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MISINFORMATION AND MEDIA CREDIBILITY IN PAKISTAN'S DIGITAL AGE

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ABSTRACT

The increased use of digital media owing to greater internet connectivity has increased the dissemination of information to unprecedented levels. It has also empowered people, communities, societies in multiple ways, however a simultaneous increase in the supply of information has also been accompanied by misinformation, specifically medical misinformation on digital media platforms. Therefore, misinformation surrounding the Covid-19 pandemic has been used as a case study to explore the reasons for misinformation and to what extent the regulatory ordinances or cybercrime laws have effectively countered misinformation. For the purpose of this study, qualitative method was used as the research design, as qualitative methods include open-ended discussions through conducting interviews of professionals in the media industry such as anchors, and journalists, in addition to interviews of legal professionals. The findings revealed through qualitative method that there is a requirement for reforms to the current regulatory ordinances meant to restrict misinformation as the majority of the sections in these ordinances mostly deal with hate speech, defamation and censorship, placing a lower emphasis on misinformation and fake news.

Keywords: *Misinformation, Digital, Cybercrime, Information, Censorship, Fake, Pandemic*

INTRODUCTION

Misinformation can be defined as information that is not supported by evidence or through expert opinion making it entirely false, whereas disinformation is the deliberate fabrication and manipulation of information carried out for a particular purpose (Hameleers, 2020)

In the advent of Covid-19, digital and social media platforms have gained a greater following as it became the most widely used method of communication, which led to global connectivity during unprecedented times. However, the same platforms which provide users with essential information are also used to disseminate false information which can negatively affect measures implemented for public health safety. According to (Khan ,2018) the rampant spread of misinformation on the web has become a pressing issue in Pakistan. A study by Ahmed and (Malik ,2020) revealed that social media platforms play a significant role in the dissemination of misinformation in Pakistan.

In recent times, the dissemination of false information on digital platforms has considerably weakened the public's trust in news media in Pakistan (Ahmad & Sheikh, 2022). Regulatory frameworks such as the Prevention of Electronic Crimes Act (PECA) have faced criticism for their reactive rather than preventive approach to dealing with misinformation and ensuring media credibility (Raza & Khan, 2023).

In their research, (Abbas et al. 2021) emphasized the need for media literacy programs to combat the web of misinformation in Pakistan. In times of crises such as the Covid-19 pandemic, information related to the virus needs be provided to users to avoid tragedies, simultaneously there are specific groups dedicated to the sole purpose of spreading false information within the digital media space (Romero & Nelson, 2022).

Researchers and analysts have warned of the one-sided narrative on social media which is at times provided in the form of fake news in order to acquire favorable political results in terms of political elections. The problem of fake news first emerged during the 2016 presidential elections in the US when Donald Trump was accused of creating a political narrative through false information (Digital Rights Foundation, 2020). Researchers found that fake news scenarios existed in political elections in Europe as well as the North American countries. Facebook and Twitter's senior management told lawmakers in US and the EU, during separate hearings that Pakistan was one of the countries where fake news was widely spread.

The problem of misinformation was further revealed during the Covid-19 pandemic when fake news became rampant on social media regarding medical misinformation about the pandemic. As misinformation revolved around anti-western conspiracy theories deeming coronavirus to be a hoax, unproven non-medical solutions which included herbal remedies and violation of SOPs for example, social distancing and wearing masks. Certain researchers considered this period to be an 'infodemic', as extensive sharing of unverified content regarding the novel coronavirus created a level of uncertainty and panic among the masses which led to a surge in Covid-19 cases and related deaths.

Cybercrime laws and other mechanisms had been implemented to counter the spread of misinformation regarding Covid-19 but through reviewed literature it has been found that respective laws and authorities which implemented these laws had proven to be ineffective in reducing the spread of misinformation. As these laws were mainly used against online defamation of a person or institution causing censorship which may have suppressed the flow of information but not necessarily reduced the unauthentic, baseless content surfacing in the digital media space.

