

A GANG RAPE IN PAKISTAN:
ANALYZING INTERNATIONAL NEWS COVERAGE THROUGH THE LENS OF
ETHICS

by

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ABSTRACT

In the summer of 2002, Mukhtar Mai was gang raped by four men in revenge for a crime her 12-year old brother was accused of. She became the first person in her country to put the tribal system of justice on trial and win. The international media took great interest in the case, but the media only focused on one side of the story. This study analyzes the international media coverage of the Mukhtar Mai rape case by reviewing the content of more than 100 published articles and wire stories. This study uses the Mukhtar Mai case to illustrate the repercussions of deviating from basic principles of journalistic ethics as presented in ethics codes observed by professional newspeople in the United States and in other countries that honor Western ideas of press freedom and responsibility.

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This is for journalists who practice ethical, fair and balanced reporting.

For Nanajaan, Nanijaan, Dadajaan...

and for Dadijaan.

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PAKISTAN



Chapter One

Introduction

Many journalists around the world honor journalism ethics and professional standards of practice. The Pew Research Center's Project for Excellence in Journalism provides a list of some entities around the world that have drafted codes of ethics, including the American Society of Newspaper Editors, American Society of Magazine Editors, Associated Press, National Press Photographers Association, Corporation of Public Broadcasting, Radio Television Digital News Association, *Los Angeles Times*, *New York Times*, European codes, BBC, International Federation of Journalists', and Al Jazeera (Codes of Ethics).

While the codes may have some differences, most share common elements of truthfulness, accuracy, objectivity, impartiality, fairness and public accountability because these elements effect news acquisition and dissemination. There is no governing body, per se, overseeing each code of ethics and enforcing compliance. There is an honor system behind what the public can see, hear or read in the press, and journalists are presumed to have obtained their facts and reported the news in a credible manner, abiding by their code of ethics.

The Code of Ethics of the Society of Professional Journalists (Society of Professional Journalists) is voluntarily embraced by thousands of journalists, although it is not legally enforceable. The code states that journalists should be honest, fair and courageous when they gather, report and interpret information. The code states that journalists should test the accuracy of information from all they receive it from, to make

certain headlines and quotations do not misrepresent, to distinguish between advocacy and news reporting and to not misreport analysis and commentary as fact. The code also states that journalists should show compassion for those who may be adversely affected by news coverage and to be particularly sensitive when dealing with inexperienced sources or subjects (Society of Professional Journalists).

Current canons, or codes of ethics, including those of the United States, Europe and the International Federation of Journalists, have been in place for decades, but the international news coverage of one particular case tested adherence to these codes. In the summer of 2002, a woman living in a remote village in Pakistan made history. On June 22, four men of a rival tribe gang-raped Mukhtar Mai as revenge, because, as they later claimed, they believed that Mai's then-12-year-old brother had an illicit affair with one of their women, who was in her 20s. Unlike most instances of tribal justice in the developing nation of Pakistan, this story received significant international news coverage. Eventually, it provided Mukhtar Mai with the motivation she needed to become the first person in her country to put a tribunal justice system on trial – and win. Mukhtar Mai's story became an international media sensation. She credits the international news media for giving her the strength to fight her attackers instead of committing suicide (Mai 45).

News of a gang rape case from a tiny village in Pakistan spread around the world. Within two months of the story breaking into the international media arena, six men were convicted and then sentenced to death for their involvement in the gang rape (The Express 26). Not once in Pakistan's 64-year history had a court system convened to hear allegations of a jirga ordering the gang rape of a woman in the name of honor (Curran

131). In addition to putting a tribunal justice system on trial, Mai also became the first woman in Pakistan to have her rapists sentenced to death (Curran 222).

In Pakistan, like many other countries, it can take months, if not years, to prosecute a case. In this case, the men were charged, convicted and sentenced for the June 22, 2002 crime by September 1, 2002. The men were convicted two months from the time the story first appeared. Feeling the heat from the international news community and human rights groups from all over the world, Pakistan pushed the case through its anti-terrorism court to ensure rapid results after the media began extensive coverage of the case (The Advertiser 24). The court case took place in the midst of a firestorm of negative international press against Pakistan and its lawless regions in 2002, just months after Daniel Pearl's murder (The Sun Herald 47).

This story initially appeared to be about a poor, weak woman who was gang-raped by backwards, tribal men in her lawless village. But there is so much more to this story. Mai's account of events the night of the rape changed with different journalists in the first few weeks after the story was reported. The men of the Mastoi tribe were convicted in the press before the trial started. The police in this case conducted what some have since claimed was a sloppy investigation that led to the release of 13 of the 14 Mastoi men by the Pakistani Supreme Court in April 2011 (The Express Tribune).

