Mass Media systems of the world vary from each other according to the economy, polity, religion and

culture of different societies. In societies, which followed communism and totalitarianism, like the former

USSR and China, there were limitations of what the media could say about the government. Almost

everything that was said against the State was censored for fear of revolutions. On the other hand, in

countries like USA, which have a Bourgeois Democracy, almost everything is allowed.

Shifting our view to the Pakistani perspective and its system of Parliamentary Democracy, it is true that,

the Press is free but subject to certain reasonable restrictions imposed by the Constitution of Pakistan,

1973. Before the impact of globalization was felt, the mass media was wholly controlled by the

government, which let the media project only what the government wanted the public to see and in a way

in which it wanted the public to see it. However, with the onset of globalization and privatization, the

situation has undergone a humongous change.

Before the invention of communication satellites, communication was mainly in the form of national

media, both public and private, in Pakistan and abroad. Then came 'transnational media' with the progress

of communication technologies like Satellite delivery and ISDN (Integrated Services Digital Network),

the outcome: local TV, global films and global information systems.

In such an era of media upsurge, it becomes an absolute necessity to impose certain legal checks and

bounds on transmission and communication in the due course of this article; we would discuss the various

aspects of media and the relevant legal checks and bounds governing them.

Historical Perspective of Mass Media Laws

Mass Media laws in Pakistan have a long history and are deeply rooted in the country’s colonial

experience under British rule. The earliest regulatory measures can be traced back to 1799 when Lord

Wellesley promulgated the Press Regulations, which had the effect of imposing pre-censorship on an

infant newspaper publishing industry. The onset of 1835 saw the promulgation of the Press Act, which

undid most of, the repressive features of earlier legislations on the subject.

Thereafter on 18th June 1857, the government passed the ‘Gagging Act’, which among various other

things, introduced compulsory licensing for the owning or running of printing presses; empowered the

government to prohibit the publication or circulation of any newspaper, book or other printed material and

banned the publication or dissemination of statements or news stories which had a tendency to cause a

furore against the government, thereby weakening its authority.

Then followed the ‘Press and Registration of Books Act’ in 1867 and which continues to remain in force

till date. Governor General Lord Lytton promulgated the ‘Vernacular Press Act’ of 1878 allowing the

government to clamp down on the publication of writings deemed seditious and to impose punitive

sanctions on printers and publishers who failed to fall in line. In 1908, Lord Minto promulgated the

‘Newspapers (Incitement to Offences) Act, 1908 which authorized local authorities to take action against

the editor of any newspaper that published matter deemed to constitute an incitement to rebellion.

After the creation of Pakistan different media laws have been made in different times and conditions and

are amended according to the need.

As part of our overall objective of creating an improved media law environment the law department

undertakes activities like counseling radio and TV stations on media laws, provides free publications

related to media law, works with legislation to improve media freedoms and to develop a database of new media operators