Even though misinformation persists in large numbers on digital media, yet there is no regulatory framework or policy which can counter fake news and misinformation, neither is there any measure in place which can detect false information and provide authentic information on social and digital media and encouraging readers to verify information on digital platforms. As social media platforms did not prioritize policy-making during their formation, rather it focused on promoting interaction between users. Additionally, case studies such as the one published by (Jabbar, La Londi, Debary, Scott and Lubiensky, 2014) investigated that lawmaker in New Orleans, United States used personal experiences as a measure for decision making during hurricane Katrina. Therefore, this report deemed it essential to develop tools to assess primary evidence which may help in understanding the type of information which is spread on social media and its impact. (Kyza & Warda, 2020) identified that policies for countering misinformation can either involve different stakeholders in the policy-making process or impose it upon them. For example, it is widely known that algorithms have been developed which select the content for the user on social media.

One of the reasons attributed to providing personalized news to users was to avoid information overload, although the algorithmic selection of news and information has been objectified as restricting the free flow of information and disrupting freedom of speech by implementing authoritative mechanisms.

Similarly, amendments to the PECA Ordinances for 2022 were made to counter the effects of misinformation but were overruled by the Islamabad High Court as it went against the constitutional rights provided in Articles 4, 19, 19-A and 89 by imposing censorship and restricting the free flow of information. In addition to widespread protests from several journalist's associations including Pakistan Broadcasters Association (PBA), causing petitions to be filed against the implementation of the amendment. As the rights provided in the mentioned Articles include Freedom of Speech whereby all individuals have the right to freedom of speech and press, with exceptions to religion and state institutions as commenting against these aspects will be considered an offence.

In addition to article 19-A which state:

Every citizen shall have the right to have access to information in all matters of public

importance subject to regulation and reasonable restrictions imposed by law.

Therefore, the need for this study to be undertaken is to explore whether the mechanisms and laws implemented though PECA and other similar ordinances can bridge the gap between countering misinformation and fake news without disrupting the flow of information through censorships and other harsh measures including lengthy imprisonments. Moreover, can unverified content be monitored in times of extreme technological development and can the existing cybercrime controls cope with increased internet penetration in the country.

Research Objectives

- To investigate international legal frameworks and implementations, regulations and strategies to combat disinformation in the digital era without obstructing the flow of information are assessed.
- To look into how digital media affects the process of confirming the accuracy of information and to find methods and tools for reputable source authentication.

Research Questions

1. How can regulatory ordinances (PECA) address misinformation on digital platforms?
2. How can violation of freedom of expression be avoided while regulatory ordinances address misinformation?
3. In what ways the digital platforms have transformed in Pakistan to deal with misinformation.

Literature Review:

There have been several instances in Pakistan where misinformation has been spread through fake news. In 2019 a picture of Pakistani President Aric Alvin went viral on social media when he was found sleeping at the Lahore Airport. The Photo was posted through a seemingly fake account on Twitter in March 2019, which had been retweeted 1600 times. The caption revolving around the picture implied that the President was pretending to sleep to portray himself as a common man (Digital Rights Foundation, 2020).

A separate study was conducted to analyze the reasons for the spread of vaccine misinformation spread through social media sites such as Facebook. The results of the study showed that 18,685 comments were assessed, out of which 4,042 included conspiracy theories, misinformation, and information on efficacy of vaccines which was very limited in comparison (Klimek, & Cosa, 2021).

In another instance a fake Twitter profile of a US senator was created who praised PM Imran in a tweet: "If he is selected then it might be the best selection ever, and if he is elected then Pakistanis are the wisest nation in the world". The tweet generated 2500 likes and was retweeted 1000 times before it was deleted (Digital Rights Foundation, 2020). However, by the time it was deleted PTI supporters had flooded the microblogging website with praise for PM Imran. Thefalse information reported was not limited to social media but also electronic media outlets including BBC Urdu.

In October 2020, fake news regarding Pakistan had been circulating in Indian media and social media where it was reported that Pakistani soldiers and police had a clash between themselves in Karachi where several people died as a result (BBC, 2020)

According to a study conducted by Cogent Arts and Humanities on the extent of media credibility, most of the respondents in the study considered mainstream media to be more reliable compared to digital media in terms of reportage on the politics beat, approximately 50.4%, while most respondents used digital media for entertainment and other types of soft news that is 60%. The reasons attributed to the reliability of mainstream media were cited as results showing that most of the participants (98.8%) consider the authenticity of news on various factors including accuracy and timeliness (Salaudeen & Onyechi, 2020).

