flows from the productions of international media tycoons, she manages to maintain the diversity in its local media content along with the protection of small and medium media enterprises.

For example, the Media Ownership Order removed all local cross-media ownership restrictions on radio broadcasting in June, 2011. Removal of the rules paved the way for small scale local newspaper, commercial radio groups and Channel 3(Itv) regional services to develop new busi-

ness models. That allowed them to move freely from platform to platform and enabled a strong and diverse local media industry to function (Local television, DCMS). The law also obliged Ofcom to set license conditions limiting the amount of income that radio stations could generate from on-air advertising and sponsorship. For the majority of stations this limit was 50%. However, two stations had lower limits (25% and 10%) and a further 18 stations could not take income from on-air advertising and sponsorship at all. These additional restrictions were put in place to protect existing small commercial services whose coverage areas overlap with the community services (Ofcom Annual report, 2010-2011 [14]).

This idea of propagating media plurality even by ignoring the provision of plurality of ownership is also ratified at European level. Academics and policy makers have acknowledged that plurality of ownership does not pose threats to media plurality which is a fundamental pillar of democracy [38]. This suggests that EU has given umbrella to mighty media tycoons to mushroom and augment internationally. "Nikos Leandros,, observes that legislation aiming to curb the economic power of media barons was blocked by the European Commission" [53]. Ownership plurality is considered legitimate if it does not usurp civilian rights. For example, in UK with the recent "hack gate scandal", a need is felt to further safeguard the consumer's "complex rights", including privacy rights of celebrities, politicians, victims and of general public. This public concern is more evident with the proposal of establishing new press regulator, MSA, for British press. Currently, the combination of social, economical and political elements in press policy have bit shifted more towards the satisfaction of social/cultural benefits along with keeping the pace with the basic political and economical prerequisites for an efficient media market. Consequently, the policy regulations are structured as per social needs and national circumstances that further suggest the scope and aim of any public sector in the media.

So the Public Service Media policy phase is again at work as was prescribed by Cuilenburg and Mcquail [40]. Czepek supports this in the following manner: "the public service paradigm emphasizes the role of media in society and demands the diversity of society to be reflected in the media; a paradigm more prevalent in the United Kingdom" [41].

In this replay of UK Public Service Media Policy the political and cultural values are not expanded at the expense of Technological and economical uplift. Rather technological and economical advancements are utilized and are aimed at achieving the ultimate goal of political, social and cultural goals in the society.

In upcoming sections, I will explore the underlying values of UK media policy.

3.3 Underlying basic value in Ofcom policy making adopted from Jakubowicz [51] (based on communication values and corresponding media systems by McQuail [60])

Referring to Table 2.1, the communication policy of UK and its regulatory authority Ofcom, resembles most in having the underlying value of justice and equality as its prime value. As Jakubowicz suggests, communication policies having justice/equality have much in common with the Picard's Socialist democratic press theory [70] and in the lines proposed by Williams (1968) and Keane (1991,1993) . In this system, Jakubowicz claims that the, public funds and public institutions are utilized to ensure positive freedom (contrary to negative freedom: the abuse of freedom by using libel content that can cause disintegration or unrest in society) and represents all social groups in a nation state. Jakubowicz adds that with justice as underlying value the precedence is given to the feed back from citizens, equal access to broadcasting con-

tent, social participation and media system accountability.

In Britain, the justice and equality mainly entail the access of content to the masses and integration of the people of all ethnicities and classes through media. To ascertain social integration, the media system is accountable to the public at large. Access of diversified content to general public at large has been of great importance in many global and regional media regulatory forums. UK gives a satisfactory picture in this regard as all public/private PSB broadcasting channels in UK are free to air, earlier through analogue terrestrial transmitter and currently via digital "Free View" subscription with an aerial and a SET TOP Box. Free View service providers broadcast around 50 British channels along with 23 radio stations in Britain. Prior to the cessation of analogue services, all PSB services were available to 99% of households.

Ofcom monitors the implementation of Ofcom Broadcasting Code ("the Code") in regulating UK's PSB. In this the broadcasters are obliged to represent content that is inclusive of and is accountable to the people of UK. People are also provided with the facilities of registering criticism and recommending alternative courses of action against libel or flagrant content. Ofcom then is empowered to conduct investigative measures and to implement sanctions against broadcasters in case, the code is, breached [15]. Thus, Ofcom provides adequate protection to public from the offensive and harmful material from broadcasting services (see for example section 3(2)(e) of the 2003 Act). Equal access to broadcasting content demands diversity and for this the UK Equality Act, 2010, was introduced to ensure equality and diversity in Ofcom undertakings both as a British communication regulator and as an employer. In the follow up of the Equality Act, the Single Equality Scheme (SES), 2011 [17] was published to provide an overview of the measures that are taken by the Ofcom in facilitating equality, diversity and description of the clear plan of work that is still to be achieved. Similar SESs are to be published until year 2014 on annual basis (SES, 2011).

Additionally, there were a good number of smaller local channels available in particular areas, such as channel M which was available in Manchester and Six TV available in Oxford, Southampton, Reading and Portsmouth. ITV 1, BBC One and BBC Two carried regional programs, such as the local news, and continue to do so digitally. And if we look at the consumer's level of contentment regarding media content on TV, people at large are satisfied with the news reporting via British media. 81% of UK adults consider that country's news reporting is trustworthy and "62% of UK adults score the delivery of 'its news programs as highly trustworthy" [20].

Citizens are now protected not only with their civil, political and social rights but with their cultural rights as well. Role of the media is determined by its contribution to the democratic and social/cultural values of the society. Ofcom regulates media industry for the protection of its consumers and Small and Medium Enterprises, SMEs, and for the access of its diversified quality content. Collectively, these approaches make up what we usually require for "Public Service Broadcasting".

Almost all social groups give their input through satellite channels though from their country of origin and integrate their respective social groups through media. Apart from them the Public Service Broadcasters are heavily regulated through public intervention to ensure positive freedom of expression towards the accomplishment of democratic values of the country.

The PSB remit is not just followed by publicly run and owned, British Broadcasting Corporation, BBC, but also by statutory non profit commercial channel, Channel 4, and two licensed commercial broadcasting channels, Channel 5 and ITV. In total there are currently 10 public

and commercial Public Service Broadcasters that are operative in Britain namely BBC, Channel stet, Channel 4 Television Corporation (channel 4), Channel Five broadcasting (Five), GMTV Ltd, ITv plc (ITv), S4C, STV group plc, Teletext Ltd, and UTV Media plc. PSB in Britain is decades-old broadcasting service that today is largely driven by Public demand and is based on high quality objective reporting (spf, 2008).

The above given detail suggest that for Ofcom the underlying value is justice and equality for all. Let us now find out the features of Communication framework that are functional in UK's Ofcom.

3.4 Jakubowicz model of civil society and media transformations [51] based on Sparks [77]

Referring to Table 2.2, the media communication version of Ofcom in comparison to media regulatory authorities of CEECs can be located as an "idealist" one in the given model. The key elements of civil society's media systems are State, corporate businesses and the civil society. Various civil society organizations give their input in Ofcom policy formulations. Several committees are also involved in different procedures of media regulation of Ofcom. Reason behind incorporating such civil society organizations is to empower them by giving them a due share in media policy making. Media plurality serves as a fundamental pre requisite in democratic and idealist media systems. Mainly small and local media enterprises fulfill the aim of content and media diversity. All media owners are compelled to fulfill the PSB remit and are allowed to mushroom with in UK. Czepek et. Al. [41], acknowledges that "the public service paradigm emphasizes the role of media in society and demands the diversity of society to be reflected in the media; a paradigm more prevalent in the United Kingdom" [41]. UK has instituted legal bindings for freedom of expression as is endorsed in her constitution. Still, content regarding some religions are banned on socialist responsibility grounds and self regulation is institutionalized in anti terrorism efforts.

In this competitive environment with plenty of commercial broadcasters, it is difficult to maintain PSB's position of a common good by sticking to its remit along with its responsive behavior in favor of ever changing public needs. All this has become more difficult under the back drop of ever converging technological and economical advancements, which are continuously changing citizens behavior and aspirations. To maintain its position in market the social equality element is becoming more of commerce and control. The disintegration of audiences is counter acted with the availability of access to almost every one in the society through institutions, instead of homes and individuals, such as schools, libraries, offices etc [19].

Jakubowicz in 1998, expanded the above discussion by giving a figure based on the expected components of British public sphere. Figure 2.2, Ofcom comprises a very heavy regulatory framework comprising interventionist measures to acquire social media policy goals. Figure 2.2 presents somewhat similar picture that is prevalent in UK but one important stake holder is missing, the corporate body/industry, in giving its input in forming the media definition and setting the ultimate goals of public media. Apart from directly satisfying PS remit through the transmission of media content, media corporatists are involved in the policy directives of Ofcom. For example, for better policy formulation, before implementation, the regulatory framework of Ofcom is spread amongst all stake holders to get a direct feedback and input in assessing its impact. Media owners and media enterprises have always been important in helping govern-

ments to achieve their ultimate goals "Accordingly, to function in the public interest of a whole society, television should be governed by political, social and, particularly in the last decade, economic rationale" [40].

Let us now determine the level of autonomy that Ofcom shares as per Jakubowicz determinants. Details are given below.

3.5 Political or a-political status of Ofcom as per Jakubowicz determinants, 1998

Globalization has enhanced media impact but has not rendered national media regulatory authorities as redundant. Media Regulatory Authorities, IRAs, are still very important national actors to draw a fair balance between the interests of the business corporate and civil society. To perform this task, IRA has to be remotely operative from the government, statutory and corporate influences. Financial and political autonomy from the public and private interests carry weight in rendering the authority autonomous or not [56]. The regulatory system can reflect this through the composition, powers of media regulatory authority and through the manner of its board members appointment [51].

There lie number of inconsistencies in Jakubowicz work which lag behind in applying Jakubowicz work to Ofcom. As Jakubowicz states that the reason behind incepting an IRA specifically to regulate private/commercial broadcasting media(apart from Public run broadcasting media) in itself proves that the regulatory body is politicized. He adds that for this reason public broadcasting media is usually kept under the supervision of party controlled national broadcaster directly subordinated to a branch of government or parliament. In UK pubic broadcasting media "BBC" is fully regulated by "BBC Trust" where as Ofcom is entitled to regulate commercial broadcasting media.

The empirical findings show that country specific factors matter a lot in regard of IRAs [44]. The institutional and political pre conditions affect the level of autonomy of IRAs in each country [44]. UK is a liberal capitalist western European country and a regulatory state [43]. Many IRAs in UK are given ample autonomy of decision making which several times fell beyond their intended scope of action and developed "conceptual frameworks". Which contributed immensely in maintaining competition within public sectors while protecting consumers rights [44]. Thus, Jakubowicz separation on the basis of CEECs study does not in itself justify rendering Ofcom as a politicized agency.

Jakubowicz adds three additional determinants in proving any regulatory authority as political or a-political. The determinants are as given below:

1. The process of recruiting the authority's Board (top governing body or decision making body): The recruitment procedures of the Boards members make it evident whether the IRA is actually apolitical or not. Jakubowicz states that if the selection of MRA board for commercial media oversight is solely done either by the president or the prime minister. Or by the involvement of a member of parliament then the media regulatory authority is political. On the other hand if the effort has been made by establishing extensive socially representative boards to involve civil society in the policy making and oversight of PSB organizations, the authority is undoubtedly a-political.

   Ofcom has nine board members with 4 executive directors including Chief Executive and remaining are non executive members including Chairman and the Deputy Chairman.

Non-Executive Member's selection is done by the Secretary of State, SoS, for Departments for Business, Innovation and Skills (DBIS) and SoS for Culture, Media and Sport (DCMS) with the recommendations of Remuneration Committee for the OFCOM (Ofcom Annual report, 2010-2011). The remuneration of Non-Executive Members of the Ofcom Board is determined by the Secretaries of State for Business, Innovation and Skills and for Culture, Media and Sport.

2. If the top managing body or the executive committee of the board is directly elected by authority's non executive, politically elected, board then the authority is likely to be political. Ofcom's Executive Directors including Chief Executive are appointed by the collective approval of the non executive members of the board. The Remuneration Committee advises Ofcom on the remuneration and terms and conditions of service for the Chief Executive, other Executive Members of the Board and Members of the Executive Committee.

3. Nature of Power: By nature of power Jakubowicz meant that often in post communist European countries the actual powers and the areas of competence of broadcasting media regulatory authorities are usually accompanied with that of other government departments or parliamentary bodies of the country. This means that which ever powers these regulatory authorities don't have are usually vested in the other governmental or parliamentary bodies. And powers that are not autonomously exercised by the media regulatory authority are likely to be vested in the competences of the government's department's or of parliamentary bodies and are exercised in political manner. This incorporation of powers of Media regulatory authorities with different statutory and public bodies suggest that the former are politicized.

Those powers are of issue regulations, enforcement of law, licensing powers, Frequency allocation powers, license fee demarcation, frequency allocation fee structure, appointment of PSB heads. The Ofcom performs last five tasks autonomously as per Communication Act, 2003 [8] and Ofcom act, 2002. The description of first two is as follows: Power to issue regulation: The OFCOM initially, by Ofcom Act 2002, was allowed to take required steps in unforeseen situations only at the proposals put forwarded by the Secretary of State (SoS) without the approval of parliament (Section 2 (2-3), Section 4-1c, OFCOM Act, 2002) which later on amended in 2003 and gave full autonomy to Ofcom in decision making (PART1, section2-1, Communication Act 2003 [8]). Provided that OFCOM doesn't interfere in the tasks appointed to other co operative regulators and to that of Secretary of State for CMS (Section 2, sub section 2, Ofcom act 2002). The criterion for the unforeseen situations and the proposals nature is explained in Section 2(4-5), Ofcom Act 2002; Section 132, Communication Act, 2003 [8]).
Law Enforcement Powers: If needed, Ofcom has the powers to step in and take action for in issues regarding competition or resolving regulatory disputes between communications providers. Ofcom also enforces consumer protection law, protects and manages the radio spectrum, and ensure that the viewers and listeners are protected from offensive and harmful material and treated fairly [19].
Empirically, usually the autonomy of agencies is achieves and widened with the passage of time [44]. A gradual shift from Ofcom Act, 2002 to The Broadcasting Act, 2011 can be seen towards more autonomy in decision making. Ofcom has evolved immensely during the last decade (especially during last five years). Initially, the functional repertoire of Ofcom was

evidently statutory. But with the passage of time, Ofcom's statute has become increasingly comprehensive with special regard to allow the authority to function autonomously. However, Ofcom still depends upon government for grant in aid for the tasks for which there are no matching revenue streams. This means that Ofcom runs by licensing fees for regulating broadcasting and communication networks and grant in aid from the government. However, empirically, it is a fact that the Politicians do not undermine the autonomous undertakings of the agency by cutting budget or staff [44]. Politicians do not appoint agency officials on partisan basis. They do not transfer or force agency officials if they digress from politician's decisions [44].

The tag of Ofcom being statutory does not signify that it is politicized as well. Ofcom is officially tagged as statutory because it is accountable to state to legitimize its regulation and to stick to the demands made by publicly elected politicians. Other than annual report, Ofcom is accountable to numerous parliamentarian enquiry committees on matters relating to their duty towards the state and general public at large. Thus Ofcom is a statutory body but is not politicized. Below is given the description of laws that seek restriction upon unlawful cross media consolidation and British politician's deliberate indifference to them:

3.6 Brief description of British laws against cross media consolidation and their disregard by British Governments

The cross media consolidation of few non British media tycoons is given political umbrella to wield their extra ordinary powers to fulfill their political desires. All this takes place under the pretext of media plurality and to increase the economic in flow into the country's economy. One feels that the consolidation of media ownership is legitimate till it does not usurp citizen's rights. Right to information and access to objective content are basic democratic rights of general public. Media barons hardly succeed in keeping their lot estranged from their press content. They usually influence audience and politicians according to their political beliefs [51]. If Media conglomerates influence news reporting to mould people's mind set or to legitimize some favored public policy than it becomes the responsibility of media regulatory authority to intervene and take required measures in abstaining them from doing so.

Because of the unbridled cross media concentration of media barons in UK and self regulatory mechanism of British Press, the biased and subjective reporting has been in vogue for a long time now. Tabloids have become main source of attraction for the British readers and of income for the media barons. The difference between the popular "tabloid" and serious "broadsheets" is quite stark now in the UK [38]. Apart from the legitimate tokens of media plurality and economic uplift, legislative measures against mergers and monopolistic forces are scarcely thoroughly observed and unfortunately in almost all the societies the concentration of media ownership has been a pressing issue to counter act.

The Monopolies and Mergers Act of 1965 established that purchase of one press group by another should be first referred to the Monopolies Commission, especially "if the post merger circulation of the press exceeds 5 lacks and if the reason behind the merger is purely mercenary," otherwise the merger could be approved without reference to the Monopolies Commission" (The Monopolies and Mergers Act, 1965). Cross media ownership laws, were also reinforced in the 1996 Broadcasting Act that abstained media groups from having over 20% of daily newspaper circulation from expanding into terrestrial television which was later extended to 40 % in Communication Act, 2003 [8]. These laws excluded satellite television ownership especially

which was based outside Britain but was consumed by British viewers (such as Murdoch's Sky TV).

Ideally the media does objective reporting for citizens about parliamentary discourses to facilitate democracy. Empirically, the politician's realization of media's massive influence upon the minds and attitudes of masses lead them to court the mighty media barons. Successive British governments have been involved in such utilitarian relationships with consolidated media barons to attain favorable treatment in the media [47]. This treatment sometimes works as "Sticks" for British government by raising the threat of increased press regulation (as Prime Minister Blair in 1999 raised the probability of introducing privacy legislation). While some other times it serves the purpose of "carrots" (Thatcher did not refer Murdoch's purchase of The Times to the Monopolies Commission) to earn some media support in return.