The other side to this story did not make it onto the pages of newspapers around the world in the months leading to the trial. It was the story of the accused, and then convicted, rapists. Bronwyn Curran, who worked for the Agence France-Press in 2002, broke this story internationally. Then, in 2005 and 2006 she conducted a number of

interviews with different parties involved in this case. In her book *Into the Mirror*, published in 2008, Curran came to the conclusion that Mukhtar Mai's rape case was fabricated.

As this investigator reviewed more than 100 of those international news articles, one point kept re-emerging: Almost every news report framed the story of the rape case from Mukhtar Mai's point of view. Not a single story attempted to capture the other side of the story. Mai, a woman from the "low-caste Gujar tribe" (The Guardian 16) claimed that she begged and pleaded the rapists to let her go, but they did not listen. Instead, four men raped her one after another inside a hut as her father and uncles stood outside with guns pointed at them. She testified that she was thrown out from the hut, half-naked, and forced to walk home naked in front of hundreds of villagers (Mai 9-10).

The goal of this study is not to determine whether or not Mukhtar Mai was raped. This study will examine international news coverage to determine the repercussions of deviating from basic codes of ethics and professional standards of reporting and news presentation. This study will focus on the fairness and objectivity of each article. It will highlight the subtle ways journalists can slant a story by examining the wording, location, length and headlines of the articles and explain how biased news coverage could have been avoided if journalists followed a code of ethics. It will also observe the attributes attached to Mukhtar Mai and the Mastois throughout the coverage that spanned from July 2, 2002, until September 4, 2002, to further highlight exactly what went wrong in the news coverage of this event.¹ While this case has been examined from a legal

¹ For the purpose of consistency, because the accused men were convicted in 2002, this article will refer to the suspects as rapists and the crime as a gang rape.

perspective, it has never been analyzed from a journalistic perspective.²

² See Appendix C for previous research articles on Mukhtar Mai

Chapter 2

Literature Review

Philosophy and Ethics

People are communicative beings. Paulo Feire advanced the concept of integrated unity. He said “I cannot exist without a not-I; in turn, the not-I depends on that existence.” He also said “there is no longer ‘I think’ but ‘we think.’ ” He stressed that the “we think” establishes the “I think” and not the opposite (Christians 9). Journalists draw attention to issues they feel should be important to society, issues to which news audiences would not have access without reporters.

Globalization has, undoubtedly, caused a reevaluation of standards in journalism. Tom Brislin notes that the search for a universal journalism ethic has often attempted to weave traditional Western “free press” values with Enlightenment philosophy. He explains that scholars warn that modernization through globalization does not mean Westernization, and an attempt to fit diverse values into one Western ethics paradigm would lead to failure. For Brislin, that means a new starting point should be found and new discussion points should be established (Brislin 130).

In their research, Jennifer Ostini and Anthony Y.H. Fung recognized the differences between the Western/democratic news systems and the non-Western systems. They also recognized the differences within media systems and professional value systems themselves. For example, there are differences in journalistic practices, standards and values within news organizations. There is a constant struggle between profit-centered owners and managers and the professionalism and ethics-centered journalists. In

other words, a one-size-fits-all global journalism ethics code will not work (Brislin 131-132).

Brislin sees ethics as a subset of professionalism. He also feels that telling the truth is the priority of every journalist around the world, and that truth is not a concrete term. It is vague, subject to interpretation. He instead argues that autonomy supersedes truth, because it is admired by people of all backgrounds and is easier to measure than truth. Brislin feels that autonomy empowers journalists to practice their professionalism, which then empowers the citizens. Professionalism is important because it allows journalists to practice gathering and disseminating news according to their values, not by a prevailing system that may be corrupt (133-135).

Philip M. Seib argues that although international news may not affect certain countries' citizens directly, it can impact their consciences, and possibly influence how much they give in charity or change the way they vote. Seib feels that judging what is most newsworthy continues to be one of the most important and difficult tasks in the news business. He believes the media are not responsible for solving all the world's problems, but for awakening the world's conscience (Seib xi-xiv).

There are ethical guidelines in place for the coverage of news. The Society of Professional Journalists has prided itself on improving and protecting journalism since 1909. In doing so, it provides journalists with a code of ethics for conducting their work. SPJ provides 37 points for journalists to be aware of while working, and those points are separated into the following categories: seek truth and report it, minimize harm, act independently, and be accountable (Society of Professional Journalists).

The Society of Professional Journalists, however, presents guidelines for journalists in the U.S. to follow. Despite the tremendous amount of global news, most codes of ethics are for news organizations or associations in specific countries. While some international associations of journalists have developed declarations of principle, there is still no “global code” that has been adopted and enforced by all major journalism associations and news organizations. Unlike Brislin, Stephen J.A. Ward does believe a form of global journalism ethics could work for all journalists. He believes that more work needs to be done to press for those guidelines in covering international events. He is pushing for the first adequate global journalism ethics to be constructed (Ward 4-5).