Another reason for the existence or rise of misinformation through digital media is that social media users and information receivers are not media literate in terms of not being able to identify when fake news is being circulated. As another study conducted showed two separate groups – one group was named the control group which included non-technical media users and the second group was known as the experimental group which consisted of journalists and reporters. Both groups were given the same pieces of information where they

had to decipher the real from the fake news. Those who received training as journalists could identify the false news or inaccurate information comparatively better than those who did not receive journalistic training.

Measures implemented to curb the spread of misinformation

Media Literacy Training:

There are several methods and techniques which can be used to detect misinformation and false news. One of them is education on media literacy which is conceptualized as the skills required to detect false information in addition to the type of sources required and the critical ability to make judgements on the information (Adjin-Tettey, 2022). Additionally, interventions through news media literacy can enhance critical media skills educating the public on the consumption of news, and conveying knowledge of the importance of information on political and social matters (Hameleers, 2020).

A study conducted by the International Journal of Intelligence, Security, and Public Affairs showed that the dataset used to identify fake Covid-19 news revealed that 7623 COVID-19-related news articles published from 92 sites consisted of false news which originated from 105 countries in 45 languages. Tshi shows that misinformation on Covid-19 is a global phenomenon. Most of the false news was related to the lockdowns or countries with the highest covid cases including China and Italy. All this information was circulated through video and images on Facebook and Twitter. The increased use of social media smartphones has led to the spread of misinformation on such a large scale that it is considered one of the main threats to our society by the World Economic Forum (Nigam & Jaiswal, 2022).

The study also revealed different methods to manage misinformation and false reporting were used such as Google translate and BART which is a file scanning and reporting tool used to determine changes. As paraphrasing articles from different languages often causes inaccurate information to be circulated, therefore the translations from Google translate and BART were fairly accurate as out of 2193 articles BART was able to match 2156 articles in terms of paraphrasing while Google Translate matched 721 articles out of 735.

Proposed Regulatory Frameworks to counter misinformation

i.PECA Ordinance and its effectiveness

In light of the beginning of the digital period, effective cyber-crime laws are required. However, many countries around the world are facing problems in drafting effective cybercrime laws (Khan, 2000). As development in technology and information systems lead to an increasing use of digital media, governments are struggling to propose solutions which can address problems on digital platforms. It was an integral part of the government's National Action Plan (NAP). Pakistan Electronic Crimes Act was drafted as being part of the NAP, formulated to combat terrorist activity (Khan, 2000).

The 2022 amendment of the PECA ordinance includes defamation as a criminal offence. It has been condemned as tool for censorship but has been presented as a measure for countering misinformation and fake news (Amnesty International, 2022).

The amendment makes defamation a non-bailable offence, upon conviction imprisonment can be increased from three to five years. Any person or institution is allowed to register the complaint upon accusations of defamation.

The ordinance also stipulated the insertion of a new section in the Act under which a timeline of six months was given for the court to conclude the case.

Regarding the spread of Fake News, Federal Law Minister Farogh Naseem reportedly stated that allowing the spread of false information would be treated as a cognizable offense, "It will also be a non-bailable offence with up to six months' imprisonment."

ii.**Pakistan Media Development Authority Bill (PMDA) and its efficacy**

In Pakistan's government's latest attempts to counter misinformation the PMDA bill was introduced which is a newly formed media regulatory authority. According to the proposal forwarded for the PMDA legislation, the PMDA will be given the authority to register digital media platforms, monitor, and analyze them, in addition to upholding cyber laws. Moreover, the

PMDA will be responsible for regulating print, electronic, and digital media in Pakistan, as a single regulator.

As this will also allow the PMDA to impose harsh punishments through regulatory councils or tribunals representing the PMDA on individuals who are accused of breaking laws about cybercrime. These tribunals can authorize prison sentences of up to three years and Rs.25 million in fines to content producers for violating the provisions provided under the PMDA Bill (DAWN, 2021). Challenging the decisions of the tribunals will also be a complicated task as the complainant can only appeal to the Supreme Court and none of the lower courts, significantly reducing the accountability of the PMDA Councils. However, representative media organizations, including the Pakistan Broadcasters Association (PBA), All Pakistan Newspapers Society, Council of Pakistan Newspaper Editors, and factions of the Pakistan Federal Union of Journalists, have termed the proposed ordinance "an unconstitutional and draconian law" (Janjua, 2021).