Britain is a level playing field for the foreign media owners as none of the laws abstain foreigners from expanding their media enterprises in Britain. May be that's why much of the British press belongs to multinational corporations. Radio remained a monopoly until 1960s. Then the market oriented regulation or the trend of de regulation gained volumes and the 1990 Broadcasting Act came into being. This Act made procedures of earning licensing easier and reduced previous restrictions on content and advertising. The reforms that were instituted in the Act had far ranging repercussions for Independent Television News, ITN (40 % share of ITv plc and 20% of DMGT). According to McNair (1999), the "main consequence of the Broadcasting Act for ITN was predominantly to maximize the competitive pressures on the organization: to transform it from the 'cost-centre' which it had been for thirty-five years into a profit-making business". In 1989, the satellite television was introduced in Britain in the form of Rupert Murdoch's Sky Television that included channels for sports, movies, news, travel, and soaps. Sky TVs early rival, BSB, was taken over by Sky TV and gave vent to BskyB instead. "By 1996, according to Crisell, one in five households was able to receive BSkyB, either directly or via cable" [47].

Satellite TV is considered as the best mean to consolidate media might within UK. EU legislations and rulings of European Court of Justice (ECJ) have had a substantial contribution in this regard. Initially, for the sake of economic inflow, the British media Act of 1990 treated domestic and non-domestic satellite providers differently. As the domestic providers had to stick to media regulation regarding advertising restrictions, content and ownership rules in order to get a license, while non-domestic satellite providers did not. Then ECJ ruled on the basis of TVWFD, 1989, that this unequal treatment was discriminatory. As a result, UK changed the media Act and lifted restrictions from domestic satellite providers as well even if they catered to a British audience (unlike the terrestrial broadcasters with stricter rules).

The effect was immense. Private broadcasters avoided media regulation by transmitting their programming via satellite. It also affected media systems elsewhere in Europe: some British satellite channels started transmitting their programming to other state without having to adhere to respective national laws, on the grounds of the TVWF-Directive demanding unhindered broadcasting across borders. In the following years, several broadcasters relocated to the UK and transmitted their programs from there. Later, the 'Television Without Frontiers'-Directive, TVWFD, was replaced by the Audiovisual Media Services Directive (AVMSD). The new directive maintains the 'country of origin'-principle for satellite broadcasters, but includes a procedure by which a consultation may take place between the state of origin of a broadcaster and the state its programming is aimed at. Thus, EU media legislation and the rulings of the European

Court of Justice have had an important impact on the development of media systems in Europe and in UK and are shaping the market increasingly, especially in the broadcasting sector [41].

3.6.1 Two highly consolidated media organisations/conglomerates

Diversity and pluralism are important factors in permitting citizens to make sane decisions during elections. The relation ships between politicians and media barons usually work on win-win logic. Where media barons help politicians in generating favorable vibes for their policies among the masses and in turn receive political support in consolidating their media enterprises. Media barons often utilize their massive impact by plaguing the objective reporting of their newspaper with their personal political inclinations and try to legitimize certain government's policy measures through content publishing on their news papers (explained later). Similar, has been the case in Britain. Below are given two of the most influential media barons in contemporary UK:

Daily Mail and General Trust, DMGT

Two brothers, Alfred and Harold Harmsworth were the first giant press barons. Their political influence can also inferred by the manner they were rewarded with pubic titles. As Alfred became Lord Northcliffe and Harold, Lord Rothermere [52]. "These men mostly had huge egos, daunting agendas, and their friendship always came with a price. So, of course, did the friendship of the politicians. They sought support in elections and freedom from scrutiny in governing" [52].

DMGT is a cross media empire having its interests in national newspaper, regional newspaper, television, radio, film and interactive areas. The company extensively operates outside the UK, through Northcliffe Media, Associated Northcliffe Digital, DMG Radio Australia, DMG World Media having Emex, DMG Information, Instrumentation Systems Automation , Farm World , Ideal Home Show and Adtech,. Its biggest markets apart from the UK are in the United States, Eastern Europe, and Australia. It is also listed on the London Stock Exchange. Group's chairperson is The Harold Jonathan Esmond Vere Harmsworth, 4th Viscount Rothermere (born 3 December 1967). DMGT boasts its British national newspaper arm under the tag of Associated Newspapers Ltd, established in 1905, and its sister group Northcliffe media, publishes British regional, local newspaper titles and is international multimedia media arm of the group. The group publishes newspapers like Daily Mail (daily newspaper), The Mail on Sunday , Irish Daily Mail, Irish Mail on Sunday, Metro , Loot , 7days, Evening Standard (24.9%). DMG Broadcasting DMG Broadcasting owns a number of media companies and is the subsidiary of DMGT that controls its British radio, television, film and interactive areas. It includes British Pathe, The One Network , ITN (20%) and Teletext.

Alfred Harmsworth played predominant role in the publishing and popularity of The Daily Mail which was first published on 4th May, 1896. Daily Mail quite often exhibited the view points of its founding father, the Alfred Harmsworth. With in three years, Daily Mail's strong interest in the Boer War, in 1899, ameliorated its sales to over a million. Alfred continued to expand his media enterprise and purchased the Sunday Dispatch and multiple of other regional and local newspapers. Harmsworth founded The Daily Mirror in 1903, and bought Observer and The Times in 1905 and 1908, respectively. In 1908, he acquired The Sunday Times. Alfred Harmsworth (Lord Northcliffe)'s ownership of The Times, the Daily Mail and other newspaper's editorials. In an era before TV, radio or internet, that meant that Northcliffe dominated the

British press as it never had been before or since by one man.

In 1914 the elder brother Alfred decided to sell his share in the Daily Mirror to his younger brother Harold Harmsworth, .Lord Rothermere. During First World War, the Daily Mirror became the most popular newspaper on the Western Front [23]. The war left the Viscount Rothermere grieved with the death of his two sons, Vyan Harmsworth and Vere Harmsworth. Just like Rupert Murdock supported Blair during elections and later in war against Iraq, Rothermere loyally gave support to the David Lioyd George (UK liberal premier 1916-1922) through his publications during elections and later endorsed British government in the war and in return in 1917 David Lloyd George appointed Rothermere as his Air Minister.

Both the brothers Alfred and Harold Harmsworth were on the right and played their significant roles in political landscape of the then Britain. The elder brother Alfred backing David Lloyd George led coalition party. During World War 1, the then British Premier HH Asquith strived to achieve political stability in the country and for this he made a coalition government with the Conservatives. On 2nd December Asquith agreed to the setting up of "a small War Committee to handle the day to day conduct of the war, with full powers, independent of the cabinet". This information was leaked to the press. On 4th December Alfred Harmsworth in his newspapers, The Times and The Daily Mail unveiled Asquith details of establishing a War committee and strongly condemned the inefficiencies of the standing government in successfully resolving warring conditions. The following day Asquith resigned from the office. On 7th December Asquith asked Lloyd George to head a second coalition government [22]. Later the Northcliffe advocated Prime Minister Lloyd George on how to run the war [52].

After 1922, the Daily Mail and General Trust company was created to control the newspapers that Lord Rothermere retained after Lord Northcliffe's death (the Times, for example, was sold). Just before the1924 General elections, Rothermere decided to publish what later known as the Zinoviev Letter urged British communists to promote revolution through acts of sedition. The later, later discovered to be a forgery and contributed to the defeat of Ramsay MacDonald and the Labor Government. Rothermere became increasingly nationalistic in his political views and in 1929 joined with Lord Beaverbrook to form the United Empire Party. Rothermere urged the Conservative Party to remove its leader, Stanley Baldwin, and replace him with Beaverbrook and argued for a reform of the House of Lords to make it possible for peers to be elected to the House of Commons. This dispute divided conservative voters and this enabled the Labor Party to win the 1929 General Election. Being a strong supporter of "appeasement" towards Nazi government, in early 1930s Rothermere used his newspaper content to influence British politics, he stressed upon increased defense spending to advocate an alliance with Germany.

Rothermere also interacted with Adolf Hitler several times and argued that the Nazis basically aspired peace. In one article written in March, 1934 he called for Hitler to be given land back again in Africa that had been taken as a result of the Versailles Treaty. It claimed membership as high as 50,000, and had the Daily Mail and Daily Mirror among its earliest (short-lived) supporters. During the same time period, Rothermere gave support to National Union of Fascists of Oswald Mosley. In January, 1934, He wrote an article, "Hurrah for the Blackshirts", in which he praised Mosley for his sound commonsense and conservative doctrine. The BUF was anti-communist and protectionist. The Mail continued to support the BUF until the Olympia rally in June 1934. Ironically, during the same decade the paper started censuring the Nazis and became so blatant in its condemnation of European fascism that the Nazis added the paper's directors to a hit-list. Daily Mail and Daily Mirror, both were conservative papers at the time,

but the Mirror moved to the left in the late 30s, while the Mail remained rightwing.

The Harmsworth family was so intimately couted by the politicians that they were awarded with the peerage of UK along with other public offices. Alfred though refused to join public office but the first two Rothermeres acceded to politician's whims and completely ignored the expected conflict of interests. Roethermere was a media baron who simultaneously remained a British executive as the president of the Air Council. Later his son 2nd Viscount Rothermere, Esmond Harmsworth, succeeded him not only in the chairmanship of the DMGT but also in simultaneously running a state's office. Esmond remained member of the Parliament for Isle of Thanet (1919-29) and was also given the title of baby of the House being the youngest parliamentarian of his time. One can imagine how much influence these barons would have wielded in propagating their interests as media barons. Esmond was a Conservative politician and a press magnet. As his father spattered in association with the Nazis, Esmond had to manage the businesses. He was the chairman of Associated Newspaper Ltd from 1932 to 1971, after which he assumed the titles of President and Director of Group Finance, and chairman of Daily Mail & General Trust Ltd, the parent company, from 1938 until his death 1978.

Esmond's son Vere Harold Esmond Harmsworth (1925-1998) became the 3rd Viscount Rothermere and founded the Mail on Sunday. Vere became the chairman of the Associated Newspapers and of DMGT and was responsible in re-launcing of daily Mail as a tabloid paper. After his death his 31 year old son, Harold Jonathan Vere Harmsworth succeeded him in acquiring the chairmanship of DMGT plc and Associated Newspapers. Lord Rothermere is non-UK domiciled for income and capital gains purposes, so he does not pay UK tax on his offshore income and capital gains. Rothermere is a supporter of the Conservative party leader David Cameron and nicely escaped from the unhealthy repercussions of the recent Leveson inquiry.

We can conclude that the group went through the thick and thin of British media legislative measures. Media legislation, right from aiming at politico-economic advancements in early twentieth century through the Public Service broadcasting in post Second World War era to the arrival of new liberalism in 1970-80s, always facilitated this group to consolidate its cross media might and to effectively sustain adversarial forces.

Rupert Murdock of News Corp

Australia-born Rupert Murdoch is considered as the quintessential media baron of UK. His assets include 20th Century Fox, FOX Broadcasting, BSkyB, FOXTEL, Sky Deutschland, SKY Italia, The New York Post, the Wall Street Journal, the UK Times, Sun Herald, The Sun and a variety of smaller publications. Because of 39% ownership of satellite BskyB, Rupert owns a significant part of "Itv plc" company too and also owns 5% of Shine Ltd.

Knowing the fact that mass media bears strong and long lasting impact upon the mindset of people and politicians alike, Murdock often exploited his media might by publishing what he personally aspired to propagate. For example, in 1992, during elections the polling indicated that Neil Kinnock of Labor Party could win election, Murdoch's' The Sun campaigned strongly against him. The front page on polling day proclaimed "If Neil Kinnock wins today, would the last person to leave Britain please turn out the lights". Later on, Kinnock was narrowly defeated. Similarly, in 1997, Murdock's UK newspapers - The Sun and The Times - backed Tony Blair's "New Labor" against the Conservatives. Also in 2001, the New York Times reported that Murdoch's personal political affiliations led The Sun, The Times of London, the Sunday Times and News of the World to drop their traditional conservative inclinations to endorse La-

bor's Tony Blair [64]. Inherently, Rupert Murdock has been a corporatist and a libertarian. He always backs political parties that facilitate his business interests the most.

Murdock until 1997 supported Tony Blair's Neo Labor party but at the time of proposing EU constitution he then started supporting conservative's Micheal Horward (current leader of conservative party) on the grounds of being against the EU red tapism. James Fallows, in The Atlantic Monthly, adopts a similar view about Murdock. "Murdoch seems to be most interested in the political connections that will help his business In short, some aspects of News Corp's programming, positions, and alliances serve conservative political ends, and others do not. But all are consistent with the use of political influence for corporate advantage" (Sourcewatch on K Rupert Murdock, 2012). Being a corporatist he propagates and supports libertarianism. Murdock also confided it to William Showcross, his autobiographer, that he was a libertarian at core [64].

To consolidate his media might Murdock knew exactly how to affiliate himself with powerful politicians and other businessmen alike. For example Rupert Murdock never abused tobacco use or never highlighted the shortcomings of Tobacco use in his news papers this later lent him the support of Philip Morris (now Altria Group, biggest tobacco empire), for the advertisements. For the same reason, Murdock also earned board membership of Philip Morris in 1989 [64].

Murdock political inclinations moved first from being a staunch socialist to a corporatist conservative and then a Neo Labor libertarian. Over the years, the succession of his political inclinations suggests that with the success and expansion of his media enterprise, Murdock became increasingly corporatist and libertarian. While being a student at Australian Geelong Grammar school and then at "Labor Club" of Oxford, Murdock initially was on the left. Back then he always protested against the unregulated or least regulated business enterprises and favored trade unionism and socialism [67].

In 1969, Rupert bought "the Sun" newspaper and kept it on the left politically. In his first publication Murdoch blatantly promised the audiences that it will be a paper that deeply cares about "truth, beauty and justicethat cares about people". The Sun once supported the miners in the minors strike in 1972 and 1974. Even in October 1974 it still described itself as a radical newspaper. It was also stated that, "All our instincts are Left rather than Right". This stance seemed to have reflected Murdoch's own views at that time [67].

Murdock's political shift in favor of Conservative has its roots more in his desire to expand his media empire which had serious threats from the ever increasing influence of trade unionism in Britain (as was evident from the victory of workers in the miner's strikes of 1972 and 1974). Consequently, he became staunch supporter of Margaret Thatcher (UK premier, 1979-1990) of Conservative Party. From this time onwards, Murdock's political affiliations were based on win-win logic. Murdock supported politicians to earn favors to facilitate his media enterprise and politicians endorsed Murdock to legitimate their political actions through the content of Murdock newspapers. Though, Andrew Neil, in 1970s, described Murdoch's politics in this period as "The resulting potage is a radical-right dose of free market economics, ., he is, much more right wing than is generally thought" [67].

In 1979, in general election campaign, Murdoch passionately supported Thatcher with the Sun. Thatcher personally attended Sun editorial meetings and Sun's editor was actively involved in facilitating the Tories' election campaign. After coming into power, Thatcher was given un swaggering support by Murdock through his news papers. Murdock eulogized Thatcher multiple times, as the Sun once proclaimed, "Thatcher has proved herself far more than the Iron Lady.

She has been Britannia come to life" [67] and was in return rewarded in increasing his business interests and political influences. As in 1981 Murdoch was allowed to own the Times and the Sunday Times without being referred to the Monopolies Commission. This favor was repeated in 1990 when he took over British Satellite Broadcasting, creating BSkyB, once again without any reference to the Monopolies Commission. In order to keep Murdock's BskyB within no pubic scrutiny zone, the 1990 broadcasting Act was promulgated (mentioned earlier).

Murdock immensely advocated, for obvious reasons, the government's stance against the miners in Great Miners' Strike of 1984-85. For Murdoch, this was a significant battle in thwarting the might of British Trade Union. During this period, Murdock and Thatcher shared an intimate and special bond in pulverizing the miners strives. This also suggests that how both, the political and economic powers, united to attain mutually beneficial ends. The editor of the Times, Charles Douglas Home, claimed about their meetings during this time period as"Rupert and Mrs. Thatcher consult regularly on every important matter of policy" [67].

The Wapping dispute was also a significant turning point in the history of the trade union movement. It started on 24 January 1986 when around 6,000 newspaper workers went on strike to pressurize Murdock to succumb to their demands based on "Spanish Practices". Earlier Murdock secretly constructed and clandestinely equipped a new printing plant for all its titles in the London district of Wapping. When the print unions announced a strike, Murdock activated this new plant with the assistance of the Electrical, Electronic, Telecommunications and Plumbing Union (EETPU). The Wapping Strike continued for 54 weeks that culminated with the sacking of thousands of print union employees and arrest of almost 1500 union workers. During this episode, Thatcher gave immense support to Murdock both by her policies and by her police force.

Thatcher government's trade union legislation allowed employers to de-recognize unions and enabled the corporatists to use an alternative workforce and new technology in newspaper production. For entourage, Murdock personally visited Thatcher to confirm the availability of massive police to escort the new Wapping plant whish was latter appointed as was promised [67]. This rescue operation was later known as "The Operation Gold" that cost 14 million where all the time an average of 300 police were on duty which rose to over 1,000 on 12 occasions.

Thatcher support helped Murdock to continue operating his clandestinely built publishing plant for all four of his newspapers and compelled the rituals of trade unionism in Britain to break. Consequently Murdock profited as he not only successfully cut his wage bill by some 45 million with an accompanying dramatic increase in profits from 39.1 million in 1985 to 98.3 million in 1987 and 165 million in 1988 [67]. Thatcher exuberantly supported Murdock and remained instrumental in mushrooming the media might and political influence of this media baron. So much so that he became accustomed to follow his whims in almost every political matter of Britain, be it then the further integration with EU or attack on Iraq (described later in this chapter).