Ward offers three foundational principles for global journalism ethics: the claim of credibility, the claim of justifiable consequences, and the claim of humanity. Those three foundational principles are general enough to be applicable to different forms of journalism across different cultures (Ward 12). More importantly, though, Ward asserts that the three claims can serve as a foundation for global ethics. Ward sees the extensive amount of values adopted by codes, associations and textbooks as a major obstacle in the construction of global ethics. He sees the three claims or principles as appropriately encompassing categories that allow for sub-principles and that provide a platform from which discussion on global journalism ethics can begin (Ward 12-13).

Ward focuses on the Western tradition of cosmopolitan ethics, which considers all people as citizens of the world. This type of ethics places primary emphasis on universal principles of human rights, freedom and justice. Ward cites cosmopolitan attitudes in Christianity and in Kantian thought. He refers to Kant’s political writings, which speak of a world that seeks peace through free states governed by international law and respect for

humanity. Ward feels cosmopolitan ethics allows journalists to broaden their vision of their responsibilities and reinterpret the standards used to evaluate stories. He wants to see journalists evaluate their own society's actions, policies and values from a global and impartial view. To do so, he offers three imperatives for journalists: act as global agents, serve the citizens of world, and promote non-parochial understandings (Ward 14-16).

The History of International News Ethics

The debate over newsroom ethics has spanned decades. In his research on seeking common ethical ground in international news, Stuart Bullion recalled a time when dialogue on the topic was taking place -- in the 1980s. There was agreement that international media were in favor of the "media-rich" states of the industrialized West. The New World Information and Communication Order (NWICO) initiated dialogue on the ethics of international communication, with UNESCO providing the forum for the debate (Bullion 68). Past attempts to draft a declaration concerning the fundamental principles governing the use of the mass information media failed because of politicking and diplomatic stonewalling (69).

The representative countries were trying to address two ethical issues. One concerned world peace and the alleviation of human suffering and oppression. The second stemmed from calls for reforms in media relations between rich and poor countries, because some believed the "freeflow" system failed to meet the communication needs of the less-developed countries in their quest for economic growth, political integration, social justice and full partnership in the world community (Bullion 70). All representative parties agreed that profession "responsibility" was the equivalent

of professional ethics. The disagreement was over what constitutes responsibility and how it could be enforced.

Four entities drafted publications on international news ethics: UNESCO, the MacBride Commission and the International Organization of Journalists, IOJ. In the early '80s, representatives from more than 50 Western and Western-oriented media organizations also met in Talloires, France, to draft a document on principles, which later became known as the Declaration of Talloires. While together the entities agreed on freedom, responsibility, truth and objectivity, each differed on the concepts of freedom and responsibility. The Declaration of Talloires declared that mandating responsibilities for the press would destroy its independence because “the ultimate guarantor of journalistic responsibility is the free exchange of ideas” (71). The Declaration of Talloires came to the conclusion that there can be no international code of journalistic ethics because the diversity of views would make it impossible. The media were responsible for drafting codes of ethics, which would be voluntary in their application. If they were formulated, imposed or monitored by the governments, they would become an instrument of official control of the press, therefore denying freedom of the press (71).

Chapter 3

Mukhtar Mai's Story

In 2006, Mukhtar Mai published a memoir with the help of writer Marie-Therese Cuny, *In the Name of Honor* (Mai vi), recounting her version of what she described as a brutal gang rape that shook an entire country and garnered media attention from all over the world. Renowned *New York Times* writer Nicholas Kristof wrote the foreword for her book (Mai vii), stating his awe and admiration for this woman who fought so hard and endured so much.

In the part of Pakistan in which Mai was raised, there is a caste system and each caste has its own traditions. Mai recalled that from a young age, girls were taught to distrust, obey, submit, fear and have abject respect for men and to forget themselves. Mai was married at the age of 18, but she divorced within a year because she did not like her husband. Mai was illiterate at that time, but to help repay her family for the cost of her upkeep, she taught village children portions of the Quran that she knew by heart, and she taught embroidery to women (Mai 107-108).

Mukhtar Mai was born into the Gujar caste. Many tribal areas continue to separate people into social classes to this day. She spoke only Saraiki, a minority dialect of Punjabi (100). In the tribal parts of Pakistan, tribal juries mediate disputes, and each jury is made up of men, no women. Contrary to Islam, (Mai 109) women are exchanged as merchandise to help resolve conflicts and exact punishment. Scores are settled through forced marriage or rape. In marriages arranged to help mediate disputes, women are often

mistreated and enslaved (109). Sometimes women are raped to settle financial scores or because of jealousy between neighbors. If women try to get justice, they are accused of adultery or of instigating an illicit relationship (Mai 109-110).