According to the press release issued by the Pakistan Broadcasters Association (PBA):

The PMDA's intention is to curb media freedom under a single regulator without realizing that print, electronic and digital are not the same mediums and need to be dealt with differently.

According to the Human Rights Watch, the media regulatory framework in Pakistan requires to be amended as HRW reported that the Pakistan government should not centralize more powers in a single regulatory authority. Since journalists already operate under an insecure environment in Pakistan, it has been noted that the government needs to shift focus toward protecting media freedom and reduce measures to censor reporters and journalists.

iii.Citizens Protection (Against Online Harm) Rules, (2020) and its effectiveness

On January 21, 2020, the federal government of Pakistan issued a notification of the Citizens Protection (Against Online Harm) Rules, 2020, which was promulgated under the PECA ordinance but was later repealed as it was condemned for enforcing greater control in view of censorship on social media (Ahmad, 2020).

Upon reflection of the Citizens Protection Rules, the Asia Internet Coalition (AIC) recommended for changes to be implemented in the rules as it states that harmful online content can be defined in broader terms. Therefore, it can be challenging for companies to develop stringent regulations as the desired impact might be limited as our understanding of online harm evolves over t ime. And the laws put in place should be according to international standards on press freedom. Therefore, AIC proposes an alternative measure which focuses on transparency of implementation, rather than placing restrictions which have become redundant. This is significant for a country like Pakistan which struggles with misinformation, false news, hate speech and terrorism.

Methodology:

To study the misinformation on digital media consisting of information on Covid-19, primary research was conducted in addition to secondary research where in-depth interviews of individuals in different fields related to the topic of study including journalists, anchors, representatives of Health Ministry and lawyers.

There are several reasons for the implementation of these methodologies as it leads to determining the regulatory gaps in ordinances passed by the government to counter false information surfacing online during Covid-19. In exploring the problem of misinformation present in the digital medium, several reports, articles and journals were utilized for secondary research. Some of the leading reports on misinformation in Pakistan which was used for this study were published by the Digital Rights Foundation called Sifting Truth from Lies in the Digital Age of Fake News, 2020. As per this report, there were several cases of political and medical misinformation which was used as a reference point to indicate the level of digital misinformation in Pakistan. Additionally, ordinances and rules such as PECA, 2016, Citizen's Protection (Against Online Harm), 2020 and Pakistan Development Authority (PMDA) bill were also used as references to evaluate their efficacy in dealing with misinformation on digital platforms.

Findings and Analysis:

One of the leading causes for misinformation in digital media is attributed to the level of bias and one-sided reporting carried out by reporters on digital media and as well as mainstream media.

The respondent who currently works as an anchor for BOL News stated the main reason related to the rise of misinformation is due to personal agendas of a particular individual or institution which takes precedence over the national agenda or national interest. As personal agendas are promoted through different mediums, it results in lies and misinformed content being spread, so thereby viewers do not get the full picture of what is authentic and what is fake.

The other respondent who is a currently a self-employed writer and has previously worked as a reporter in organizations such as Associated Reporters Abroad (ARA), Newsline and Axel Springer, stated different biases that are generated by reporters and editors often lead to misinformation taking into effect, as reporters would refrain from giving the full picture. Respondent gave an example of Pakistan about how foreign media always depicted Pakistan as a warzone but the reality was quite different, because according to them terrorist attacks in specific parts of the country, cannot characterize an entire nation, so journalist tried to report on stories which were usually ignored or sidelined, in order to give the full picture.

The other respondent a practicing lawyer at the Sindh High Court Due to the rise of cellular technology spreading fake news has become easier than ever, in addition to several journalists and activists involved in lobbying activities which generate biases.

Another respondent who is a creative program manager for Media Matters for Democracy (MMFD) and has previously worked as a journalist for leading news outlets in Pakistan: "Due to a time sensitive environment in newsrooms often basic information is also meted out inaccurately, which leads to uncertainty and panic within the wider community. Respondent gave an example of the recent hike in petrol prices where one of the news channels reported that it is possible that there will be further price increases, so as a result there were long queues outside petrol stations causing some of them to shut down their operations for a day and a day later Finance Minister Miftah Ismail clarified that there are not going to be any price increases. As reporters we are trained not to report on face value.