John Major (UK premier, 1990-97), the successor of Thatcher of similar Conservative party, then came into power but Murdock failed in attaining favorable vibes from his party or from the Labor party during that time period. This is why during the John Major's premiership (1990-1997), Murdock remained aloof from both the political parties. Murdock discredited Kinnock in the Sun, in 1992, because he used to concern a lot for the unions and was recalcitrant in rolling back the media might of Murdock. Similarly on the other hand, Murdock had realized that John Major did not regard him worth sharing the policy discourses and wished to control

his unrestricted media might. Woodrow Wyatt noted in his diary on 19 January 1993 that Major asserted to him in private that the government was thinking of "a law that foreigners, non-British residents, should not be allowed to own newspapers" Wyatt continued writing that Major said if he was given the chance and power he would "crush Rupert Murdoch and make sure he had no newspapers at all" [67].

Conservatives thought that ultimately Murdock would have to follow their commands as he could never pair up with the Labor Party for obvious reasons. Meanwhile Tony Blair availed himself of Murdock's estrangement from the Conservatives to give vent to a new relationship based on mutual benefit. Tony Blair introduced Neo Labor Party with lenient measures against consolidated enterprises [67]. Murdoch was also assured that there would be mere token relaxation in Thatcher's anti-union laws. "In 2003, Trade unions won the right to recognition with a majority vote of workers. Blair added a killer clause that added a pun to the Law that the 'majority' would have to exceed 40% of the number of workers in an employer drawn 'bargaining' unit (as the recruitment of union workers within or outside the bargaining unit was kept completely in the hands of the employer). During Blair's time period the Ofcom Act, 2002 and Communication act, 2003 [8] came into being with the convergence of British communication market. Initially Ofcom was perceived as promoting least regulation or the most relaxed regulatory framework of modern times. Communication Act, 2003 [8] allowed cross media concentration reaching from the share of 20 % (Broadcasting act, 1996) to 40% [8] for any foreign media owner which directly supported the Itv, BskyB and News Itl of Murdoch.

Blair patronized Murdock and helped him in expanding exponentially both in his media might and his political influence. Murdock was given extra ordinary importance in all policy matters inside number 10 of Blair. So much so that he was regarded as 24th member of the Cabinet (Lance Price, 2005). Murdock became most verbal during this time period and vehemently supported or disregarded political issues. For example, he always discountenanced in getting more integrated with EU especially because of the latter's red tapeism. He thought that EU was un-favorable towards market forces and European supranational institutions were powerful enough to curb the enterprise's expansions.

In April 2004 Murdoch stated about EU in an interview with Australian conservative talk show host, Alan Jones, that an "awful French socialist bureaucracy is stuck in Brussels, which is deterring investment in Europe, which is over-regulating every business and everybody." [64]. Knowing the fact that media had the ability to mould audience's minds and governments attitudes towards unwanted actions, Murdock campaigned for prospective referendum in the country to get the decision from citizens of Britain regarding further integration with EU and ultimately things happened as Murdock aspired them to be [67]. On the other hand Murdock also openly approved government's action regarding foreign policy issues such as on war against Iraq. Murdock continuously manipulated the reality from UK audience regarding what was actually happening in Iraq and about the magnitude of Guerilla war in Iraq [67]. This was the time when Murdock enjoyed the pinnacle of his political influence in Britain and actually became master of both the politicians and citizens alike.

Murdock's political influence continued during the time of Cameron as he also emerged as much the same as Blair for Murdock. Many of Murdock's intimate friends and employees soon became cozy with the Cameron. Andy Coulson was installed as Cameron's right hand man and, Michael Gove, one of Murdock's former employees, as secretary of state for education, and Rebekah Brooks was in the habit to ride with the prime minister. To further expand the

corporate interests of Murdock, Gove was promising to open up British schools too for-profit providers [67].

All of a sudden the "hackgate" scandal emerged and government referred the case to the court in november, 2011. The "hackgate" scandal resolved but with irrevocable consequences. Hacking of the phones of celebrities and of politicians especially of the murdered schoolgirl, Milly Dowler, by the News of the World caused immense repugnance in audience's that swept away the credibility of Murdock's newspapers. Murdock soon found himself in the whirlpool of accusations but none from the political sphere helped him out of the dilemma. This was mainly because they were well aware of the apprehended repercussion of being part of the infamous scandal. Finally, after months toil, the Leveson Enquiry culminated but with the abandoning of the BSkyB deal, the closure of the News of the World, the abstinence of planned Murdoch Academy school in Newham, the arrest of News International executives and journalists, the massive payouts to the Sun's and the News of the World's victims, the resignation of James Murdoch as chairman of News International and his subsequent "flight" to New York. The blow was so potent that Murdock could not stop stating in his forced appearance before the panel that "this is the most humbling day of my life".

Still Murdock is fighting back with his new Sun on Sunday. A thing to ponder is that the News Corp of Murdock is not confined to Britain only. Murdock's multi national corporation is still on a record high world wide. However this would not be wrong to say that his political influence in Britain has had a potential halt (may be temporarily).

The ups and downs of Murdock's career, over six decades, in Britain suggest that he always managed to expand his cross media consolidation and finally in 2011 government emerged as an interventionist in order to protect the rights of general public. Leveson inquiry and its rulings suggest that even for British press policy, Britain's economical and political interests have been potentially subdued by the social and cultural interests of its people. Regulation regarding press is proposed to be intensified with the inception of an autonomous regulatory authority and press is expected to exhibit positive freedom in the years to come.

Media legislation always leaves far reaching impressions upon the media system of any country. In the context of Cuilenburg and McQuail [40] out of three policy paradigms media baron first made its way out of the restricted measures of Public Service Media Policy paradigm, (1945-1980s) and then overshadowed all in consolidating its media might in the New Media Policy paradigm. However the second decade of 21st Century, arrived with the replay of Public Service Media Policy paradigm which helped in spilling the beans against this media enterprise.

3.7   Conclusion

British media system especially its press, TV and radio broadcasting is democratically inclined. Ofcom, at the time of its inception was more prone to attain economic and technological advancements but especially during last 5 years, several internal and external measures have helped it to foster policies to propagate PSB. Today where Britain is steadfast in incepting an autonomous regulatory authority for its press to adhere the media houses to standard code of conduct, Ofcom is also incorporating policy measures for its regulatees in sticking to pubic service remit. The ultimate goal in both the cases is fulfillment of general public interest. Here the general public interest aims at achieving the social and cultural well being of the society. Ofcom is given required autonomy in performing its functions independently but it is tagged

as a statutory body because it is accountable to elected parliamentarians. Ofcom is also accountable to several parliamentary enquiry committees in regard of fulfillment of the statutory interests and that of general public interest at large. Ofcom is statutory authority and intervenes in commercial media markets to ascertain public service remit.

Amidst promoting its successive politico-economical and socio- political values amongst the masses, the British media system has also kept its steady pace in preserving the cross media might of few media tycoons. Cross media concentration and external plurality is advanced under the pretext of media plurality and economic inflow of mighty media barons. However they usurp citizen's rights by influencing news reporting either to propagate their favored public policy or to mould peoples mind to fulfill their personal vested interest. Several laws against monopolistic forces and to countervail mergers are also negated in favor of these highly influential media tycoons. These media barons have always sustained their proximate relations with British politicians on the basis of win-win logic. However, such long kept relations have faced a morality check in the relay of Public Service Media Policy paradigm (2003 especially with the culmination Leveson Enquiry as was referred by Cuilenburg and McQuail [40]). Today, the British media policy is more prone to interfere in media market to refrain the broadcasters from expressing negative freedom. The general Public interest is given precedence with utmost regard for Socialist Responsible [76] and Democratic Participant [58] normative model.

Chapter 4

Operationalization (Pakistan Electronic Media Regulatory Authority, PEMRA)

4.1 Introduction

Today's major media houses of Pakistan were emerged as being part of a nationalistic campaign in the wake of creating a Muslim majority state in British India. Since then the concept of an objective and "non-aligned" media is completely missing in this part of the world. Likewise, the media legislative framework inherited the streaks of British colonial rule with an inherent tendency to hold back or refrain from the freedom of expression in post independence era. Unfortunately, successive military and civilian governments of Pakistan have preferred to continue this authoritarian trend to protect their own class privileges [61]. Major actors in the socio political landscape of Pakistan belong to civilian and military establishments, religious fundamentalist groups, business elite class and foreign forces like United States of America, USA. Broadcasting media has remained under the protected hands of government and was operated, (from 1964 till 2001), according to the Development Communication normative model [51].

A number of internal and external factors completely changed the media landscape in Pakistan with the turn of 21st Century (as discussed earlier in ch 2). In 2002, broadcasting media was liberalized and later the restriction on concentration of cross media ownership was lifted to allow potential media barons to quickly avail the ample space. Jakubowicz [51] states that the whole sale privatization of broadcasting media suggests the pre planned empowerment of powerful political elites in post communist/ post authoritarian regimes. However, measures are taken to legitimize public policies against powerful media barons by devising policies that suit latter the most (explained later).

After the liberalization of electronic media, a dire need was felt to regulate the nascent broadcasting media as per statutory requirements. Consequently, Pakistan ordinance no XIII of 2002 was promulgated by the then President of Pakistan to establish Pakistan Electronic Media Regulatory Authority, PEMRA, to carry out the specified responsibilities (section 3-4, PEMRA Ordinance, 2002). PEMRA is given exclusive authority in granting the licenses for the establishment, operation and distribution of private broadcasting media in Pakistan (Section 18, PEMRA ordinance, 2007; Section 4, PEMRA regulation, 2009). Apart from regulating the privatized broadcasting media, PEMRA is responsible to overview the content of the programs and advertisements produced. The Frequency distribution is assigned to the Frequency Allocation Board, "FAB". However, spectrum charges are always levied by PEMRA over the distribution

and broadcasting networks in the country.

Normatively, PEMRA, the successor of Regulatory Authority for Media and Broadcast Organizations, RAMBO, was incepted to emerge as an autonomous authority to regulate commercial broadcasting media in Pakistan. Many significant powers were delegated to PEMRA (starting from section 26 until 40 of 2002 PEMRA ordinance) to give sufficient autonomy and legitimacy in taking appropriate actions against offenders. Still the autonomy of PEMRA is anything but possible.

However, soon after the liberalization of broadcasting media and consequent inception of PEMRA, the media in Pakistan flourished and almost a hundred commercialized Pakistani channels emerged with massive audience ratings. And Urdu news channels gathered maximum number of viewership. Popularity of news channels allowed media conglomerates to successfully influence the mindset of masses in particular matters of internal and external importance. However, whenever there originated a clash between the interests of media barons and that of Pakistan government, PEMRA has always come up as government's savior. Government has empowered PEMRA to strong hold its grip upon media houses and by curbing the right to Freedom of Expression.

People of Pakistan, on the other hand, initially discerned their newly privatized media as the savior of democratic values in Pakistan. But soon the media trial of politicians, moral policing of Pakistani nation and more recently the Media Gate Scandal (mentioned in ch 2) led the masses to believe that media has its own latent nefarious interests which in no way match to that of general public of Pakistan.

The "new media", with its online blogs, social networking and hyper local journalism sites, reveal more ghastly picture of what people of Pakistan hear and see through their TV screens. The news reporting and news content in press and broadcasting media is more often impaired with conspiracy theories by media correspondents/journalists to conceal their wicked agendas rooted in their personal political affiliations and religious inclinations [63]. Below is given the description of underlying sub goals and ultimate goal of PEMRA regulatory framework in post 2003 era:

4.2 Prevalent media policy paradigm and its sub goals and ultimate ambitions (Pakistani media post 2003 era and emerging communication industry policy by Cuilenburg and McQuail [40])

Liberalization of broadcasting media and subsequent public permission for cross media ownership permitted already famous journalists (like Hamid Mir, Najam Shethy, Javed Hasmi, Dr Shahid Masood etc) to host political talk shows on private TV channels. The increased public demand of such political talk shows soon turned these journalists into mighty media conglomerates and master of politicians and society alike. However, the year, 2005, did not prove to be yet another year of strengthening the ties between the government, media conglomerates and Pakistan public at large.

In the era post 2005 earth quack, extensive media coverage where unveiled government's inefficiencies and inability to cope with the rehabilitation procedures it also roused government's wrath. After this the disgruntlements on both the sides augmented with incidents like Red Mosque Crisis (2006), 2007 emergency (where Supreme Court was sacked and all commercial broadcasting networks were halted), Lawyers Movement (to re store the judges, especially Chief Justice Iftikhar Chaudhry, to respective defunct offices), the assassination of former prime

minister Benazir Bhutto (daughter of late Zulfiqar Ali Bhutto in December, 2007), proposed Kerry Lugar bill (2009), 2010-11 flood affecting 18 million Pakistanis [21], controversial release of American spy "Raymond Devis" (who killed two innocent Pakistanis (2011), and then the recent incidents like NATO attack on Salala check post killing 24 Pakistani soldiers and consequent closure of NATO supply from Pakistani soil. Media's prolonged censure against government policies forged government's fury and resulted in promulgation of series of restrictive measures [82].

Resultantly, PEMRA sought allegiance from media system to its statute and promulgated series of penalties in the wake of media's strayed attitude. Perpetual incorporation of such measures in PEMRA statute resembles it with emerging communication policy of the western society as was depicted by Cuilenburg and McQuail [40] in Figure 2.6. Cuilenburg and McQuail [40] state that from mid 19th century to the Second World War, communication industry of USA and western European countries had the aim of advancing governments interests (with public interest as an ultimate goal along with technological and economical growth) and that of market forces through communication industries.

The "Emerging Communication Industry Policy" period resembles with the current regulatory framework of PEMRA in the following manner: a. The "Public utility" model of before mentioned era propagated the notion of universal access as is highlighted in PEMRA ordinance, 2002 & 2007. b. Similarly, after its liberalization the broadcasting media is given the status of industry in Pakistan. c. PEMRA regulates only private broadcasting media in Pakistan whereas the regulation of telecommunication, internet, postal and telephone services are still medium specific and are regulated by separate regulators.

A major difference between the Emerging Communication Industry Policy and PEMRA policy framework lies in their ultimate goals. Pakistani broadcasting media is aspired to abide by the rules decreed by PEMRA statute to guarantee the public interest. Unfortunately the public interest in Pakistan is not that of general public but of political elites of the country. Most blatant justification in this regard is the absence of freedom of expression in its true sense. Article 19 of Pakistani constitution protects freedom of expression/publishing within the country but only with in the parameters set by country's law (courts). Freedom House still reckons Pakistan as "not free" when it comes to freedom of speech in the country [11]. PEMRA has intensified its measures so hastily that even Freedom House discerns PEMRA as a public puppet that remains busy in curbing citizen's right of freedom of Expression. In regard of freedom of expression, Pakistan is ranked at 151st position out of 178 countries (Press Freedom Index, 2011). Additionally, Cuilenburg and McQuail [40] stated that the general public interest through country's media can be achieved by getting rid of content censorship and by sticking to the rule of law. However in Pakistan, "The media remains dogged by censorship, intimidation, a harsh regulatory regime and corruption" [18].

Radio in Pakistan is largely publicly owned or publicly controlled. Control is assured by the terms of access, purposes and standards of performance incorporated in private radio station licenses issued by PEMRA (explained below under control).

The governments treatment with the newly liberalized media in Pakistan reveals that how PEMRA ascertained control over broadcasting media and country's economic boost to attain the state's ultimate goal of empowering ruling elite. Below is given the detail on "Control" and "economic boost" of the country. To satisfy corporate interest's the "Competition" measures are established to best suit the mighty media barons while "Profitability" is evident through yearly

analysis of PEMRA annual reports. The given model is adapted from McQuail and Cuilenburg [40] in regard of "Emerging Communication Media Policy" (from mid 19th century to the start of Second World War):

4.2.1 State interest

Control of broadcasting media and anticipated economic welfare of the society and state through media were ascertained in the following manner:

Control

Below is given the brief description of Pakistani press in regard of Governments control in Pakistan:

Press Media: In post independence period, the media legislation continued to be directed by the Pakistan Penal Code, PPC, (adapted from defunct British law XLV of October 6, 1860). In 1960, under the military rule of General Ayub Khan, PPC was further incorporated in Press and Publication Ordinance, PPO. In 1963 PPO was succeeded by a new regulation which confirmed the continuity of the PPO and further tightening of government control over media.

Military men's concerns regarding media and its power to control the masses compelled first Military ruler Ayub Khan (1958-62) to establish the Bureau of National Research and Reconstruction (BNR&R) which later became Ministry of Information and Broadcasting (still exists). BNR&R used to hire journalists to publish commentaries to legitimize government policies [61].

During Ayub Khan's era, publishing houses were compelled to follow the public lines in news reporting otherwise they had the threat of being taken over by military regimes. This is what happened with the publishing house "Progressive Papers limited, PPL" in 1959. PPL was originally a non profit organization and was established by the businessmen. Government soon toppled PPL's management under the pretext of country's security being at risk. In 1964 PPL was completely taken over by the military regime and was given the name of National Press Trust (NPT). NPT acquired nine other news papers to further portray staunch support in favor of public policies. An underlying force behind NPT's uninterrupted support in favor of successive governments was its financial reliance upon public exchequer [61]. NPT remained benevolent for military and civilian regimes alike. When Zulfiqar Ali Bhutto (1973-77) came into power, journalists started a new shameless campaign of character assassination against everybody who dared to raise a voice against ruling elite. Ironically, after the demise of Bhutto the sycophant journalists shifted their trumpets to sooth the ears of Pakistan's new leader General Zia ul Haq (1977-1988). It was during this time period that the "Islamization" of the media took place and from there on the campaign continued with all its grandeur. NPT is still operative and serves as a mouthpiece of standing governments in Pakistan.