Mukhtar Mai was around 38 years old when this research was completed in 2011. As in many developing countries, people in the tribal regions of Pakistan do not maintain birth certificates, so they estimate ages. People from all over the world have heard of her because she was the first woman in Pakistan to successfully fight the men who she alleged raped her. Mai still lives in Meerwala, a small village in southern Punjab, near India's border. Her best friend in 2002 was a woman named Naseem Akhtar. With Akhtar's help, Mai started a revolution against rape, illiteracy, and oppression of women. She used \$8,500 awarded to her by the Pakistani government in 2002 to start the first school in her village. Additional funds from non-profits, individuals, and different countries allowed her to also build a high school. Mai started with one schoolteacher. By 2004, she had received a considerable amount of money and support from Canada's High Commissioner to Pakistan, Margaret Huber. That money and support helped her hire five teachers and build a principal's office and several classrooms. To save money, Mai bought wood and hired a carpenter to make tables and chairs. She also made a stable to keep goats and cows in hope of generating a steady income (Mai 115-116). Private donations from around the world, particularly the United States, have helped sustain those schools (Mai interview).

Mai says she believes education is the only way to fight feudal and tribal attitudes. She became both teacher and student at her school. Two years after the rape, she told reporters she had made it to the fourth grade (Agence France Press). To many around the

world, by continuing to live in a community filled with ignorance, Mai is the living embodiment of inspiration and the fight against the oppression of women.

Her Story

Meerwala is a small village near Multan in the Punjab province of Pakistan. In fact, it is so small that many maps do not even show where Meerwala is. The small town gained notoriety in the summer of 2002, when members of two tribes collided. Mai is a member of the Gujar tribe, descendants of buffalo herders from northern Punjab. The Mastoi clan follows its ancestry to warriors and cattle thieves from Central Asia (Curran 9). In the summer of 2002, she was living her routine life, teaching village children the Quran, when her world was turned upside down.

On the night of June 22, 2002, Mai's family reached a decision. Mai would confront the influential and aggressive Mastoi clan on behalf of her family. The powerful Mastoi had accused her 12-year old brother Shakur of "speaking" to one of their women, Salma, who was over 20. Mai claimed she knew her brother did nothing wrong, but she had to bow to the Mastoi's demands (Mai 1). Mai was told that Maulvi Abdul Razzaq, a trusted Imam, had tried to mediate the problem, but the Mastoi men would not agree to any reconciliation attempts. Her family told her that their last chance was for her to ask for forgiveness before the village jirga, or jury. Jirgas are village councils that usually exist in lawless parts of the world – where official sanctions and laws are not adhered to (Mai 13). Her family told her she was chosen because she was a respectable woman.

Shakur had been missing all day. The Gujars learned that he was behind bars at a local police station, badly beaten. When Ghulam Farid Gujar, Mai's father, attempted to

file a complaint with the police, the Mastois changed their story and accused Shakur of *zina-bil-jabar*, or having sexual relations with Salma before marriage (Mai 2-3).

Mai agreed to confront the Mastois and walked to their farm home, 300 yards away, with her father, her uncle, Haji Altaf, and family friend, Ghulamnabi. Mai recalled walking with her Quran clasped close to her chest, because she considered it her respectability and her strength (Mai 5). As Mukhtar neared the Mastoi farm, she recalled seeing anywhere from 100 to 250 men – mostly Mastois.

Mukhtar saw Faiz Mohammed, the Mastoi clan leader, as well as four men - Abdul Khaliq, Ghulam Farid, Allah Dita, and Mohammed Faiz -- all armed with rifles and a pistol. The guns were pointed at the Gujar family as they arrived. Mukhtar spread her shawl on the ground at their feet as a sign of allegiance. She continued to hold the Quran tightly and recited a verse she knew by heart (Mai 7).

Mukhtar's attempt at a peaceful resolution was greeted with silence, and then she began to recognize the gravity of the situation. The silence was broken when Abdul Khaliq, Ghulam Farid Mastoi, Allah Dita and Mohammed Faiz pushed and then dragged her into a room. She said later that she was dragged away "like a goat led to slaughter" as she screamed, "In the name of the Quran, release me! In the name of God, let me go!" (Mai 9). She later wrote that all she could see in the room was moonlight filtering through a tiny window. She claimed that she lay there on the ground as four men, one after another, raped her. She remembered losing all concept of time, and did not know how long the rapes continued. All she remembered was being shoved half-naked out of

the home and onto the ground in front of a crowd of people. Her father ran to her side and covered her with his shawl as they walked home (Mai 10).

Mai wrote that she remembered becoming a captive to her room. For three days, she left only to relieve herself. She did not eat, she did not cry and she did not speak. Rumors began spreading around the village about how the family should have engaged in a wata-sata, where Shakur would have married Salma and Mai would have married a Mastoi. Mai was blamed for her own gang rape (Mai 12-13).

