**New cyber law and development**

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It was the mid-1940’s when British undercover agent William Stephenson arrived in New York. Britain was on the brink of defeat, Stephenson was assigned a task to run a campaign in order to mould American public opinion in favour of war. Until then, only 14 percent of Americans were in favour of war.
Stephenson flooded the American media with fake news and shifted American public opinion in favour of war; subsequently the US plunged into war. The Washington Post later declared this campaign as most effective. Henry Hemming, in his book “Our man in New York” narrated this account of events as the grandparents of Henry Hemming partnered with Stephenson during this entire PR campaign.
Presently, Pakistan is in the grip of a fifth-generation war characterised by intensive media manipulation for the vested interests of different lobbies, which at times compromises our national interests.
In order to counter the leviathan of fake news which encompasses both misinformation and disinformation, the current government has made amendments in the Prevention of Electronic Crimes Act (PECA), which has created much uproar among certain quarters.
Civil society and journalist unions are up in arms while citing the amendment in PECA as a black law and declaring it as a violation of press freedom. PECA was formulated in 2016 during PMLN’s era but the said law has been unable to curtail the spread of fake news owing to the fact that the rampant use of social media has added new dimensions in the communication paradigm.
Social media has acted as a double-edged sword. It is considered the fastest medium of information while simultaneously many ills are created due to fake news. Media pundits regard social media as a smokescreen of hyper reality (which does not exist in reality). There seems to be no bar on stopping fake news or propaganda. Whether it is the government or opposition, reputations have been sullied.
Walking on the same tightrope, there is a lot of talk about fifth-generation warfare which spreads its tentacles mainly through the phenomena of fake news. In the first step of fifth-generation warfare, the intrinsic value of constitutional institutions and norms of the society are challenged so that society becomes an unbridled multitude of masses.
Of late, Chief Justice designate Justice Ata Bandial has criticised the mainstream and social media for running malicious campaigns about the judges. There was a lot of talk on social media regarding the Justice Faez Esa case. Such speculation and hype creates undue pressure on judges and is tantamount to disarray the judicial proceedings.
Similarly, not only judicial proceedings, but also other government functions are metastasised due to fabricated campaigns on social media. Kalabagh dam met a similar fate due to excessive negative media hype while other development projects in Pakistan often plunge into chaos due to exaggerated claims of corruption and ultimately got stuck with hyper reality, subsequently these charges do not get proved in courts but create mayhem at the given point of time.
Diamer Basha Dam is one such project where concocted news on local and international media affects smooth progress. False claims of it being environmentally hazardous and against local population interest were made on social media, thus damaging the sanctity of the project. Such mega projects are the lifeline of Pakistan and cannot be sacrificed due to the ongoing phenomena of fake news.
Similarly, CPEC was subjected to a negative campaign during Lt Gen Asim Saleem Bajwa’s tenure. Accusations against Lt Gen Asim Saleem Bajwa without having any concrete proofs damaged the reputation of an individual, the Army and the CPEC. No one was held accountable for such a malicious campaign. Recently, false claims on social media regarding the issue of show cause notice to Peshawar Corps Commander amply proves how fifth generation warfare discredits the individuals and institutions.
Facing the similar situation, former PM Benazir Bhutto once said in 1996, “Go to a trial court; why a media court? Why this smear campaign? There are laws… but we’re not to be tried by the law, we’re to be tried by the media. Because when you try someone in the media, people get confused. They’re not lawyers, they don’t know the rules”
Fake news is not only demeaning individuals, institutions and values of the society but also imperilling development projects. We are heading towards a paradigm where everything would be at sixes and sevens and the media, instead of performing its basic function of integrating the society would be disintegrating the warp and woof of the society.
Democracy always evolves and brings changes for betterment. There is a universal phenomena that freedom of expression comes with responsibility. Article 19 of constitution of Pakistan describes the same principle. Binding the courts to conclude the trials within six months in new cyber law will strengthen the already prevailing laws and will fix responsibility in a more transparent manner. While the new definition of “person” in the PECA is justified in the connotation as we have discussed before in this article.
Third point of confrontation in the new cyber law is declaring defamation a non-bailable offence which can be a moot point for further amendment but under the pretext of bailable offence, offender enjoys much impunity, keeping in view the huge backlog of pending cases.
Apart from development projects, fake news even did not spare heath emergencies like pandemic spread of Covid-19; United Nations Development Program called on governments across the world to step up the fight against the growing tide of false, inflammatory and misleading information that threatens to worsen the already severe impacts of the virus. PMDA was an attempt to stop the control of fake news but was put on the backburner due to objections by media bodies. Question arises up to when we will continue suffering due to (put our heads in sand and avoid to curtail the) fake news phenomena.
If not distilled, the media will perform the dysfunctional role rather than the functional role of surveillance and information. Development communication can pave the way for development of the society that includes both surveillance and information on development projects but becomes metastatic when fake news hogs the entire process.

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