In 1988 (after the death of President General Zia ul Haq) the Printing Presses and Publication Ordinance, PPPO, a more media friendly legislation eventually repealed the PPO. PPPO is usually credited for the legal environment for the expansion of Print publication in Pakistan. So much so that in 1997 the "total combined circulation of daily newspapers and other periodicals became 3.5 million. Print media included 424 dailies, 718 weeklies, 107 fortnightlies, and 553 monthlies (All-Pakistan Newspaper Society, APNS, 1997). Because of sudden surge of Print media and their openness about corrupt leadership in Pakistan, the military remained involved

in toppling democratically elected governments through blood less coups in Pakistan. General Pervez Musharraf came into power in 1999 by another bloodless coup d'tat of democratically elected Nawaz Sharif and became President of Pakistan in June, 2001. In 2002, General Pervez Musharraf revoked PPPO and introduced a series of restrictive laws including the defamation Ordinance, 2002, preceding the time of October Elections [61].

Almost all of those regulations were "anti democratic and meant to increase Musharraf control over Public" [50]. Unfortunately, the right to information is made possible in the year 2010 but only to the content that is approved by the government. Apart from this the ownership of media especially of print media is restricted to Pakistani nationals and foreign involvement cannot exceed 25 % [50].

Financial constraints have always aggravated already adverse conditions of Pakistani Press. Though, the Associated Press of Pakistan, APP, was established soon after the independence of the country to create its link with international news agencies but because of the deepening financial crises its dependence upon government increased and so did the censorship of its content [72].

Initially the AAP was financially run by a trust with heavy public subsidies but ever increasing financial restraints compelled government to take over APP with the promulgation of APP ordinance, 15 June, 1961. In October, 2002, APP converted into a semi government corporation and was renamed as the "Associated Press of Pakistan Corporation", APPC, and stopped operating under Labor Laws that affirmed objective reporting (at least in theory). Today, the two major news agencies (out of 8) in Pakistan are the Associated Press of Pakistan, APP, and Pakistan Press International, PPI (in June 1956 founded as Pakistan Press Association, PPA by private joint-stock company. The name was changed to PPI in 1968). PPI objective was to provide competition to APP monopoly.

Being the government agency, APP focus more on government policies and neglect cultural, political, economic and other sectors of human significance. One perpetual disposition of this agency's journalists has been the character assassination of the leaders of opposition parties. "The agency has served its masters one after the other and has gained the notoriety of being a center of news management, fabrication and distortions" [68].

The regulatory framework as is mentioned earlier under press media is incessantly restrictive and seek public compliance of media houses. Government wields unjustified powers in gate keeping process of the newspaper content. Sometimes, this power play remains active with the consent and contentment of Pakistani journalists. Hanitzch & Berganza [48] stated that they collected survey results in 20 states round the globe to find out the level of trust that journalists keep in their statutory institutions and alarmingly 3 states with more authoritarian streaks were amongst the ones which were regarded more trust worthy by their respective journalists than the other more democratic states. And Pakistan was one of the former ones. They considered following as main reasons behind that trust:

1. Journalists don't expect similar political performance as their counterparts do from their respective western states.

2. Journalists don't always say truth because of political restrictions and ramifications.

3. Journalists belong to media house that is state owned (the government and politicians exert more than justified powers in editorial decisions of state owned media houses by placing their trusted people in the higher echelons of editorial hierarchy.

Similarly on the other hand journalists who act more like watch dogs closely evaluate politicians and institutions usually become cynical of the whole political scenario as is the case in western societies. Some times the little power distance with politicians and institutions ends up in more trusting feelings amongst the journalists as is usually the case with Pakistani journalists [48].

Apart from state owned media houses, Pakistani government and state actors easily exercise their powers in restricting the content through state owned news agencies/news wires like APP. Unfortunately, the threat of media coverage has not been the government's domain only. New political elites like powerful businessmen, military men, religious fundamentalists, merchants and politicians all have strived to keep their lot protected by lobbying with the journalists of different media houses and have invested on them in besmirching others on religious and sectarian grounds.

The ultimate goal of press in Pakistan has been the conformity and compliance to powerful elites. Journalists are usually paid, pressurized, threatened and even killed by powerful elites to compel them to write and say in their personal vested interests. That is why Pakistan has been the deadliest country for journalists for consecutive two years (Committee to Protect Journalists, CPJ, 2011). Ironically the privatization of media system in Pakistan took place under the military rule of General Pervez Musharraf in 2002. As an upshot, the content to be broadcasted and the distribution means to be utilized were made limited for the private TV channels and commercial radio stations. Though the right to freedom of expression was incorporated in the Pakistan Constitution of 1973 but has never been implemented.

On the other hand the right to Information has been conspicuous by its absence through out first six decades of Pakistan independence. It became legal only in 2010 but only to the extent which Pakistani government deems as adequate for its people. Unfortunately, poorly literate masses have never thought of exerting pressure upon policymakers for freedom of expression and right to information [50].

Radio: PEMRA incorporated the rule of limiting the broadcasting range of private radio stations to 50 km radius in its licenses and made it difficult for the remote rural audience to have an access to city based radio stations. As a result, private radio stations have almost no penetration in rural areas. However, state owned Pakistan Broadcasting Corporation, PBC, enjoys its monopoly over country's radio stations and has complete access to rural areas. PBC controlled radio stations "cover approximately 80 percent of Pakistan's territory, or 96.5 percent of the population, and it has a regular audience of 95.5 million listeners", [61]. In order to strengthen its foot hold in rural areas PBC has localized its radio transmission. Today in addition to Urdu language, PBC broadcasters are operational in 20 other regional languages from 30 different cities in Pakistan [61].

Moreover, with the complete ban on national or international news transmission, government made it certain that the audience may only consume reporting that is in favor of government and its policies. But private radio stations were given the option of relaying the news bulletins from state owned PBC. However, PBC does not enjoy an uninterrupted radio domain in Pakistan. Its biggest foreign rival is BBC Urdu and because of its objective reporting and independent broadcasting, the former is most respected and followed by Pakistani listeners. BBC Urdu (formerly BBC, 1949-1970, succeeded by BBC Urdu in1970-till date) is particularly preferred in politically unstable tribal area "Federally Administered Tribal Areas, FATA" where almost 60-70 % of FATA population follows BBC Urdu [61]. American financed radio stations also operate with the USAID in Pakistan and air their news transmissions to particularly counter act the ravage

wreaked by Taliban radios prior 200 military offensives [61].

TV: The access to broadcasting content from privatized TV channels was restricted by allowing them to be accessible only through satellites or cable TV networks. Private TV channels were forbidden to broadcast free to air from terrestrial transmitters. Only state owned Pakistan TV and its 6 sister channels retained their monopoly over terrestrial viewership across Pakistan. Out of 86 million TV viewers in Pakistan, 48 million are terrestrial viewers who rely completely upon PTV channels [10].

However, internet has relaxed the curbed situation of freedom of expression. A big amount of money is invested in expanding web infrastructure projects. Deployment of WiMAX networks at least in 30 cities with in Pakistan (making it the largest network in the world) has enabled wireless internet access anywhere within a wide area. The Pakistan Telecommunication Authority (PTA) has confirmed that at the end of 2009, there were 29 million internet users (16% of total population) in Pakistan. Out of which 6.4 million were Facebook users [18]. Unfortunately, this proportion is not relaxing to good extent.

On the other hand government is continuously striving to filter and restrict the unwanted content on internet blogs and social networking sites in Pakistan. Government made a failed attempt in banning "1600 offensive words" in Feb, 2012. Government also invited tenders to create a public internet filtering and blocking system to refrain the audiences from accessing undesirable websites [18]. Social networking sites like Facebook and Twitter are blocked twice on religious and political grounds but because of public immediate and strong retaliation, government resumed them to avoid unfavorable circumstances. The given facts suggest that Pakistani media system has always suffered under an authoritarian rule with curbed and restricted freedom of expression/publishing. Though, the Development Communication normative Model has served well in broadcasting media but press media has always faced extensive censorship against unwanted content.

"Compliance to official policy is assured by awarding cash prizes to selected writers and journalists, by allocating government positions to selected members of the press, and even by providing coveted housing plots to journalists who toe the line [18]. In all the cases the interests of political elites are served and protected. Broadcasting media was liberalized to empower the then regime of Musharraf but once the media started accusing military regimes, the strict measures were taken by PEMRA to restrict media and the process continued with a series of such responsive and restrictive measures to comply media as per the demands of political elites. Even after the toppling of Musharraf military rule, the tug of war is still on between the media system and PEMRA where PEMRA is there to serve the interests of ruling elites.

Economic boost

PEMRA was established with an aim to enhance the political economy of the country i.e. the growth of country's economy by mushrooming liberalized media industry in Pakistan through technological advancements [73]. Economically, in contemporary world the media is central to the nation's economy and contributes massively in this regard. Similarly, in Pakistan the broadcasting media has contributed a lot to her economic boost (PEMRA, annual report 2010-11 [16]). Government intention to have economic gains out of this nascent industry is assured with their policy of abstaining private TV channels to be aired through terrestrial antennas. PEMRA is responsible to regulate the broadcasting media along with the cable networks in

Pakistan. PEMRA issues licenses of TV channels, radio stations, cable operators, Satellite TV, wireless TV, Mobile TV, digital TV, and fines in case of impeachments.The cable network expanded exponentially in least possible time in the country and so did the number of private radios and TV stations [16, 73]. According to 2010-11 figures PEMRA generated budget of 438.452 million Pakistani rupees with revenue increase of 55% as compared to the last year (PEMRA Annual report, 2010-11). The budget increase is at a high in the access points of cable networks and in the number of broadcasting TV and radio stations with diversified modes of platforms.

4.2.2   Media enterprise interests

Corporate interests on the other hand were protected with the provisions of competition and profitability in given manner:

Competition

To ascertain competition, PEMRA is given authority to exclude monopolistic forces in the establishment, operation or distribution of broadcasting media services. Person/company with licensee owning, controlling or operating more than one media enterprise, shall not indulge in any practice which may impede fair competition and exploit a level playing field (section 23, PEMRA ordinance, 2002). To assure competition, it is decreed that any mergers or transfer of property or media broadcasting or distribution offices may take place only after informing PEMRA (section 16 PEMRA regulations, 2009). The undue concentration of media ownership is decreed to be avoided in any city, town or area and the country as a whole (PEMRA ordinance, 2002). In exceeding the limit the broadcaster is to be rendered inoperative by the PEMRA (section 23, PEMRA ordinance, 2007). Despite competition clauses against monopolistic forces, PEMRA has been inactive in countervailing the might of media conglomerates in Pakistan. In fact within a year the section 23 (of PEMRA ordinance, 2002, which renounced the cross media consolidation) was abolished and media barons were allowed to consolidate. Since then laws are made to best sooth their vested interests in terms of economic gains. Today, PEMRA statute obliges it to take notice if the applicant exceeds the set limit, of four TV stations and four radio stations, which suit the cross consolidation of Jung media group the most. (Section 23, PEMRA ordinance 2002 amended in 2007; PEMRA regulation for TV and Radio broadcasters, 2012). As a result these media barons have massive political and religious influence in the society and in political sphere of the country [73].

Profitability

Profitability compels any market force to invest in any industry for the sake of anticipated profits. Commercial broadcasters are provided with the protected environment in assuring their uninterrupted media operations. The eligibility requirements in attaining licenses, licensing procedures, license tenures, penalties in case of breaches and competition requirements all are extensively stated in PEMRA ordinance, 2007. To assure commercial actors and ruling class about the transparency and accountability of PEMRA, PEMRA is obliged to publish its annual reports along with its annual audit. Profitability is guaranteed through PEMRA statute and is evident with the industry's rapid growth. In fact PEMRA now runs short of appropriate and timely measures to counteract the challenges posed by rapidly mushrooming media industry

in Pakistan [73]. The availability if broadcasting channels and redio stations on internet has ameliorated the chances of economic advancements in the industry.

4.2.3 Disregard for socio-cultural considerations

In respect of social welfare, the goals are usually divergent according to nation's context. However the predominant goal in all the societies has always been the attainment of national cohesion by protecting sub national, ethnic, regional or linguistic categories. This notion includes prevention of harmful or libel content against people of other ethnicity, religious or linguistic orientations. Unfortunately, Pakistani media stands as an utter failure in this regard as most of the time the content, in broadcasting or print media and more recently on internet, is usually found flagrant, derogatory and degrading especially toward the people of other religious, ethnic and political orientations.

To provide the liberalization of broadcasting media with democratic attire, certain measures were incorporated with the PEMRA statute such as extension of cable networks through out the country under the token of equal access and fair participation of general public. The underlying values were rather more political and economic than cultural and social.

The history of Pakistani broadcasting media suggests that till its liberalization in 2001, it was operative as per Development Communication normative model [59] but soon after its liberalization the electronic media followed the foot prints of press media of Pakistan and experienced the transition towards an utter authoritarian media regulatory framework. Focusing on the phases described by Cuilenburg and McQuail [40] the media policy of Pakistan sounds more similar to the first policy phase, Emerging Communication Policy, where Pakistan is busy responding to abuses of media freedom through its responsive and ad hock piece meal measures. Economic growth is given precedence in media policy and its rapid growth is evident in the annual reports of PEMRA. Media on the other hand is learning from its mistakes and is undergoing positive changes especially from its feed back from people of Pakistan through social media. But an efficient and well directed media policy that may aim at achieving public interest can not be anticipated in next few years to come. This is because of the incompetency or reluctance of the state that direly needs a serious over hauling to facilitate democratic values for the benefit of all.

4.3 PEMRA basic underlying value and media system based on Jakubowicz model [51] (adapted from McQuail [60])

Referring to the Table 2.1, Jakubowicz adapted here the four underlying values of communication policy as was first described by the McQuail, 1992. Jakubowicz separated Order from solidarity and suggested the latter one as more suitable for the totalitarian and authoritarian regimes. McQuail stated that these underlying values in any communication policy are of far reaching implications in attaining required goals. Mcquail suggested that except for totalitarian regimes there lie more than one component of communication values.

Globally, the underlying value for press media is usually market driven freedom based on libertarian model. Pakistan on the other hand does fit under the social context of authoritarian and totalitarian system where only approved voices are given the authority to voice. "Order" has been the underlying value in the press media of Pakistan since its independence.

The broadcasting media has followed a slightly different track in Pakistan. Broadcasting media

(like other developing countries, McQuail, 1986) has been based on Development Communication normative model. After the liberalization of broadcasting media, PEMRA aspired to stick to the similar course for private broadcasting organizations as well. But the liberalized media turned out to be more rebellion than the publicly owned and run Pakistan Television, PTV. Successive socio political incidents of the country compelled PEMRA to act vehemently as the tool of successive Pakistani governments in facilitating their authoritarian designs against freedom of expression.

Normatively, to incorporate democratic values to guarantee pluralism and diversified content, (section 18-20, PEMRA ordinance, 2002), everybody with the means to run a broadcasting house was given opportunity to step up and get licensed by the authority (PEMRA Ordinance, 2002). Measures were taken to confirm the equal and fair access to media and so the Cable cartel was extended to far flung areas of the country (PEMRA annual report 2010-11 [16]).

But empirically, the tug of war between media houses and pubic bodies soon led the latter to further intensify their hold by strengthening the grip of PEMRA's regulatory mechanism. Within three years of PEMRA inception and onwards, media conglomerates were found at daggers drawn with state actors where PEMRA allegedly acted as the mouthpiece of federal bureaucracy [61]. Thus the 2002 PEMRA ordinance was extensively revised and was made intricate and strict to avoid vilifying content against state institutions or public bodies. A series of restrictive measures were incorporated in the original PEMRA ordinance of 2002 and PEMRA was given the powers to implement new restrictions with all its might. The 2002 ordinance was first intensified by the 2005 amendment act which added clauses to the original act. Later in 2007, two amendment acts were promulgated mainly in reaction to stop increased civil unrest and lawyer's movement.

Acts included "Defamation Law" which prohibited media from telecasting derogatory content against any of the state or government actor/institution. Further, in 2009 a Schedule A was annexed to PEMRA regulation regarding the "Code of Conduct" which predominantly dictates to avoid defamatory content and to be considerate of ethical and pro national sentiments while broadcasting. However the derogatory content still needs to be differentiated from sarcasm for the sake of freedom of speech. Recent code on content, 2012 has officially restricted broadcasting media where PEMRA is more inclined to act as an authoritative state actor to curb the freedom of liberalized media with extensive penalties in the form of sticks.

The ultimate goal of PEMRA has been the fulfillment of interests of powerful elites. Unfortunately, PEMRA is obliged to work as government puppet. Section 5 of PEMRA ordinance (2002 and 2007) decrees PEMRA to abide by Federal governments binding directives on policy matters and if PEMRA considers those directives not relating to policy matters even then the latter is obliged to adhere to them.

The strict measures and hard penalties are still part and parcel of PEMRA statute to compel the media houses to functions as per government's preconditions. To further tighten PEMRA stronghold, PEMRA framework is given supremacy over all other laws and its verdicts are cognizable and compoundable in all the courts of Pakistan (PEMRA ordinance, 2007). PEMRA now is license issuing office with regulatory powers which has not only tightened the public control over commercial broadcasters and cable operators but has also exposed them to the dangers of corruption and extortion [61]. Thus, the underlying value of PEMRA regulatory framework can easily be tagged as "order" as usually the case in other authoritarian and totalitarian countries. However, currently the situation of public control over media is hampered (to

good extent) in Pakistan [82].

Though political exclusion of the society has remained Pakistan's prime purpose for decades but now because of the arrival of multiple private news channels, their availability on internet and massive use of this "new media" has given a serious jolt to the vested nefarious designs of political and business elites of Pakistan. Because of the availability of news content on the websites of private news channels, political activism through social networking site like facebook, audio video uploads in hyper local journalism sites like you tube and other blogs on internet, have tremendously diminished governments control over content consumption.