The night of Mai's rape, her family returned to the police station for Shakur. Faiz had said he could be released, but not before police demanded 12,000 rupees, the equivalent of three or four months' salary. All the Gujar cousins and neighbors collected money to satisfy the bribe. When Shakur was released late that night, he told his family that he had not touched Salma, but instead he had been kidnapped earlier that day and had been beaten and sodomized by the Mastois (Mai 14). As she sat at home, reliving in her mind what had happened to her and her brother, Mai grew numb and after some time she decided to kill herself by swallowing acid. Ashamed and guilt-ridden, Mai begged her mother to buy the acid so her suffering could end. Mai wrote that she wanted to die "so that my life may finally end, since I'm already dead in the eyes of others!" (Mai 19). Her mother begged her to stop and essentially foiled her plan to commit suicide (19). She continued to pray to God, asking him to help her choose between suicide and revenge. Mai wrote later that she felt guilty for being raped, even though she knew it was not her fault (Mai 25).

Mukhtar Mai's rape occurred on Saturday, June 22, 2002. According to Mai, on Friday, June 28, 2002, Maulvi Abdul Razzaq³ gave a sermon to his congregation about the gang rape. He condemned the rapists, and said what had happened to Mukhtar Mai was "a sin, a disgrace for the entire community." He encouraged villagers to speak to the police. Mai's account of the events following her gang rape also pinpointed a local Pakistani freelance reporter who was in the congregation during Razzaq's sermon. That reporter heard about what happened and wrote about it in his paper (Mai 23). Not long after, police arrived at Mai's house and drove Mai, Shakur and their father and uncle to the police station in Jatoi, the nearest city. There, for the first time in her life, she was approached by a number of reporters. Unsure of how to react to all of their questions about everything that had happened to her, Mai found herself revealing intimate details about the rape that had forever changed her. She said, "I sense instinctively that I must take advantage of the presence of these journalists" (Mai 26-27).

As she was speaking to the journalists, a relative arrived at the police station, warning Mai to stop divulging details so the Mastois would not seek revenge. At that moment, Mai decided she would not stay quiet. She told the journalists what had happened to her and who did it. Mai then learned that the news of her rape has spread to different parts of Pakistan and the world (Mai 27). Mai told journalists that the Mastoi tribe had demanded punishment after her 11-year old brother⁴ was seen walking unchaperoned with a member of the Mastoi tribe. Journalists reported that Mai was from

³ Maulvi and mullah are different ways of referring to an imam, a Muslim religious leader.

⁴ Because there are no birth records in the villages of Pakistan, most people guess their ages. His family gave Shakur's age at the time of the rape as 11-12. Curran claimed that he was 15 at the time and Salma's age as 20-21, not 30 as it was reported by some reporters (Curran 302)

the lower-class Gujar tribe (Birmingham Post 13). The Human Rights Commission of Pakistan was cited in article after article, demanding an end to punishments by tribal councils, saying there were an increasing number of incidents of “terrible atrocities” against women in Pakistan (The Gazette D14).

Mai said the unusual publicity pushed the provincial government of Punjab to ask local police to file a report immediately - saying a full jirga rejected the advice of a local mullah (Abdul Razzaq) and condemned a woman to be gang-raped. Mai’s father supported her growing will to fight back, although she did not know much about her rights. All Mai knew was that women were objects of exchange from birth to marriage – objects who had no rights. She recalled not even knowing that Pakistan had a constitution and laws written in books. She had never seen a lawyer or a judge until that point. She had no concept of a legal system outside of the jirgas or panchayats⁵ that existed in the lawless regions of Pakistan (Mai 28-29).

When it was time for Mai to be questioned by police, she felt suspicious. She stated that the officer writing down her answers repeatedly left to consult a superior whom she never saw. Each time he returned, she watched him write a few lines although she spent a great deal of time talking. Once he was finished writing the statement, the officer had Mai dip her finger in ink and press it at the bottom of the page to serve as her signature, since Mai could not read or write. The officer never read what he wrote in the

⁵ Jirgas are tribal juries. Panchayats are another way of referring to a tribal council; it is specifically a council of elders representing all tribes in the area. Mai said a panchayat issued the order of rape. Curran said that night there was an akath, a gathering of men which did not have the role of mediating disputes (Curran 264)

statement. She wrote that she later learned he had falsified information and included a false date in the report (Mai 29-30).

In her book and in interviews with journalists, Mai claimed that the verdict of raping her was made by a jirga in the presence of her community. She claimed that her father and uncle heard that verdict, but had hoped that would not happen. She felt ashamed about what was done to her, and she felt even more shame having to discuss the details with male officers. Mai said there were almost no women in the police and judicial system near her. Not long after returning home around five that morning, the police arrived at her home again. This time, she was taken to the county police headquarters for “formalities.” Mai began to think that the police were afraid of more journalists arriving (Mai 32-33).