All the participants agreed that there are general biases and assumptions in news media organizations that are either disseminated through digital, print and electronic media. Leading reports have also shared evidence of how biases lead to the supply of false news or misinformation as the Digital Rights Foundation report titled "Sifting Truth from Lies in the age of Digital Fake News" gave examples of how fake news on social and digital media is generated in 2019 a picture of Pakistani President Arif Alvi went viral on social media when he was found sleeping at the Lahore Airport. The Photo was posted through a seemingly fake account on Twitter in March 2019, which had been retweeted 1600 times. The caption revolving around the picture implied that the President was pretending to sleep to portray himself as a common man (Digital Rights Foundation, 2020).

A separate study was conducted to analyze the reasons for the spread of vaccine misinformation spread through social media sites such as Facebook. The results of the study showed that 18,685 comments were assessed, out of which 4,042 included conspiracy theories, misinformation, and information on efficacy of vaccines which was very limited in comparison (Klimiuk, & Czoska, 2021). This shows that conspiracy theories also include biases.

A respondent expressed there is a lack of objective reporting, especially on mainstream media and those who try to carry out authentic and objective reporting on social and digital media are often intimidated through accusations of defamation so not providing authentic information has, unfortunately, become the norm, so it's no surprise that misinformation on Covid-19 often goes unchecked. one has said in the context of Covid-19, anti-vaxxer groups have aggressively campaigned on the dangers of Moderna and Pfizer vaccines, which in reality are mild side-effects for example fever and body aches which only last for a couple of days. Again, the full picture is not provided as only the negative

aspects are covered. In order to verify information on Covid-19, digital media users should follow scientific reporting or science magazines.

One of the respondent expressed that Since misinformation can spread quite quickly, there need to be regulatory controls over the authenticity of news being circulated as several celebrities and political personalities are victimized through defamation.

On the other hand, one revealed that there are fact-checking tools available on social media but they are not as effective when information is disseminated in the Urdu language, as the algorithm used to sift fake news from real is often unable to verify misinformed content. So, language barriers can also be noted as a reason for the supply of false information. Instead of consulting doctors or health professionals, people often heed the advice of their family members who offer remedial treatments which have not proven as a solution to Covid-19.

Several studies support these views that verification of information on digital media is lacking due to limited media literacy and awareness about the impact of fake news and misinformation. There are several methods and techniques which can be used to detect misinformation and false news. One of them is education on media literacy which is conceptualized as conceptualized as the skills required to detect false information in addition to the type of sources required and the critical ability to make judgements on the information (Adjin-Tettey, 2022). Additionally, interventions through news media literacy can enhance critical media skills educating the public on the consumption of news, conveying knowledge of the importance of information on political and social matters (Hameleers, 2020).

Different stakeholders including journalists, politicians, local activists and the international community have all been increasingly critical of the Pakistan Electronic Crimes Ordinance (2016) and its respective amendments (2022).

It was also expressed said "It is another method to control or suppress the media's freedom of speech. Any objective reporting on electronic or digital media would lead to repercussions through the PECA Ordinance where they would be subjected to threats and intimidation. Therefore, when objective reporting is restricted, it paves the way for misinformation to circulate and that is why misinformation on covid-19 goes unchecked because passing on fake news has unfortunately become part of our culture. Whereas another expressed Laws such as PECA ordinance came into existence much later as misinformation was always present. And misinformation is a fairly complex new phenomenon in the context of "fake news" which emerged during the 2017 US presidential elections. As per the PECA ordinance, misinformation needs to be defined more clearly and since we are still in a rudimentary state concerning fake news, laws need to define misinformation more clearly in the context of fake news as currently a majority of the sections are only related to liable, slander and censorship.

On the other hand, one said "I have managed several cases of defamation where false news was generated against the victim and that's one of the reasons why PECA ordinance came into existence. Although there are certain sections which have led to curtailing freedom of speech."

Referring to the views of activists and journalists who are critical of the PECA ordinance, especially the 2022 amendment where the amendment is being condemned for imposing greater control over the media. One stated "That the latest sections in the PECA ordinance had reasonable motives of reducing fake news but the method in which was introduced and imposed was ineffective, whereby it faced criticism in the media."