Despite the loosening public control over content consumption, the idea of centralized potent media is also fading away. Today the communicators have not only increased in number but are also disintegrated. Their influence upon the masses is also divided (depending upon the access opportunities and personal interests of the consumers).

The regulatory framework of PEMRA also has a streak of socialist responsibility model. Council of Complaints, CoC, is especially established to register complaints from the consumers of broadcasting media or distribution service providers to keep a check on the latter. General public is given the opportunity to register their complaints against any content that may have caused discomfort or indignation on their part as a citizen of Pakistan. This is to ascertain audiences input to formulate further regulation if necessary. But the incorporation of such egalitarian measures has proved to be futile in the long run.

On receiving complaints, PEMRA though issues notices to respective broadcasting and distribution organizations but the follow ups are scarcely compliant. Audience complaints ranging from over advertisements of private TV channels (as PEMRA forbids media organizations from crossing the limit of 4 ad breaks (3 minutes each) per hour) to the obscene content from foreign media (PEMRA allows the landing rights of Indian content for only 10% of the total broadcasting per week but the transmissions often exceeds this limit), all are incessantly disregarded by media houses and cable distributors. PEMRA has turned out to be a complete failure in this regard. So PEMRA comes out well where political elite's vested interests are involved but otherwise mighty media houses emerge as the winners.

4.4 Jakubowicz model of civil society and media transformations [51] adapted from Sparks [77]

Jakubowicz [51]presented another normative model adapted from the Sparks [77]. This model talked about the post communist countries which had "order" as an underlying value for the media system. This model suggested that the CEECs in 1989 could not abruptly tune in to the new underlying media values based on justice and equality. The new democratic set up demanded Democratic Participant or Socialist Democratic mode based on democratic values to guarantee justice and equality to every one in the society. The goal was to empower the civil society but they ended up in empowering the new political elites [51].

The Choice of empowering new political elites could be inadvertent or a conscious one. If conscious, then there remain two possibilities. One is the whole sale privatization of the media system to release it from state control and to assure media autonomy from statutory powers. The other option is presented by Sparks [77] in the form of "Standard Model". "Standard Model" prescribed the empowerment primarily of new political and business elites and comprised the amalgamation of "Paternal" and "Commercial" systems as was distinguished by "Sparks and

Splichal, in 1988". Sparks and Splichal were the European revisionists of the basic four normative models, presented by American theorists namely Siebert, Peterson, Schramm, 1956. European revisionists focused more on the media system's internal division within the boundaries of state and emphasized the difference in forms that were either commercial or publicly owned and populist or elitist respectively. One finds the standard model of CEECs as closest in key elements, changes to media system after liberalization, regulatory regime and ultimate aim of media system to that of Pakistan. Following are the basic ingredients that resemble the media system of Pakistan to standard model of CEECs:

- Standard Model: Standard model is the mixture of Paternal and Commercial normative models and aims at propagating the interests of the ruling class and that of new business elites or of media barons. PEMRA is a mere puppet in the hands of government. It becomes pro active when ever Pakistani government desires it to be and otherwise it remains dormant and allows media barons to have financial gains. Nation state's politicians and media conglomerates often indulge in the agreements of mutual gains in all the societies. But the situation in Pakistan is bit austere. Multiple of external and internal elements have shaped the socio political landscape of Pakistan which then shaped the country's media policy. Below is given a brief description of the external forces which gave vent to societal disintegration and subsequently affected country's media policy:

- External incidents and their impact on socio political conditions of Pakistan and key elements of Pakistani civil society: In Pakistan almost all the fragmented strata of society are politicized and external factors have always remained central in forging them at first place. After the Independence in 1947, majority of the military men of British India comprised the elite majority of Pakistan and for security reasons and threats from India they soon took state's control in their hands (in 1958). Since military politicization in late 1950s, USA has been an important player in the political landscape of Pakistan. In 1979, the khumanian revolution and Iran's proxy war against Saudi Arabia erupted sectarian riots in Pakistan which continued there on. In 1989, Taliban led US war toppled the USSR and injected the seed of Islamization in bordering Pakistan. Religious fundamentalist groups infiltrated into Pakistan and actively participated in compelling the government to instill Shria law in the country. During 1980-90s, the new liberal measures of World Trade Organization and World Bank facilitated divestiture and decentralization and compelled the state to privatize pubic sectors. Privatization and liberalization of public service sectors allowed number of private corporatists to emerge and mushroom in the span of few years. In 2001, General Pervez Musharraf took the oath as President of Pakistan and once again under military rule and with USA backing Pakistan geo political significance and appeared as a front ally of US led NATO forces in war against terrorism. In 2002, the broadcasting media was privatized and already existing press media barons emerged with more cross media consolidation on socio political scene of the country.

Through all these years, all these elites have been appearing with strong political and religious inclinations but with least or no transparency. The highly fragmented and adversarial political scenario of the country allowed media barons to lobby with civilian/military elites. As a result the political elites got a platform to legitimize their policies and facilitated media barons to consolidate their media might in response. The ultimate goal thus remained the empowerment

of new political and business elites. New political and business elites succeeded in exploiting the media and country's journalists cum anchors because of the following reasons:

- Journalists were predisposed to sensationalism, subjectivity and propagate latent nefarious Propagandas: Journalists and news anchors in Pakistan are often predisposed to sensationalism, subjectivity and remain busy in propagating their nefarious agendas to strengthen their political affiliations. Anti Americanism, moral policing of the nation, media trial of elected politicians and sweeping generalizations without reasonable justifications are quite rampant in Pakistani media. Journalists are often skillful of fabricating tales and in creating sensationalism especially in topics regarding politics and religion. They spice news with hypothesis and depart from objectivity and balanced reporting [65,83]. "A bold and blunt anchor person undermines the set standards. The petty events are heightened. Tiny is made mighty and vice versa-on the grounds of personal grudges or at the behest of the owners" [65]. Sensationalist reporting is the product of unstable economy where dozens of private TV channels are competing for limited advertising revenue. In 2009, for instance, seven leading channels commanded up to 60% of the advertising revenue totaling Rs23bn ($270 million), leaving the remainder struggling to survive [83].

- Underpaid Journalists: Another important reason behind the disloyal disposition of Pakistani journalists/anchors towards their profession and their media houses is their under paid or no paid financial status. All big media houses of Pakistan have united and have charged cases in Sindh High Court against the income rise of journalists. Journalists are usually intermittently paid or are not paid at all. Even the income they get is so meager that they fail to be steadfast in honestly serving the interests of their media house owners and of public at large. Mighty media barons on the other hand are powerful and exercise their powers in favoring certain sectarian or religious affiliations but they are helpless in combating the issues of journalist's/ anchors compliance to other financers. Journalists/anchors owe their allegiance to those who keep them on their regular pay role. They can be military men, politicians, businessmen, other religious or sectarian pressure groups or even foreign investors like USA. Pakistani governments take over of budgetary responsibilities of Pakistani press proved to be a disaster for the quality of press content. As journalists were intermittently refrained from getting their right full incomes on time and consequently were victimized and exploited by other powerful elites [61,72].

- Undertrained Journalists: As it is evident, Pakistani media industry is learning from on-job training without prior training procedures. Pakistani media is recruiting journalists, reporters and anchors who are usually simple graduates and often lack journalistic skills. It is then the responsibility of managing team of media houses to offer proper training to young journalists regarding media ethics, social responsibilities and professional skills of journalists in covering news [65].

- Anchors with good ratings are usually bought by bigger broadcasters for commercial gains: There prevails a growing tendency in broadcasting media of Pakistan to attract anchors on heavy remunerations from smaller media houses. In spite of being massively popular amongst the masses, the liberalized broadcasting media is headed for over-commercialization in Pakistan. The recurring switching of anchors from one channel to

another mainly for economic gains shows an utter disregard for fundamental values of journalistic profession.

- Political activism under the pretext of objective reporting: The political issues are usually over debated and are often given the attire of religious significance but other social, cultural and psychological issues are scarcely addressed by media. Society apart from being massively illiterate and emotionally driven direly needs a moderator and torch bearer to lead it to the right direction. Cultural invasion of western and Indian media has aggravated already depressing situation of the populace. Pakistani society is now segregated in two visible sections. One is more secular and the other one is more conservative and fundamentalist. Media needs to play its vital role in integrating all strata of society.

- Journalists risk their lives amidst religious, political and military pressures: Last and most important factor behind prevalent journalistic behaviors of Pakistan is socio political situation of Pakistan. Political elites of Pakistan are not only potent but are also not willing in shedding their power in favor of general public of Pakistan. Even if journalists strive in sticking to the journalistic ethos, they soon find themselves amidst various socio political consequences. Journalists are often intimated, threatened and even killed by the power lusty people and their agents. The politicians especially with religious inclinations contribute generously to miserably haunt the journalists. Everyone wants the journalists to obey their orders. To escape the journalists from bearing the brunt of objective reporting there is needed a free and fair political culture. Only fair and consistent socio political conditions can emanate a media system that can be more responsive to the expectations of general pubic of Pakistan.

- Likely Regulatory Regime: Standard model suggested different regulatory regimes for print and broadcasting media and similar is the case in Pakistan. Pakistani press is under the control of APP (as described earlier in this chapter) and broadcasting media is regulated by the PEMRA. The reason behind this is usually because press demands least regulation and is based upon self initiative and affirms freedom of expression in any democratic society. But unfortunately, press is though regulated separately from broadcasting media but faces serious censorship issues in Pakistan. - General and Media Theorists: Jakubowicz states that the general theorists are usually the new political elites who succeed the communist ruler after the toppling of communism in CEECs. During more than half of its life span, Pakistan has remained under the strict military rule. Even the liberalization of media system took place under the military rule of Pervez Musharraf in 2002. Then how could a media system of an authoritarian regime be democratic or be based on the underlying values of justice /equality? (the control and economic welfare as was aspired through the PEMRA framework is already explained in previous section of this chapter).

4.5 Pakistan in transition of media system from being state owned to liberalized media in 2001 and later on (based on Jakubowicz model [51])

In Figure 2.4, Karol Jakubowicz emphasizes "mediacracy" of media conglomerate in regard of CEECs where they wield their excessive power upon the nation and the politicians alike [51]. Jakubowicz suggests that the reason behind this journalistic attitude is their long kept political

affiliations with communist rulers which continue to haunt them to stick to their defunct ideologies. Jakubowicz states that even after getting rid of the clutches of communism, the journalists in CEECs propagate nefarious political agendas through biased and subjective reporting. One finds similar traces in the case of Pakistan.

After getting independence, Pakistani media worked under military rule for almost half of its life span. Financial constraints and lack of press policy further aggravated the situation. Additionally, because of intermittent payment denials and meager incomes, journalists have succumbed to their mercenary needs and have become a prey to the exploitations of both the poles, i.e. the new powerful civilian and military elites. In both the cases the ultimate goal remained the empowerment of powerful elites, either of military establishment or of civilian, instead of Pakistan's citizens at large.

In Figure 2.4, all mentioned elements are most similar to the current situation of Pakistan. But the drug mafia keeps its lot estranged from the political landscape of Pakistan. On the other hand, Pak Army can be traced in almost all the big decisions taken in the political landscape of Pakistan mainly because of their extensive presence in their country's economy [61, 81, 83]. It seems rather impossible for such a mighty stake holder to keep itself remote from the mass media of the country. Pakistan's biggest media house, Independent Media Corporation or the Jung Media Groups is often tagged as involved behind almost all the blood less coups of democratically elected politicians in Pakistan mainly because of their clandestine relations with Military establishment (Junaid Qaiser, 2010). Media houses or the mighty media barons maintain intimate bonds with the military or civilian establishments but as is said earlier, it is not enough for the latter to gain adequate lime light in the broadcasting media of Pakistan. Many of the journalists in Pakistan are on a pay roll other than their own media houses [13, 72]. May be because of this in his book "The Web of Censorship" in 1990s, Niazi [68] revealed that since the era of President Ayub Khan (1958-1969), "journalists" are recruited and paid to promote military establishment's lines. Apart from establishment, Journalists are also patronized and paid by civilian political parties, private companies and most recently by external forces like the United States of America, USA.

The recent news of AAM (American Abroad Media), a non profit intermediary, founded to highlight the sophisticated nature of America's efforts in shaping its image abroad is funded by US State Department. AAM revealed its funding of two Pakistani journalists and its links with the respective media organizations, of Pakistan, namely Express News and Dunya News, in September 2011 [32]. It is also believed that the USA has opened a number of such non profit intermediaries to recruit Pakistani journalists to help in shedding the anti American sentiments from the mindset of Pakistani community. All these measures are taken by the USA to arguably confront the ill wills of Pakistan Army through influential media conglomerates [32]. But this newly built perception of America against the adversarial behavior of Pak Army has its roots in the recent incidents of last two years.

Pakistan's importance for the geo strategic and political imperatives of USA in post 9/11 aftermath is evident right from the start of war against terrorism (in 2001) but the events that unfolded in 2011 created a noticeable seizure in the relations of these two front allies in war against terrorism. Starting from Bin Laden's death to the Slala check post killings of 24 Pakistani soldiers by US troops, culminating into the seizure of NATO supplies from Pakistani soil led to an unending series of discontentment and surmise on both the sides. This unrest in both the countries is discernable in the populace of both the countries as well [33].

After Laden's death, anti military sentiments permeated Pakistani media as well. Anchor like Kamran Khan (once Pakistan Army's blue eyed journalists) of Independent Media Corporation's Geo News TV, accused Pak Army and military establishment for their flawed foreign policy shortly after Laden's assassination. Kamran Khan was soon accompanied by, Hamid Mir, of same channel, in reproaching military establishment. Hamid Mir even proclaimed that his life was at risk as he was receiving life threatening phone calls from military forces and if he loses his life, the latter one is to be blamed [83]. Later other anchors of different Pakistani news channels joined the league in admonishing military establishment of the country.

People of Pakistan overtly reprimand clandestine ties of Pakistani journalists with the USA. This sentiment became more pronounced after Issam Ahmad's post [32] in The Christian Science Monitor, in September, 2011 (regarding AAM affiliations with Pakistani journalists). Multiple online blogs and Facebook were soon filled with vehement outcry against such cryptic ties of Pakistani journalists with the USA. People think that the USA is investing on Pakistani journalists to serve as his soldiers in this 4th Generation Warfare (4GW). USA's endeavors in this regard are actually directed to counteract the anti US sentiments from the mindset of Pakistani community (read for example Imtiaz Ali, 2011 or K. Alan Kronstadt, 2011 to have a peep into US-Pak troubled relations and the exploitations of journalists to facilitate wicked agendas in Pakistan respectively).

Pakistani history is replete with examples of above mentioned sort. This suggests that the interest of general public of Pakistan hardly enjoys any footing in the media policy's but on few occasions general public manage to exert their will through the vent of "new media" comprising "internet blogs, social network sites (Facebook etc), and hyper local sites (YouTube etc)". Still, it demands an innately democratic and willing political set up to incorporate general public interest in Pakistan's media policy. Despite expected emotional outburst of general Public, Journalists are sadly exposed to the external forces to be exploited at the expense of national interest. They can be bought by almost anyone who so ever has the powers and resources to do it [32].

Getting back to the Figure 2.4, the mafia/drug cartel in Pakistan keeps its lot estranged from massive political exposure but the ethnic militant groups are politically active and have established popular political parties in Pakistan. Apart from them, Army plays a vital role in socio political landscape of Pakistan. Ironically, whenever Army indulged in bloodless coups of the democratically elected governments of Pakistan, they had a popular support emanating from uninterrupted media support in army's favor. Each time media succeeded in gaining required legitimacy on the grounds of corruption charges against democratically elected government.

Jakubowicz, for below mentioned model, suggested that here, supposedly, the normative theory is the combination of Soviet and Authoritarian press theories. It is also evident in the case of Pakistan but there are also the streaks of social responsibility (With PEMRA's continuous stress on self regulating freedom and establishment of Council of Complaints to register general public complaints against broadcasting content). Conclusively, the authoritarian press theory looms at large in the media system of Pakistan and benefits the political or military elites at the expense of General Public Interest.
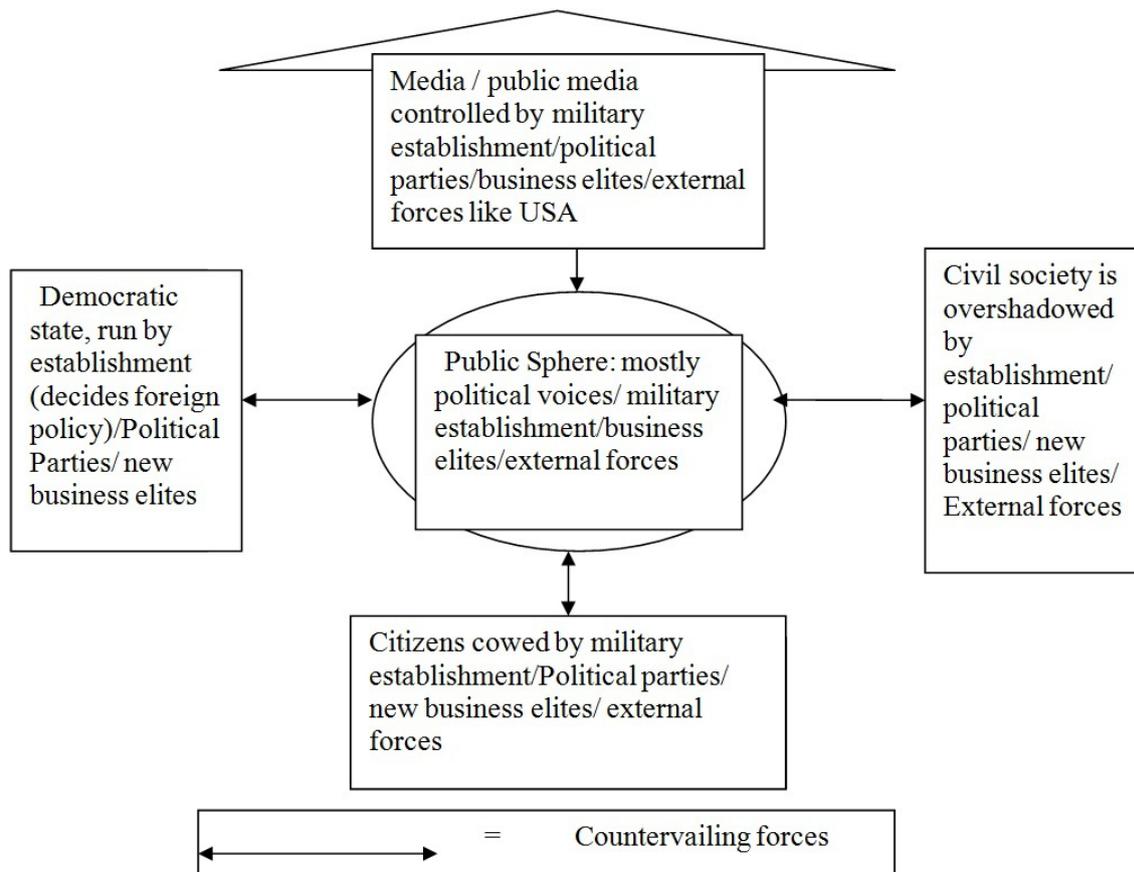
Figure 4.1: Pakistan in transition of media system from being state owned to liberalized in 2001 and later on (details will be given later in chapter 4).