Mukhtar Mai and her family were taken to a judge’s home, where she was interviewed for an hour and a half. The judge told Mai to tell the truth and to not panic. He encouraged her to speak about the details of the rape. He questioned everyone involved and then told Mai to not give up. The next day, news reporters, human rights organizations and complete strangers gathered in front of Mai’s home. Mai did not know how they found out about what was happening or how they got there. For the next four days, Mai’s home became the center of dialogue (Mai 42-44).

She told journalists that her screams had been drowned out by laughter and jeers from a crowd of 500 people as gunmen dragged her into a mud house.⁶ She told

⁶ The first article reported 1,000 onlookers. Mai’s account of how many people were present during the rape also changed throughout the two-month coverage of the rape to between 100 and 500.

journalists she was raped in turn by four men, including a member of the jirga, or jury.

In an interview with reporter Zahid Hussain, she said she begged and pleaded with the men to let her go, but they were like animals. She recounted that one man put a gun to her head while the others tore her clothes. Mai said her father and uncle heard her cries, but could not do anything in the midst of hostile armed Mastois. In that interview with Hussain in July 2002, her father was quoted as saying, “we are poor people and cannot think of taking them [the Mastois] on” (Hussain 15). Mai said she wanted her rapists to be publicly hanged.

Villagers told journalists that the use of gang rape as a device to avenge “honor” was very common in the area. Reporters also cited a recent local newspaper article in which a young girl in the area killed herself after being gang-raped (Hussain 15). Mai was still sensitive to recounting intimate details over and over about the rape. Nonetheless, she revealed information about the rape case. Journalists, in turn, told Mai about other rapes and acts of violence occurring around the country. She discovered that the media attention and human rights organizations gave her strength and protection from the Mastois, who lived just a few hundred yards away. She began to see herself as a symbol. Mukhtar Mai decided she wanted to fight for the women who suffered in silence (Mai 45).

The press continued to cover Mai’s story because she was the first person in the country to put a tribunal system of justice on trial. In the days following the start of the media circus, Mai learned what a television was after her uncle bought one from Karachi. At the same time, villagers began spreading rumors about Mai, saying she was an

embarrassment and should have been ashamed to speak out. Parents stopped sending their children to Mai to learn the Quran (Mai 47-49).

Not long after, the district magistrate summoned her. Mai, her father, Shakur, and the mullah were taken to the town of Muzaffargarh. When she arrived, Mukhtar saw the two officers who told her to lie and forced Mai and her family to sign blank sheets of paper with their fingerprints. She told the prefect what the officers did. A few days later, Mukhtar returned to Muzaffargarh, but this time a doctor met her. The Mastois were filing their own charges that Shakur raped Salma, but Mai saw this as the time that she could prove what happened to her (Mai 52).

A doctor had already examined Mukhtar on June 30. The physician in Muzaffargarh confirmed Mukhtar suffered internal injuries and that she had been raped (52). The doctor also took a DNA sample from Shakur to see if he raped Salma. Shakur told the judge in Muzaffargarh that three Mastois kidnapped him and sodomized him. He claimed the men then dragged him into a room at the farm and beat him, raped him again and handed him over to police. Shakur also underwent an examination for rape (Mai 55).

The next day, Mukhtar and Shakur were taken to the hospital. Mai was then taken to a neighboring office belonging to the president of the general council. There, a female government minister handed Mai a check for half a million rupees - the equivalent of about \$8,000 at the time. Mai, suspicious of the check, claimed she crumpled the check and then dropped it to the ground. Mai told the government minister she did not need a check - she needed a school for girls because Meerwala did not have one. The government minister, who was sent by then-President Pervez Musharraf, tried to calm

Mai. She told her she would get her school, but for the time being, she had to take the money so she could hire an attorney. Mai finally accepted the money (Mai 56-58).

On July 4, 2002, human rights groups held a demonstration in Pakistan, demanding justice for Mukhtar Mai. The judiciary criticized police for taking too long to register her complaint and for forcing her to sign a blank document. A judge told the press there was no way for police to have not known about the gang rape before Mai pressed charges on June 30. He called the jirga's decision a disgrace. Pakistani government officials also began making statements to the media about the case. The country's minister of justice stated on British television that the verdict of the jirga should be considered an act of terrorism.

The government of Pakistan treated Mai's case as an affair of state. Two members of the Mastoi tribe had been arrested on July 2, and four others were on the run. Policemen surrounded Mai's home for protection because she was afraid the Mastois would retaliate. Police arrested 14 Mastoi men within days of international media breaking the story. The case was in court just weeks later (Mai 60-61).

Mai felt that had it not been for the hoards of human rights organizations, groups opposing violence against women and NGOs supporting her openly and forcefully, the media would not have given so much attention to her case. After all, it was common to hear of men quarreling, only to resolve their issues by cutting off a woman's nose, burning a sister, or raping a neighbor's wife (Mai 67).