When asked if there should be more sections on fake news and misinformation within the PECA ordinance, he stated that not necessarily more sections will be effective in reducing misinformation, even if the shortest of sections can be as effective if designed correctly. He also stated that "since misinformation can spread quite quickly, there need to be regulatory controls over the authenticity of news being circulated as several celebrities and political personalities are victimized through defamation."

The other said within the PECA act misinformation and defamation need to be defined more clearly. As most of the sections deal with defamation and censorship rather than misinformation which shows that censorship is a much greater priority than

regulating false information. As the 2022 amendment proves that the government is trying to impose greater controls over censorship, especially through section 20 which deals with defamation against an institution or a "natural person" but in the latest amendment the government has removed the term "natural person" and the focus has been placed on state institutions. She also said that "section 20 of the PECA ordinance has often been misused in targeting journalists who are critical of those very institutions, so currently, there are 7000 cases registered under the PECA ordinance for defamation and it is unclear how many of them are actually defamatory statements.

Therefore, it can be stated that almost all the participants were critical of the PECA ordinance in some aspect or the other which shows that the PECA ordinance has been relatively ineffective in restricting misinformation which generally focuses on censorship controls in order to reduce criticism of the state and its institutions. In light of the beginning of the digital period, effective cyber-crime laws are required. However, many countries around the world are facing problems in drafting effective cybercrime laws (Khan, 2000).

The 2022 amendment of the PECA ordinance includes a criminal offence of defamation of authorities such as the army and judiciary.

The amendment makes defamation a non-bailable offence, upon imprisonment can stretch from three to five years, allowing any person to register a complaint. The ordinance also stipulated the insertion of a new section in the Act under which a timeline of six months was given for the court to conclude the case.

According to the study conducted by CCDH, 812,000 post were analyzed on Facebook and Twitter showing that 65 per cent of anti-vaccine content has been promoted by anti-vax campaigns on social media. 35.3% utilize news sources from different websites, while 20% use official government websites while popularity of social media and WhatsApp has been decreasing in terms of providing reliable information on Covid-19.

Discussion and Conclusion:

The Pakistan media industry in its transformation and convergence from print and electronic to digital outlets has not necessarily been able to strengthen its flow of information as various unverifiable, misinformed content surfaces through different media outlets including digital media. The problem of misinformation has been part of Pakistan's media landscape. This problem had been further highlighted during the Covid-19 pandemic when misinformation regarding the novel coronavirus was circulating in large numbers.

Therefore, the need for this study to be undertaken is to explore whether the mechanisms and laws implemented through PECA and other similar ordinances can bridge the gap between countering misinformation and fake news without disrupting the flow of information through censorships and other harsh measures including lengthy imprisonments. Moreover, can unverified content be monitored in times of extreme technological development and can the existing cybercrime controls cope with increased internet penetration in the country.

As per the qualitative research, most of the respondents considered that the latest amendment to the PECA ordinance, 2022 was ineffective in reducing misinformation and appeared to be shifting its focus more on defamation by removing satire-based websites or content as it has been categorized under misinformation. All the participants also agreed that the latest amendment was a ploy to curtail freedom of speech, a point noted by several local activists and journalists as well as international organizations such as Amnesty International. Few of the participants believe that the PECA ordinance is still in its initial rudimentary stage in countering misinformation and the
first step to diminishing misinformation is to define it precisely and clearly within the PECA Ordinance.

In order to effectively reduce misinformation, policy reform and better implementation of those policies are needed as most of the participants agreed, while one of the participants also included more transparency in the supply of news and information and considered the viewership patterns are based on fixed rating schedules in order to improve television ratings. However, one of the participants who is a lawyer by profession explained that there should be better

implementation of repercussions in spreading misinformation and also said that there should be special sections dedicated to misinformation on digital platforms.

The study also found that social and digital media companies in collaboration with local governments need to improve their algorithms and verification tools in order to reduce misinformation as previous studies have noted that Facebook and Twitter verification and fact-checking tools are not as effective as Anti-vaxxers have been able to generate an estimated 59 million followers on Facebook. So, it is possible that social media companies have a weak infrastructure used to reduce fake news and misinformation.

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