4.6 Determining political or a-political status of PEMRA as per Jakubowicz determinants [51]

Jakubowicz suggested that there exist certain broadcasting media tendencies in CEECs where especially the broadcasting media is treated as central to political life. The regulatory framework reflects such notion through the composition, manner of appointment of board members and the nature of powers of media regulatory authority. Jakubowicz explains that the fact that such so called autonomous media regulatory authorities are established to oversee only privatized broadcasting media is to assure state backed broadcasting sector. Below are given the three main determinants in determining the political or a-political status of PEMRA in Pakistan:

- Recruitment of PEMRA board members: Jakubowicz states, if the board members of any broadcasting media regulatory authority are recruited directly by the president or the parliament then the regulatory authority is under the direct state influence. PEMRA ordinance decrees that the board must consist of a chairman and twelve members appointed directly by the president of Pakistan (section 6-1, Pemra Ordinance, 2007). One member is to be appointed by the federal government as permanent board member whereas five members shall be eminent citizens chosen to ensure representation of all provinces with expertise in specified fields. Other four comprise the ex officio members of the board who

can enjoy two offices at a time while being the Board member of PEMRA. This portrays that none of the members is directly elected by the public at large. The remaining two members are to be appointed by the Federal Government on need basis on the recommendation of PEMRA Chairman (section 6, PEMRA ordinance, 2007). The criterion for the selection of top most level as is given in PEMRA statute but is replete with ambiguity. There remains ample room for politicization. Apart from the selection of the remaining members by the President, membership of ex officio members in the board signifies that the bureaucratic powers can also easily exploit the decision making procedures of PEMRA.

- Nature of power: By nature of power Jakubowicz meant that often in post communist European countries the actual powers and the areas of competence of broadcasting media regulatory authorities are usually accompanied with that of other government departments or parliamentary bodies of the country. This means that which ever powers these regulatory authorities don't have are usually vested in the other governmental or parliamentary bodies. Jakubowicz has also demarcated those powers which are usually incorporated with other public or statutory bodies. Those powers are of issue regulations, enforcement of law, licensing powers, Frequency allocation powers, license fee demarcation, frequency allocation fee, appointment of PSB heads. PEMRA is sovereign in exerting all before said powers except the power of frequency allocation. The frequency allocation procedure is performed by another autonomous body named as Frequency Allocation Board (FAB) but the spectrum charges are always levied by PEMRA over all distribution and broadcasting networks in the country. Apart from this, PEMRA is also given supremacy over all other laws and its verdicts are cognizable and compoundable in all the courts of Pakistan.

Jakubowicz says that it can safely be assumed that a media regulatory body that does not a. issue secondary legislation, b. award broadcasting license, c. oversee public service broadcasters (do not exist in PK) and d. appoint their top governing bodies are not of major significance in the society. PEMRA though enjoys above mentioned powers but the selection of PEMRA board members (as described earlier) and the Section 5 of PEMRA ordinance, 2007 (where government has the authority to give binding directives to PEMRA at any given time) certifies that there remain plenteous space for the state and public actors of the country to influence PEMRA decision making procedures against interests of general public or of commercial actors of broadcasting media in the society.

4.7   Laws and cross media consolidation

Just like any other broadcasting media regulatory authority, PEMRA also has clauses incorporated in its statute to ascertain fair competition in liberalized media industry and to provide level playing field for comparatively new and meager broadcasters. The controversial section 23 of PEMRA ordinance 2002 changed to a good extent since the inception of PEMRA in 2002. Initially it was written that the Person/company with license owning, controlling or operating more than one media enterprise, shall not indulge in any practice which may impede fair competition and exploit a level playing field (section 23, Pemra ordinance, 2002). Later the clause of "any other media enterprise" was changed and concentration of media ownership across media regimes was made legal with in a year of media liberalization [50]. In exceeding the limit

the broadcaster is to be rendered inoperative by the PEMRA (section 23, PEMRA ordinance, 2007).

Empirically, there are certain measures which abstain small or middle enterprises to start TV channels. TV channels licenses are affordable but their broadcasting costs are anything but economical. Similarly, after the liberalization of broadcasting media there was a sudden surge in country's radio stations but soon PEMRA increased tariffs for new licenses which adversely affected the pace of new radio stations. An important repercussion of this price hike resulted in the control of radio and TV industry in the hands of few powerful elites comprising potent industrialists, feudal lords, politicians and highly consolidated media groups [61]. Such policy measures are quite in vogue in East European countries as well. "Nikos Leandros, describing the Greek case for this issue, argues that the contradictory and ineffective nature of media regulatory policies has been a symptom of the interdependence between political and media elites. As such, these policy mechanisms, not fully used in practice, lead to an oligopoly structure of the media system and end up in the high concentration of media power. Many scholars sustain that extensive media concentration leads to promotion of corporate values and political preferences of media owners and advertisers in media contents", [53].

Media Ownership is highly concentrated geographically and costs of broadcasting are too high: PEMRA allows one media organization to have four TV channels, four radio stations and landing rights of two foreign channels at a time. Still the ownership ship structure is highly concentrated in urban areas especially in the provinces of Punjab and Sindh. The province of Baluchistan has one media company in "Hub" and the province of Khyber Pakhtoon khwah has none at all. Apart from geographical media concentrations, the broadcasting costs are too high. Each application for a TV channel costs Rs. 20,000 and its operating license costs 2.5 million PKR. Operating a radio station is, however, more affordable comparatively (Qaisor Abbas, 2012).

Today Pakistani media is exposed to the consolidated ownership structure of highly influential media barons. There exist three predominant media groups which continue to see the rise and fall of comparatively meager media organizations. Both military and civilian establishments have assisted handful of media barons to consolidate and mushroom and are massively influential both politically and socially. When the number of mass media owners shrinks, the possibility of them being controlled by the government augments [50]. And that is what has happened in Pakistan. Media barons have had a history of intimate relations especially with military men and despite their close bonds with the latter almost all media curbing laws are promulgated under military regimes [61]. Media has been particularly important for all military regimes in Pakistan. 'When the military sets an agenda, it also tries to use its intelligence agencies to manipulate the nation, including the media, to fall in line' [83]. There is now one wing to deal with the print media, one to monitor private television channels, and one for FM radio stations.

Even the establishment of PEMRA has done nothing against consolidated might of these conglomerates. Though there are clauses in PEMRA statute to counter act monopolistic forced within broadcasting media, but PEMRA has only been successful in issuing licenses. PEMRA's lifting up of restrictions on cross media ownership allowed media enterprises to expand exponentially and to exercise massive influences. These media conglomerates propagate the information aimed at scoring support for the people and groups of their choice.

4.7.1 Two highly consolidated media organizations

Almost 75% of advertising revenue is consumed by five dailies of Pakistan where 33 % of it goes to "Jung" Urdu daily, 10 % to "The News" English daily of Independent Media Corporation and 25 % of it goes to "Dawn" English Daily of Herald Group of Publications [10]. Among magazines, 64% of weekly magazines advertising revenue is consumed by the 2 weeklies of Independent Media group and 10 % of it is utilized by 1 weekly of the Herald Group of Publications [10]. Below are given both of these potent media groups.

Independent Media Corporation

Today, Independent Media Corporation is the first (established in 1940 in New Delhi) and largest media group of the country. IMC is largest in terms of its current revenue generation and circulation of its newspapers in Pakistan. Today, IMC revenues are larger than the cumulative revenues of other media groups in Pakistan [73]. The flagship newspaper is Urdu daily "Jung" which publishes in six different stations across the country. Through decades, Jang, has emerged as a family newspaper "with a strong appeal to the older and professional segments of the Pakistani community" [73].

The group currently comprises "Jung Group of Newspapers" and "Geo TV network". The Jung Group of Newspapers constitutes four Urdu dailies (Jung, Awam, Awaz, Waqt), Three English dailies (The News, Daily News, Pakistan Times), Two Urdu weeklies (Akhbar e jahan, Jung Sunday magazine) and two English weeklies (Mag the weekly, the News on Sunday) magazines. Geo TV network has four Urdu TV stations namely Geo TV, Geo Super (sports channel), Geo News, Aag TV (music TV).

The group is generally regarded to have moderate conservative perspective. But some critics such as Zahid Hussain positions Jung Group on radical right. Keeping in mind the alternating positions, Dr Mehdi Hasan argues that this group does not have any long term political orientation [61].

The group was founded by Mir Khalil Ur Rahman(1927-92) in 1940 in New Delhi. During Second World War his parents shifted to the capital of the British Indian Empire, New Delhi. There, while he was still a student, he got deeply influenced by Qaid-e-Azam Muhammad Ali Jinnah (the founder and the first Governor General of Pakistan) and joined Qaid's Muslim League with the ambition of creating a Muslim majority state in the Indian subcontinent. Soon after the declaration of Pakistan Resolution in Lahore on 23rd March, 1940, he started publishing "Jung" as a daily Urdu evening newspaper. Urdu in those days was regarded as the language of the Muslim masses in the Indo-Pak subcontinent. The newspaper was meant to propagate the massage of Pakistan Resolution and to let down the adversaries who protested against a Muslim state. Jung started with a modest beginning and to ensure its massive circulation a copy was sold for a paisa. Despite severe political and financial restraints, Jung circulation increased and reached the number of 3000 per day making it self supporting. The Jang immensely supported Muslim League In the India-wide General Elections of 1945-46.

After the independence of Pakistan on August 14, 1947, Mir Khalil Ur Rahman shifted to Karachi, capital of the new Muslim State, and from there on he started publishing the daily Jang. Apart from being instrumental in propagating Pakistan movement through Urdu Jung, He also served as a Federal Minister in Ayub Khan's cabinet. Mir Khalil-ur-Rahman's legacy in Pakistan is his well established Jang Group of newspapers. Currently, his newspaper empire is managed by his two sons, Mir Shakil-ur-Rahman and Mir Javed-ur-Rahman whom he

personally trained regarding media management. The current head of the house is Mir Khalil Ur Rahman's younger son Mir Shakil Ur Rahman. After the death of Mir Khalil Ur Rahman, his son expanded the group exponentially with the foundation of GEO TV network. Soon after its foundation, Geo TV emerged as Pakistan's most popular television amongst the Pakistani Diaspora round the globe [34].

After the liberalization of broadcasting media PEMRA, ironically, supported Jung group in further consolidating its cross media might [73].

Mir Shakil ur Rehman, is said to be one of the wealthiest and most influential person of the country. He also claims, "I'm the evergreen ruler of Pakistan. I can bring down a government and form a new one!". Plenty of accusations and controversies have always followed Mir Shakil and his Jang Group. Even the professional journalists in the country allege him to disregard the required ethos of 'editorship' in the newspaper industry (Junaid Qaiser, Sep, 2012). After the death of his father, he has been hiring incompetent and flattering people on political basis. Some business enterprises accuse him of blackmailing and blame that if Jang Group is not given advertisement, it publishes news reports against them. Tax evasion and many other corruption charges are also charged against Mir and his business empire.

The Wage Board Award is a salary package given to newspapers. The APNS has been consistently denying the Wage Board award to its journalists, and has come under fire for it but consistently refuses to give it, which, according to the Pakistan Federal Union of Journalists, is against the law, but no one dares to do anything against the county's elite.

Ironically the group has attracted as much of controversies as much it has catered to publish. Lately, the group is engaged in a rancorous battle with the government in general and with the president Zardari in particular.

Government claims that the" Jang group has launched the image tarnishing and defamatory campaign against the PEMRA and the PPP government through concocted stories and making lame excuses to avoid payment of general sales tax (GST) on the revenue generated from telecasting the Cricket World Cup matches" said Dr Firdous Ashiq Awan, 2010 . Dr Firdous Ashiq Awan, the then information minister said that a committee comprising senior journalists had been constituted to deal with the matter of the closure of a private channel by the PEMRA. Apart from this there exist, allegedly, another reason behind group's campaign against President Zardari which has its roots in the child hood hang up of MSR regarding President Zardari (said member Sindh Assembly, Zulfiqar Mirza, Sindh National Assembly, 2011). This is the reason that the current federal government of Pakistan Peoples Party reckons MSR as a puppet in the hands of "non democratic forces" (Qamar Zaman Qaira, Nov, 2009).

According to them the non democratic forces can not digest the fact that for the first time Pakistan has sustained a democratically elected government for its full term. In October 2010, Pakistan People's Party, PPP (ruling coalition government), boycotted the Jang Group and "The PPP's Central Secretary Information publicly acknowledged that the boycott was in response to a slur campaign against President Zardari" [83]. The alleged corruption of President Asif Ali Zardari is obsessively chronicled by Geo Television and consequently Zardari officially boycotted the group and tagged it as an enemy of democracy. The conservative approach of the group has also ignited furies. Farahnaz Ispahani, a spokeswoman for Zardari, stated about the group that "They are soft on Islamists and tough on liberals".

The group's rivalry with PPP is not new. When Zulfiqar Ali Bhutto was alive and was leading the PPP, the one liner was "Bhutto is bad, the party is fine!", Junaid Qaisor, 2012. Jung group is

also considered close to Pakistan Muslim League (N), political rival of PPP and Zardari, especially in galvanizing "Lawyers Movement" in restoring Chief Justice Supreme Court, Iftikhar Cahowdhry. The group and its sweeping generalizations through its broadcasting and press media have been infamous internationally. The U.S. Embassy has also accused it for fueling conspiracy theories, (Karin Brulliard, August 19, 2011). It is also said that the 'highly-paid TV anchors are ever willing to sacrifice objectivity to grab the ratings-boost" [83]. Below is given an elaborate description of the streaks that Jung Groups entails with all its vibrancies:

- Religious sectarianism: the group has been active in rousing hatred and prejudices and has propagated religious sectarianism especially through its press media. After 7th September 1974 constitutional amendment, Ahmadis were declared as non-Muslims. Recently, Abdul Rahman Bawa (whose Khatm-e-Nubuwwat is an Anti-Ahmadi group) wrote a hate speech against Ahmadis in daily Jung [36]. The article intentionally instigated the readers against the Qadianis/Ahmadis by accusing the latter of being prejudiced and callous towards Muslims. And the writer talked of "Qadiani conspiracies" to rouse reader's fury against this religious minority. The day after the anti-Ahmadi piece in daily Jung, The News international published two more pieces by the same writer on 7 Sep, 2012 [35]. Propagation of religious sectarianism is not new to Jung Group. Rather, the group has been instrumental in Islamization of the political system of Pakistan. In 1970s, its role in promoting Jamaat-e-Islami (religious political party) turned the newspaper into a pamphlet. Jamaat Islami Chief, Tufail Mohammed was an uncle of Zia ul Haq as Mr. Bhutto documented in detail in his book, "If I am Assassinated". Along with being involved in provoking religious sectarianism, the group has been active in printing highly inflammatory slogans that provoked the language/parochial riots in Sindh (1972) [66].

- Anti Americanism: Jung Groups enjoys its powers especially when they are wielded in spreading anti Americanism in the country. Recently on 8 September, Noam Chomsky in the News [37] wrote an article "Why America and Israel are the greatest threats to Pakistan" where he wrote his interpretation of the adverse relations of Iran with America and Israel [37]. The writer termed the latter two as the greatest threats to peace. Similarly, Ansar Abbasi, who has the record of subjective and sensational reporting through Jung group of publications recently wrote in The News on Sep 6, 2012 [31] that according to a 2 years old Washington Post report, the 850, 000 US spies given security clearances in Pakistan and 265,000 contractors like Raymond Davies are deployed with in the premises of Pakistan [31]. Statement like this and many other in this article presented an idea that Pakistan is now at the expense of America and his spies even if it is not in the vested interest of Pakistan. Ironically the report referred by Abbasi was neither about the US deployed spies within Pakistan nor was about American contractors, rather it said that "An estimated 854,000 people hold top secret security clearances" [71].

- Pro militant: Majority of the Jung group journalists have been supporting and backing prominent militant groups through their articles in country's newspapers. Ansar Abbasi in the post on The News under the heading of "Home grown solution to Talibanization", presented the idea that the only way to exterminate Talibanization is to embrace it [30]. In his various writing he has been suggesting his reader that infact all religious fundamentalist militias are pro Pakistani.