An antiterrorism tribunal, a special court in Dera Ghazi Khan, heard the case more than three hours from the village of Meerwala. The weapons found in the Mastoi's

farmhouse justified the antiterrorism tribunal. The antiterrorism tribunal ensured that Mai would not need to provide four eyewitnesses to her rape, as required by Sharia law (Mai 64-66). It also ensured that the case would not drag on for months or years, as it would have in an ordinary tribunal. Mai expected a quick decision to calm both public opinion and the national and international media, which had continued to criticize the lack of legal rights for women in Pakistan, based on that nation's reliance on traditional tribal customs (Mai 67-68).

The sentiment among the Mastois was that the accused rapists would be freed, because until that point, no man had ever been punished for a "crime of honor." Three attorneys represented Mukhtar Mai, and the 14 Mastois suspects had nine attorneys. The defense repeatedly called Mai a liar, saying she invented the tale of being raped. The Mastois had claimed they offered a wata-sata: an exchange of women. In this case, the exchange offered was Salma for Shakur in exchange for Mukhtar Mai and a Mastoi man.

The Mastois claimed that Mai's father and uncle refused to go along with the deal (Mai 68-69). During her testimony, Mai recounted the events from the night of June 22. She said one man said that she must be forgiven while another one immediately countered, saying she must be raped. During the trial, Mai learned about the contradictory information that was in the police statement she stamped with her fingertip. The hearings were held behind closed doors as reporters waited outside (Mai 70-71).

On August 31, 2002, the court delivered its verdict. Six men were sentenced to death and fined 50,000 rupees in damages and costs. Four suspects were convicted of raping Mukhtar Mai and two men were convicted of instigating the rape as members of the jirga. Eight others were set free. Mukhtar Mai held a press conference outside the

courthouse, saying she was satisfied with the verdict, but she still wanted the eight freed Mastoi men behind bars. The six convicted men vowed to appeal their death sentences (Mai 73).

Mai told journalists she was not at the courthouse for the sentencing because her family received a number of death threats. Mai told reporters that God finally had given her justice and that, “if courts start giving decisions like this, I am sure rapes will be reduced, if not stopped totally” (The New York Times 8A). This was a symbolic victory for a woman who, just a few months earlier, was unknown to the world.

Chapter 4

Bronwyn Curran's Story

In 2008, Bronwyn Curran published a book titled *Into the Mirror: The Untold Story of Mukhtar Mai*. Curran was working as the news editor for the Agence France Presse in the summer of 2002. She was in charge of news coverage of Pakistan and Afghanistan for the following three years (Curran 2). Curran took credit for bringing the Mukhtar Mai story to the international arena. However, in the years following the trial, Curran retraced her footsteps through Meerwala. She interviewed players on both sides of this story. She also was able to obtain Mai's court case transcripts, statements given to police, medical reports and lists of evidence and judgments from the 2002 trial and the 2005 appeal trial. In her book, Curran recreated the events of June 22, 2002, and arrived at a very different conclusion about what happened that night.

Curran was in her Islamabad bureau on July 1, 2002, when she received a fax from an AFP stringer, Abdul Sattar Qamar (Curran 6). His job was to sift through the pages of newspapers in Pakistan and find relevant stories for AFP to distribute internationally. The morning of July 1, Qamar was in Multan, beginning his weekly routine by reading through an array of Pakistani newspapers. Violence toward women is not unheard of in southern Punjab. In fact, it is quite common to hear about men chopping off women's noses, ears or legs, or men marrying young girls to old men to save their men from prison. Qamar would select certain stories, check the facts, and then file the reports to the AFP bureau in Islamabad (Curran 12).

That Monday morning, Qamar took notice of an article in the *Daily Khabrain* (Daily News) newspaper, based in Multan. It appeared as though a woman was gang-

raped, but the rape was executed as a sentence on the orders of a tribal council, also known as a panchayat or jirga. Qamar continued to follow protocol and immediately called the Jatoi police department, which was about 75 miles away from Multan. The officer at the Jatoi police department confirmed the disturbing details of Pakistani journalist Mureed Abbas' story. Qamar then typed out the details of Abbas' story on Mai's gang rape and faxed it to Curran at the AFP bureau in Islamabad Monday afternoon (Curran 12).

Curran originally brushed off Qamar's fax as another sad story about the brutality and violence Pakistani women encountered. Curran remembered that stories Qamar faxed her about atrocities against women were often stored away, in part because the process of finding the truth of what happened in remote villages was too time-consuming and complex. But Curran reviewed the fax once more with a colleague, Amal Jayasinghe. The story told of a medieval-style jury of tribal elders ordering the gang rape of a woman to retaliate for the sins of her younger brother (Curran 12-13).