- Pro military establishment: The Jang media empire has been instrumental in toppling civilian governments in Pakistan for decades now. This group is often considered as the most potent weapon against democracy in Pakistan (Junaid Qaiser, 2012). Currently, for the last five years Jung group's foremost duty is to oppose current democratic government and to make media trial of democratically elected government. For decades, it is well known a fact that Jung group has been legitimizing military coups of democratic governments and the prolonged reigns of military men through its content. "The Jang Group has been serving establishment's interests by the apt selection of topics, distribution of concerns, framing of issues, disparity in emphasis, and the filtering of information", (Junaid Qaiser, 2012). But recently a sudden shift is visible in this group's attitude towards military establishment.

- Recent anti military campaign: During past two to three years, Geo network and Jung group publications have become harsh and antagonistic towards military operations in Pakistan. For example a well renowned anchor Kamran Khan on 4th May, on Geo News TV, lashed out against Pakistan's national-security strategy. He presented the audiences a timeline of terrorist attacks since 1986 in Pakistan and officially condemned military's flawed policies. In response to such critical programming, PEMRA issued Geo TV a show-cause notice for violating the authority's code of conduct. Although PEMRA threatened to suspend Geo TV's transmissions if it continued to air material 'against national security, sovereignty or integrity', private channels continued to censure Pakistan Army's security policies [83].

- Mutilated or marred reporting: Jung group often indulges in fabricating news. For example, according to a report filed by Pasha stated that the Pakistan Housing Authority Foundation, PHAF, awarded a contract to a private construction company, National Construction Limited (NCL) in a dubious way [69]. The impression was given that the contract was awarded solely on nepotism basis. However, it was not the case at all. Similarly, David Rogers, on 18 July, 2012 reported in Politico (American newspaper) about the US House of Representatives vote to cut military aid to Pakistan by $650 million [7]. However the same news was given headline by the News in a way which gave expression as if the US civilian aid to Pakistan was cut by half [24].

- Horizontally integrated news reporting: This group is also blamed for its horizontal expansion where number of its prolific news reporters break similar news in a synergistic pattern at a time in different news channels of the country. For example, popular hosts of the television programs belonging to different TV channels such as Hamid Mir (of GEO TV), Javed Chauhdry (of Express News), Talat Hussein (of Dawn News), Salman Ghani (of Waqt TV), Shahid Masood (of Express News) who write columns for the Groups' newspapers, occasionally break important news at a time [73]. Similarly, Most of the breaking news usually first appear on Geo News and then are spread amongst other national and international channels. The news that Al-Qaida had nuclear weapons was first leaked by Hamid Mir of the IMC, which was subsequently published in news outlets across the globe [82].

- Pessimism about status quo: The group is in the habit of making sweeping generalization instead of objective news reporting through its content. The pessimism rises when

it comes to Pakistan People's Party and Party's co chairman and President of Pakistan, Zardari. Jung and the News are often filled with hate speeches against the ruling governments and standing president. "The period marred by mega corruption scams, skyrocketing inflation, dismal governance, court defiance, terrorism, worsening law and order, grave energy crisis and ailing economy has haunted Pakistan during these last 1,615 days", "An overview of PPP's 53 month performance", 28 Aug, 2012, the News [27]. Jung group often obscures the line between news and opinion and leaves its audience often misled and misinformed. With all its drawbacks, PEMRA has been instrumental in promoting the media might of this group.

- PEMRA and Jung Group: PEMRA has been instrumental in allowing Jung group to consolidate its cross media might. Some critics support PEMRA activities regarding cross media concentration on the grounds that a regulatory regime is meant to ensure the "smooth functioning" and "stability" of the media organization. While others stress the need of "democratization of the media regulatory process" with the ambition of citizens inclusion and their expression through mass media [73]. Rasul and McDowell [73] assert that McChesney [57] rightly contends that "big media are the chief recipient of dividends offered by capitalistic mechanisms of regulation, and governments have repeatedly failed to adequately address the problems of media concentration and ownership control". As a result in post PEMRA period the revenues of IMC mushroomed exponentially. For example in the year 2008-09, the TV ad spending increased by 24 %, where satellite channels accounted for 74% share of the total ad spending. Geo Network succeeded in attaining the 21% of total ad spending [10]. All this revenue generations is attributed to the licensing of PEMRA.

Herald Group of Publications, HGP or Dawn Media Group
Dawn was first published in New Delhi, in 1944 by "Haroon family" of Memon clan. The paper was founded by Muhammad Ali Jinnah. Founder of Pakistan and leader of the Muslim Movement, Muhammad Ali Jinnah always aspired for a vivacious newspaper to propagate the political movement of Indian Muslims [73]. The group played an active role in nationalist movement of Pakistan in British India.

After Pakistan independence, the group's flagship newspaper "Dawn" was the first English newspaper to be published from Karachi on 15 August, 1947. Qaid-e-Azam, always advocated press freedom. He abstained media regulation from suppressing press freedom. May be that's why, only a month post his death, Safety Ordinance, 1948, was promulgated and in next 7 year, 31 newspapers (including literacy magazines) were banned for varying time periods (Nawaz, 2008).

The group usually follows the footprints of its founder in being secular, objective and tolerant regarding most of the controversial societal issues of Pakistan. The group and its publications are centre-left and stress upon "Enlightened Moderation" as was demanded from military ruler Pervez Musharraf in 2004. Today Pakistan Muslim League (Quaid e Azam) and Pakistan Peoples Party mainly rest upon such ideals.

Here is a brief background of the fathers and the heirs of this group: The haroons have always actively participated in pakistani Politics and have strived to maintain healthy relations with standing governments and other important pressure groups. A brief description of their involvement in country's politics along with being media tycoons speaks volumes about their

influences and massive impacts.

The HGP was founded by three sons, "Yusuf Haroon (1916-2011), Mahmoud Haroon(1920-2008) and the youngest one, Saeed Haroon(1926-81)" along with their father, Haji Abdullah Haroon (1876-1942). Abdullah Haroon was born in Karachi and belonged to a humble parentage. He started his career with a meager business in trade but soon emerged as a "Suger King" at the age of 37. He entered into politics in 1913 and joined Indian National Congress in 1917. There he became part of Pakistani nationalist movement. He was one of the first politicians to endorse Pakistan resolution in Lahore in 23 March, 1940.

Yusuf Haroon, one of the founders of HGP and was the youngest Mayor of Karachi, in 1944. Yusuf Haroon joined Muslim League National Assembly-Sindh, in 1946. After the independence of Pakistan he became Sindh Chief Minister in 1949 and in 1969, for a short while joined the office of Governor of West Pakistan. During the time period of Ayub Khan (1958-69) Yusuf was the Chief editor daily Dawn (1967-69) and was especially rebuffed by the military ruler because of "Dawn" objective and rather blunt reporting and , in 1969, at 24 hour notice the former was expatriated to live rest of his life in exile. Though he was exiled from the country but was not remote from the political upheaval of Pakistan. In 1971 he remained involved in reconciling the ties between the Colonel Yahya Khan, Zulfiqar Ali Bhutto and Mujib ur Rahman but all to no avail. Later, Yusuf Haroon also served as Pakistan High Commissioner in Australia and New Zealand. He then disappeared from the scene till the time a news of his death in New York was spread in Feb, 2012.

Mahmoud Haroon served Pakistani politics for over 5 decades. He was also part of Pakistan nationalist movement and had the honor of becoming youngest ADC to Muhammad Ali Jinnah at the age of 17. He became member of All India Muslim League in 1942 and President of Karachi Muslim League in 1944. After Pakistan independence he ran several public offices and remained an integral part of Pakistan legislation but after the 1971 separation of East Pakistan, he was exiled to London and returned in 1974. His exile period is often described as the 'battle for Dawn' between the Government and the owners. Even during the time periods of exiles the media might of these media barons continued to mushroom. Later in the mid-seventies, Mr Haroon went to Dubai and set up the daily Khaleej Times. The Zia-ul-Haq Regime (1977-88) brought him back into important positions. Saeed Haroon kept his low profile through out his life but his two sons, Hussain Haroon (born in 1950) and Hameed Haroon (born in 1953) took the legacy of Haroon family and of HPG. Hussain Haroon the elder son first served as Election Coordinator for Pakistan Muslim League in 1970. In 1979 became Councilor in Karachi Metropolitan Corporation for next 6 years. In 1980, became trustee in Pakistan Port Trust (KPT) for one year. In 1985, became member of Sindh assembly for three years. In 1985, became Speaker Sindh assembly for one year and leader of opposition in Sindh Provincial assembly for three years. Hussain Haroon has served as Consultant for Herald Publication Limited for one year in 1988-89.

Currently he is Permanent representative of Pakistan to United Nations General Assembly and is representing Pakistan as non permanent member of Security Council United Nations for the term 2012-13. His appointment as Pakistan delegate to United Nations, (in 2008), was controversial because he had no previous experience in foreign diplomacy.

Apart from directly assuming public offices, Hussain has also been involved in political decisions of high importance. Hussain Haroon played vital role in postponing the Emaar estate constructions in Bundal Island near Port Qasim and the construction of Kala Bagh Dam in Pak-

istan. In order to further strengthen the ties of standing governments, Hussain is in the habit of giving them the suggestions which sooth their ears the most. Recently he has proposed President Zardari to establish a town, named after late Benazir Bhutto, in Karachi outskirts to accommodate six million people from interior Sindh.

Hameed Haroon, currently is Chief Executive Officer, CEO, of Dawn Group of Newspapers. He started his career in Dawn as cub feature writer in 1969. He then went abroad to complete his education and rejoined Dawn in 1980 and became CEO of Dawn newspapers. He is also elected president of All Pakistan Newspaper Society, APNS, the apex body of newspapers and magazines in Pakistan. Because of carrying the legacy of the Haroons and for his contributions in the vein of Art and Culture of the country he is awarded with muliple awards like the Sitar e Imtiaz (Pakistan highest civil award), in 2004, Institute of architects of Pakistan award, Shah Abdu Latif Bhtai Award and Asian Federation of Advertising Associations Plaque of Appreciation.

This group has made strong ties not only within Pakistan but outside it as well. Hameed just like his uncles is commended internationally. Amongst others, in 2006, the Italian Ambassador Mr. Roberto Mazzaotta bestowed him with the Italian Order of Merit award as one of the "most outstanding public personalities in Pakistan" on behalf of the President of Italy (who is also a media tycoon of Italy). Below is given a brief background of the group itself:

Post Pakistan independence, the group thrived vigorously and became equally famous in diversified sections of the society. From there on the group consolidated with one English Daily Evening "Star", three monthlies, "Herald, Spider and Aurora", one radio station, City FM 89 and Pakistan's first English News channel, "Dawn News" in 2007. Today, the group owns the most widely read English daily "Dawn". Dawn is specifically famous among the educated and noble strata of the society. This paper is considered as a landmark to prepare for the competitive exams of the country as well. The Herald on the other hand is most famous English news magazine of the country and has succeeded in sustaining its monopoly for decades now [73]. Because of its readership, the group enjoys substantial influence over the regulatory policies of the country. Its factual approach has lent the Group required respect and credibility, as an independent and neutral player of the country [73]. Similarly, HPG's channel, "Dawn News" soon after its broadcasting became famous among the representatives of international community, politicians, bureaucrats and corporatists alike [61]. To be on a safer side and to escape the wrath of state actors the chief editor and owner of Dawn, prior to the promulgation of PPO, requested a written statement from his staff to abstain from joining professional trade unions or organizations. Similarly the group could not stop itself from being involved in the sycophancy of other higher government officials like Information secretary through Dawn [61]. Apart from decade's long credibility of Dawn group, the simultaneous responsibility of editorial jobs of the newspaper by successive Dawn owners raises eye brows regarding the objectivity of the content of its publications. Sadly the group is also involved in denying the journalists an income increase and timely payments.

On the other hand, government has often made use of "Dawn" in legitimizing its short and long term policies. Establishment of an autonomous regulatory authority was first advocated in various publications of Dawn group. The then Federal Information and Broadcasting Minister, Javed Jabbar, used to write about PEMRA inception in op-ed page of Dawn to earn support in its favor [73].

Consolidated media barons including Haroons utilized the political upheaval of the country and

with horizontal integration gave vent to synergistic effects and massively helped in putting an end to the military rule of Musharraf in 2008 [73].

Because of Dawn's comparatively objective approach, its publications often report similar occasions differently from The News of Jung Group.

- Similar occasions are reported differently by Dawn of HGP and The News of IMG: The reader's perception of the political incidents, inside and outside of Pakistan, largely depends upon the newspaper they read. Where The News and the IMG are usually found publishing flagrant, biased and prejudiced reporting, Dawn and HGP on the other hand have been tolerant and softer (at least comparatively). Below are given the major issues where both give contrasting impressions of the similar bodies or of similar incidents:

- Softer Image of USA: Dawn usually presents comparatively a softer image of USA as compared to the News. For example, The News on June 14, 2012 [6] published its heading saying that the US Defense secretary Leon Panetta plead to US to reconsider the aid (with an expected cut off) to Pakistan as the Pakistan closure of NATO supply to Afghanistan was costing him millions of dollars of Tax, "Pentagon chief urges conditions for Pakistan aid", 14 June, 2012. Dawn on the same day published that US senator Diane Fienstein has asked US to apologize for Salala Check post incident (which led to the closure of Pak route to Afghanistan) as good relations with Pak are crucial for US security. And the dispute can be resolved by some civilian acceptance of the mistake [49]. Though both the reports are factual but the way they are written, one gives an impression of harsh reaction to closure of NATO routs to US where as the other one gives reconciliatory approach from US side. After decades now, both the news papers have established their readerships and the content of both the papers some how mirrors the perceptions of its readership as well.

- Religious tolerance: Dawn and HGP have however been less fundamentalist in approach and usually keep their lot estranged from rousing religious sectarianism. But it does not abstain from condemning the religious extremists and fundamentalists when ever it feels right.

- Judicial procedures: Currently where IMG is at daggers drawn with the PPP and President Zardari, similar sort of naming and blaming is quite in between PPP and Pakistan Chief Justice, Supreme Court "Iftikhar Chaudhry" on National Reconciliation Ordinance "NRO" case. Just like in other case, here again media has taken sides. Some journalists and anchors support Supreme Court and Judicial system of Pakistan, the rest side with PPP and Zardari. News is often published with subjective approach and is made sensational just to sooth one party and their partisans or the other. For example, The Supreme Court, SC, on 23 April, 2012 adjourned its hearing on former Ambassador Husain Haqqani's plea to respond via video link as his accuser, the American businessman Mansoor Ijaz. When it did so, the Court issued some decision to commission which was undertaking the hearings. The impression of SC decisions to commission in being positive or negative was highly dependent upon the media group the readers follow in the country. The News gave headline on 24 April, 2012 "SC rejects Haqqani's video link plea", the News, 24 April, 2012 [26]. The similar news appeared on Dawn under the heading "Commission free to record Haqqani's testimony via video: SC", (Dawn,

24 April, 2012) [25]. The SC actually decided that it will not interfere directly in the commission's proceedings, and gave its advice to the commission to comply with Husain Haqqani's request but did not order to do so.

- Media is not competitive and quality based rather it is an aggregation of diversified subjective reporting: Rather than competing over quality reporting, different media groups are simply providing different pressure groups the news that reinforces their respective point of views. Liberals have liberal voices to look to for analysis, conservatives have conservative voices, and with online publishing fueling the growth of alternative media, extremists and conspiracy mongers have their own media groups also. As a result, society is becoming increasingly fragmented. People assume that those with whom they don't agree are liars or hypocrites. Fragmented media might be a good business model but in a country like Pakistan where majority of the people are illiterate, diversified media misleads and creates problems for the society. For readers of the News, one issue is more pressing, while for Dawn readers might be another. Sometimes, both newspapers give almost similar accounts on some incidents. Like when Zardari flew to London for health reasons both the papers published stories that Zardari will put resign from there to never come back. But Speculations failed terribly as nothing of this sort happened. Even Dawn at times becomes prey to the prevalent sensationalism and succumbs to discriminatory news reporting.
Dawn also becomes prey to the prevalent sensationalism and succumbs to discriminatory news reporting. Following are the elements which are usually evident in Dawn reporting.

- Dawn's Discriminatory news coverage: Pakistan is running through a severe energy crisis and to fight against this shortage Pakistan has made a PAK-Iran pipe line project. This highly controversial project is under way but various options are often proposed to Pakistan from other countries. An example of the presentation of those proposals is of good importance here. Dawn talked of US "Pipeline Pressure" as unwelcomed pressure against PAK-Iran pipe line with a proposal of initiating a project with Turkemanistan-Afghanistan-Pakistan pipe line, "Dawn, 2 Mar, 2012 [29]". The piece suggested that the US abstained Pakistan from receiving power supplies from Iran as otherwise Pakistan could receive heavy sanctions from US. And when S. Arabia asked Pakistan to re consider its decision to pursue energy co-operation with Iran, Dawn gave following heading: "S. Arabia offers help to tide over energy crisis" (Dawn, 11th April, 2012 [4]). Paradoxically, Even Saudi Arabia also offered Pak an alternative energy package to persuade Pakistan to abandon the project of gas pipe line with Iran. So for Dawn, the US was pressurizing Pak while Saudi Arabia was helping her.

- Dawn's latest Blunder: "US will suffer if it tries to attack Waziristan, says Haqqani" By Michael Georgy, 28th September, 2011 was published on Dawn with a photograph which later attained much attention (Dawn, 28 Sep, 2011 [28]). The article was posted with a photograph of former US president Ronald Reagan with allegedly the Jalaulddin Haqani (an apple of eye of CIA and father of Sirajuddin Haqqani, who is heading one of the greatest guerilla war heads against US forces in Pak Afghhan Border). Later it was made public by BBC Urdu that the photograph was of an afghan leader Muhammad Yunis Khalis and that the Jallauddin Haqani had never been to US at all. This mistake shows

that how much attention is actually paid to news reporting by these mighty media groups in Pakistan. What these media groups are good at are the ways with which they politicize even the severest of societal issues. One such example is recent violent outbreaks in Karachi.

- PPP is responsible for Karachi riots, Dawn : In "How not to govern" By Syed Talat Hussain, 11th July, 2011, Dawn, said that the recent violent outbreaks in Karachi and their roots are all ingrained in the poor governance of PPP (Dawn, 11 July, 2011 [5]). Where as, there is currently a coalition government of PPP and Mutahida Qaumi Movement, MQM. The writer stressed that Karachi is in worse conditions even than war struck Kabul and Baghdad. The whole article presents the self interpretation of the incidents of Karachi and the party to bear the brunt remains PPP.

4.8 Conclusion

Media legislation has always been restrictive of freedom of expression in Pakistan. The ultimate goal in Pakistani media policy is to satisfy the vested interests of state and market forces alike. Unfortunately state instead of fulfilling the interests of general public at large strives to fulfill the interests of new political and business elites. The general public interest is conspicuous by its absence where as the empowerment of political elite is assured through media regulatory framework. For decades the underlying value is "order" as is usually the case in many other authoritarian regimes. After liberalization of broadcasting media, it was made possible to shrink consolidation of media systems in the hands of few media conglomerates. Agency can easily be politicized and is more a public tools. Even the statute of PEMRA obliges it to be compliant to government in unforeseen conditions. The situation of cross media consolidation is quite ghastly in Pakistan. Unlike UK, there are no legal or functional bindings to ascertain external pluralism or to include foreign broadcasters in to country's media system. This provision can be fruitful in assuring content diversity, competition and economic inflow. However with all its flaws and strengths, PEMRA, being a licensing body protects public bodies against media groups when needed and in providing a lee way for the media enterprises in the matters of economic gains.

Chapter 5

Comparison Between Ofcom and PEMRA

5.1 Introduction

By now I have been explaining the media policy paradigms, their sub goals and ultimate goals, media values corresponding media systems, the constituents of civil society and media transformation projects and political and a political status of media regulatory regimes of United Kingdom and Pakistan respectively. Secondly, I highlighted the problem of media consolidation in both the countries. In this chapter I will amalgamate both the cases to yield comparative results.

5.2 Prevalent policy paradigm (adopted from Cuilenburg and McQuail, 2003 [40])

Below is given the prevalent media policy paradigm in UK and PK adopted from Cuilenburg and McQuail, 2003.

Table 5.1: Prevalent policy Paradigm based on Cuilenburg and McQuail, 2003 [40].

	UK (Ofcom) Media policy	**PK (PEMRA) media policy**
Communicators	State/economy/citizens	New political elites (political and business elites)
Intermediate Goals	Independence from state or private monopoly, Accountability to society/to audience /to users and Diversity in content politically and socially	State interest: Control and economic welfare and Corporate interest: Media consolidation/profitability
Ultimate Goal	Attainment of democracy through positive freedom	Empowerment of new political elites
Socio-political Preconditions	EU inclination for PSB, UK recent media upheaval and UK willingness towards positive freedom	External and internal socio-political upheaval and power play between potent forces

Note that in Table 5.1, communicators means the ones who with unison decide media policy of any nation state.
Table 5.1 suggests that the UK media policy is again replaying the Public Service Media Policy

paradigm (1945-1980s) of western European countries. In the said paradigm the state maintained public/private monopoly over broadcasting media to ultimately fulfill the general public interest of the society. Today though the public/private monopolies are substituted by a strict regulatory regime, Ofcom, but the ultimate goal is still the fulfillment of well being of an integrated society. Ofcom is a license issuing regulatory authority which also keeps its licensees bound by its statute in regard of Public Service Broadcasting. Ofcom serves as an interventionist where media groups/organizations resort to negative freedom or to the derogation of any strata of the society. Here the communicators (whose interests are taken into consideration while media policy making) are state, corporatists and citizens. Intermediate goals are (a. independence from state or private monopoly of the entire media system, (b. Accountability of media system through media regulatory authority to state/consumers and to audience, (c. diversity in content both politically and socially. The social and political preconditions behind this PSB inclination in UK are mainly because of external pressure from EU, from internal hack-gate scandal and its consequences upon press and broadcasting media and UK's will to induce PSB within its broadcasting system. Pakistani media on the other hand suffers from the repercussions of the power play between its new political elites. Since Pakistan's independence and after the British colonial rule the then political elites have kept the power with in the hands of new political elites and left general public to bear the brunt. In Pakistan main communicators of media policy are state and media corporatist. Intermediate goals for state in regard of media policy are control and compliance of private media and the economic gains of country out of nascent but ever growing private media system. While the intermediate goal for Corporatists are media consolidation and mercenary gains through sensationalism. In both the case the interests and well being of the general public are taken for granted.

Below is given the basic underlying value for media systems of UK and PK:

5.3 Basic underlying value for media system of UK and PK (adapted from Jakubowicz [51] based on McQuail [60])

This model presents the basic underlying value of any media policy. Basic underlying values and relative constituents of UK and PK are as follow:

Table 5.2: Basic underlying value based on McQuail [60].

	UK (Ofcom)	PK (PEMRA)
Social Context	Socialist democratic theory and Democratic Participant theory	Totalitarian and Authoritarian system
Media Goal	Equal fair access to media of general public in all diversity	Control of the diversified media and limited access of general public to private broadcasting media
Regulatory Mechanism	Heavy regulation, public intervention to ensure positive freedom of expression, equality in access to and use of means of communication	Totalitarian regulation and centralized command system (PEMRA is a license issuing authority with the powers to curb freedom of expression)
Underlying Philosophy	Inclusion, Integration, democracy and positive freedom	Political exclusion, hegemony and homogenization
Communicators	All social groups	Only approved voices

The underlying value for UK (OFCOM) is justice and equality. The social contexts under which such values are processed are socialist democratic and democratic participant theories. The media goal is fair access to diversified media of general public. Currently the digitalization process of terrestrial broadcasting media is under way in EU but earlier 98% of UK citizens had the access to public/private pubic service broadcasters through terrestrial antennas. The regulatory mechanism is made strict and Ofcom intervenes where needed to ascertain positive freedom of expression. The underlying philosophy is the inclusion of all the social and cultural subgroups through media system of the country. The inclusion and integration is guaranteed through tough media regulatory regime. On the other hand, the social model is influenced by totalitarian and authoritarian normative models in Pakistan (PEMRA) for order and control. The media goal of PEMRA is control and compliance of private diversified media. The access to broadcasting media is restricted to urban areas (which comprise less than half of PK population) of the country to maintain political exclusion of the society. PEMRA is a license issuing authority but it also has the obligations to monitor the content of private broadcasting media. PEMRA serves the purpose of Federal government and confiscate the property of media houses if they broadcast content against government. Underlying philosophy of PEMRA is political exclusion of the society through hegemony and homogenization of private media houses. Communicators are publicly approved voices to propagate public agenda only. Below is given the civil society and media transformation in UK and PK:

5.4 Civil society and media transformations in UK and PK (based on Sparks [77] adopted from Jakubowicz [51])

This model presents the composition of civil society in nation states, their constituents and the transformation of media system once the respective regulatory regimes are set to function. Below is given the figure entailing all specifications:

Table 5.3: Civil Society and media transformation once regulatory regimes are set to function based on Sparks [77].

	UK (Ofcom): Idealist Model	PK (PEMRA): Standard Model
State Associations	People/economy/state	Political rather than civil society
Changes to Media	Empower civil associations to own /control media	Empower new political elites to control public broadcasting media and to privatize print media
Media Theory	Socialist participant/democratic participant (aim of both is democratic media system)	Paternal (serving state interest)/ commercial(serving corporate interest)
Likely Regulatory Regime	Interventionist to achieve social media policy goals	Different regulatory regime for broadcasting and print media, authoritative and controlling
General Theorist	Arato, Cohen	New political elites
Media Theorist	Splichal	New political elites

In UK the civil society and media transformations relate with the "idealist" model the most. In UK media policy making rests upon the interests of the democratic state, British citizens and media corporatists. Changes to media system after the inception of Ofcom are empowerment of numerous civil associations that vie for different civilian rights. The media theory follows the normative model of Socialist democratic and Democratic Participant theory to achieve the elements of democratic media system. The regulatory regime is interventionist to assure the positive freedom of expression from media organizations/media houses. In Pakistan the state associations comprise the political rather than civil society. The changes to media after the inception of PEMRA are made to empower new political elites. Whole sale privatization is made possible to allow few media barons to own media outlets while maintaining public control over them. The regulatory regime pursues the respective interests of state and corporatists by following Paternal and Commercial media theories respectively. In both the cases the interests of the general public and the well being of the society through media system is taken for granted in Pakistan. The general and media theorist are new political elites in Pakistan. Below is given the composition of Public sphere in media policy making of UK and PK:

5.5 Composition of the pubic sphere in media policy making of UK and PK (adopted from Jakubowicz [51])

Jakubowicz gave some models to depict the elements of public spheres in post communist countries in transition. In presenting them he gave an idealist model which one considers most suits to the media system of western European countries such as UK and Germany. Below is given the composition of public spheres in UK and PK:

Table 5.4: Composition of public sphere in media policy making (adopted from Jakubowicz [51]).

	UK (Ofcom)	PK (PEMRA)
Public Sphere Comprises	Civil society, democratic state, citizens	Civil society overshadowed by new political elites, citizens represented by new political elites, democratic state run by and for new political elites
Media Policy Contributors	Media system, State, Public at large	New political elites (politicians, military men, religious fundamentalists, corporatists, external forces like USA
Media Ambition	Fulfillment of general public interest	Fulfillment of the interest of new political elites

The pubic sphere in UK (media policy) comprises the civil society, democratic state and citizens. The media policy contributes to the economic, political, social and cultural well being of the society. All of the media communicator or the media contributors (i.e. media enterprises, state and civil society) work in unison to attain the final goal of general public interest. In Pakistan the public sphere in media policy comprises civil society that is overshadowed by new political elites, citizens represented by new political elites and a democratic state that is run by and for the new political elites. The media policy contributors are also the political elites such as politicians, military men, religious fundamentalists, corporatists and external forces like USA. Media ambition or the final goal of media system in Pakistan is the fulfillment of the interests of new political elite. Below is given the political or a political status of private broadcasting regulatory authorities in UK and PK:

5.6 Political or a-political status of broadcasting media regulatory agencies of UK and PK (adopted from Jakubowicz [51])

Below is given the summary of the elements that determine whether the broadcasting regulatory authority can easily be politicized or not? The results show that Ofcom performs majority of its functions autonomously. Though it does receive financial assistance from British government and selection of its Board and of Ofcom's steering body allows room for politicization of the authority but empirically there is no such evidence. British government is never found influencing Ofcom on the grounds of financial or political dependence upon the former. Ofcom has rather shown a gradual shift towards more autonomy in its decision making. The gradual shift is evident in the Ofcom Act, 2002 and in the Broadcasting Act 2011.

PEMRA, on the other hand has become more politicized and publicly run than it was at the time of its inception. PEMRA performs its functions autonomously but the selection of its board is done wholly by President of Pakistan. PEMRA is also given full authority in taking decisions and in confiscating the properties of offenders but alarmingly PEMRA is legally obliged to abide by government whenever the former deems it right. Below is given the description of Ofcom and PEMRA:

Table 5.5: Composition of public sphere in media policy making (adopted from Jakubowicz [51]).

	UK (Ofcom)	PK (PEMRA)
Normative theory	Democratic: socialist democratic/democratic participant	Combination of soviet and authoritarian models
Appointment of board/non executive board members is done by parliamentarians/president or prime minister?	Yes, selection of non executive board members is done by two Secretaries of state	Yes, by President of Pakistan
Selection of senior executive including chief executive is done by non executive board(selected by parliamentarians /prime minster/president)?	Yes	There is no such discrimination in board members
Enjoys de jure autonomy in decision making?	Yes	Yes
Enjoys de facto autonomy in decision making?	Yes	No
Autonomy has increased since the time of inception?	Yes	No (process is the other way round)
Functions powers are intermingled with that of other public and statutory bodies?	No	No

The results show that Ofcom is though dependent upon state for the selection of its board members and financial assistance where there is no other mean for Ofcom revenue generation but Ofcom takes its decisions independently from public/private influences. PEMRA on the other hand becomes a public tool whenever government needs so.

5.7 Consolidated media conglomerates UK and PK

In Both UK and PK there are legal bindings to counter act monopolistic forces but those laws are either neglected or are changed altogether to best suit the interests of these media barons. However, the political influence of media owners in UK is not as much as it used to be earlier. Ofcom has disintegrated the powers amongst media corporations through external plurality and consumer protection [38]. Still, in both the countries certain laws are formulated to ease and consolidate the might of these media tycoons. In Britain the Broadcasting Act, 1990 allowed foreign Satellite broadcasters to mushroom without any bounds (which later included indigenous satellite broadcasters as well) similarly Pakistan abrogated the cross media restriction from PEMRA statute to sooth and satisfy the interests of highly consolidate media conglomerates. Legal, both institutional and functional, measures are needed to countercheck the might of these media tycoons. My next chapter on "Reflections" will present few suggestions which one considers as crucial in keeping a check on the ever increasing might of these media barons.

5.8 Conclusion

Media policies are influenced by the socio political pre conditions of nation states. Once formed, media policy affects the structural and functional repertoire of media regulatory authority and facilitates the process of attaining media policy goals. Media policy is usually the product of mediation between state and media enterprises and is aimed at achieving the respective goals with win-win logic. Democratic states seek fulfillment of general public interest through media policies. They focus on economic uplift of the state and media organizations along with the socio cultural well being of the society. However, the authoritarian and totalitarian regimes intend to satisfy the interests of new political and business elites only. Both democratic and authoritarian regimes adopt different underlying media values as the foundation of media order. The adoption of an underlying value carries far reaching implications for the media system of any country from media policy structure through patterns of media affected by this policy to practical forms of media operations. UK and PK are good example in being democratic and authoritarian/totalitarian regimes respectively.

Chapter 6

Reflections

Ofcom and PEMRA are two IRAs from countries of different socio political conditions. Both have their pro and cons. Ofcom being part of UK regulatory system is far more autonomous especially in regard of Political and financial undertakings [44]. PEMRA on the other hand belongs to a region where an agency of this sort is conspicuous by its absence. Many critics have undertaken studies about the autonomy, legitimacy and accountability of IRAs in the context of liberal capitalists states such as UK France, Germany etc. [43, 44, 54, 56, 78]. In western European countries the autonomy of an IRA increases with the passage of time [44]. This is evident in case of Ofcom. Ofcom in 2003 was substantially dependant upon the state where as now various autonomous powers are delegated to it.

Pakistan on the other hand has followed a contrasting course in this regard. PEMRA at the time of its inception was a lot more independent and a political as compared to now. One considers that the main impetus behind this gradual mitigation of autonomy is because of the socio political and economical conditions of the country. IRAs are the product of political and legal system of any country. This is why IRAs of Poland, Romania and other Central and Eastern European countries are a lot more politicized and are least autonomous.

Another important difference between Ofcom and PEMRA is the level of their popularity and consequent legitimacy [44]. IRAs are often considered legitimate if they are popular amongst the masses and vice versa. Ofcom is popular and in turns legitimate because of its contribution to British communication industry and consistent growth in terms of country's economical and technological uplift. PEMRA on the other hand is continuously struggling to earn a good name. Though Pakistani commercial media industry is also seeing a rapid boom since the establishment of PEMRA but it is not famous among the masses.

Public Service Broadcasting is also an important feature of British Broadcasting. PSB in Europe is largely Community's contribution to Member states. The way PSB has been enforced in community gives the reminiscence of positive and negative integration of Single European market. In positive integration the movement of the people and goods of one MS was permitted to another on the grounds of integration to form one single European market. This soon was accompanied by negative integration which bound all MS legally at supra national level. Similarly Community first introduced TVWFD 1989, in the vain of creating a single market for broadcasting media in Europe. This later was succeeded by several measures to include PSB with in Europe. PSB in UK is largely an attribute to EU media policies in the wake of PSB. PEMRA on the other hand does not have any legal bindings regarding PSB. Pakistan usually

takes care of country's economic and technological uplift through media policy but social and cultural dimensions and usually ignored. People of Pakistan are not only refused of the basic rights of communication but are also ignorant of their rights [50]. People's enlightenment regarding their basic human rights is an important mile stone to for people of Pakistan.

Cross media consolidation also gives starkly contrasting situation in both the countries. Ofcom which is basically tagged as a competition authority ascertains external plurality, content diversity and expansion of media organizations. PEMRA on the other hand has not allowed external pluralism. External Pluralism includes foreign investors into the country and their political and financial estrangement from the country helps in propagating content diversity/media plurality. External pluralism also gives economic inflow into the country. A country with a meager economy like Pakistan can avail a lot from allowing foreign broadcasters to own and run media houses from within Pakistan.

The legal bindings of both countries have not successfully constrained the might of few media conglomerates from mushrooming. Pakistan being a small economy faces extreme repercussions because of the unbridled might of these media barons. Their political and religious inclinations are quite often revealed through their content both from press and broadcasting media. A thing to mourn is that they never openly reveal their political and religious inclinations. Rather remain busy in the game of naming and blaming with the people of other political and religious orientations. All this is made possible because majority of the media owners in Pakistan are the chief editors of their news papers as well.

Ofcom on the other hand is help less in combating the might of media conglomerates because they have their shares world wide. Ofcom has kept them involved with in British media industry to earn a good economic share from their economic gains. But Economic gains are rarely detached from political gains at national level. Politicians and media owners in UK have a long history of intimate relations. This intimacy has seen a halt with the recent stifles between Rupert Murdock and conservative government of UK. But Rupert might is not dependant upon the legal undertakings of UK. His might demands a lot more globally.

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