Curran kept re-reading the fax. She recalled that the tale was "irresistibly compelling" because it fit her perception that brutality against women was rampant in rural Pakistan. It was also proof her worst fears of an eye-for-an-eye tribal justice system existed in Pakistan. At the time, Mai's age was reported as 18, and her brother's 11. Curran had another AFP employee contact Qamar to verify the details to ensure Qamar had personally made contact with investigators on this case. Qamar explained that the Jatoi police actually read to him Mukhtar Mai's thumb-printed statement and the charge sheet. Once the details were confirmed, Jayasinghe and Curran typed a 239-word

dispatch. That day, the world learned about a poor woman who was sentenced to be gang-raped by a tribal jirga, or jury (107).

In her book, Curran provided readers with the original 239-word dispatch that she claims to be the first revelation of Mai's story to the international press:

PAKISTAN-RAPE

Gang-rape of teenager ordered as punishment for brother's sins MULTAN, PAKISTAN, JULY 1, 2002 (AFP)-A teenage girl was gang-raped in central Pakistan last month as "punishment" meted out by a tribal jury for her brother's alleged affair with a woman of a higher tribe, police said Monday.

A Panchayat or tribal jury ordered four men, including one of the jurists, to rape the 18-year-old girl on June 22 in the village of Meerwala, 120 kilometers (75 miles) southwest of here, police said.

Meerwala lies 610 kilometers southwest of the capital Islamabad.

District police chief Malik Saeed Awan said authorities were informed of the publicly-ordered gang-rape several days after the incident.

He said four men took turns to sexually assault the girl inside a room. She was then ordered to return home naked before 1,000 onlookers.

The rape was to avenge the "insult" caused to a family of the Mastoi tribe by the girl's brothers' alleged "illicit affair" with a woman of a higher social standing.

The girl and her brother were from the lower Gujar tribe.

The Panchayat had threatened that all women in the accused's family would be raped unless the 18-year-old submitted herself to the public gang-rape.

Awan said police were taking action against members of the Panchayat.

Lawyers visiting the tribal area on Sunday urged the authorities to prosecute the rapists and the jury.⁷

News is transmitted by international wire services in a matter of milliseconds.

Around eight that evening, the AFP editing desk in Hong Kong released the story. On

⁷ Curran, 107

Tuesday, July 2, the AFP story landed in Pakistan's English language press: *The Nation*, *The Daily Times*, *Dawn* and *The News* (14), the same day the AFP story was printed in *The New York Times* (The New York Times 12). On July 3, local reporters journeyed out to the tiny village of Meerwala and eleven days after the rape, Pakistani President Pervez Musharraf, the Supreme Court of Pakistan and the government of Punjab stepped in. Officers in Jatoi were moved or suspended and Mukhtar Mai was given a check for half a million rupees (Curran, 108-110). Curran admitted that the first story she every published on the rape was a reminder to her of "the slowness of reaching the truth," especially for a story founded in a third world village. She blamed the illiterate community, the language barrier, and police who were "ill-equipped and confused" (Curran, 14).

On June 22, 2002, the men of the Mastoi tribe were at a funeral. Shakur's father, a woodcutter, was at work. His brother was in a distant field and his sisters were at home (9). Something happened that day, and different versions of the story exist. Salma alleged that Shakur raped her. Shakur alleged that three Mastoi men raped him. Mukhtar was taken to the Mastoi home that night.

One version of the story was that four men raped Mai in retaliation for her brother's deed. The other version was that Mai was married to Salma's 21-year old brother to compensate for the alleged rape of Salma (Curran 10). Somewhere between the two versions, the truth exists – and the jury is still out on what that truth is.

The Mastois' Side of the Story

Bronwyn Curran interviewed the Mastoi women in November 2005, three years after the actual rape. Taj Mai Mastoi was in her 60s. Two of her sons were accused of

raping Mai, and another son was convicted of raping Shakur. Four of the brothers and two of the sons-in-law were accused of sanctioning the gang rape of Mai. Taj Mastoi's husband, Imam Baksh Mastoi, died in 2002. At the time of Curran's visit, she alone was taking care of 18 children and women. Two other women in the family joined Taj Mai in picking cotton and cutting wheat on the field of landlords for less than a dollar a day (Curran 36). Initially, Taj Mai was furious with Curran's request for an interview. She lambasted the one-sided media blitz surrounding the case. Taj Mai told Curran, "You come here to talk to me, but I don't want to talk to anyone! There is no justice for me. No one wants to hear or tell our reality" (37).

When she finally agreed to the interview, Taj Mai recounted a very different story than the one the world came to know about in the summer of 2002. Taj Mai claimed that Mukhtar Mai was married to her son Abdul Khaliq in a verbal nikkah ceremony (religious Muslim marriage) on the night of June 22, 2002 (36). She claimed that Mai spent three nights in Abdul Khaliq's room as his bride, and that the marriage had been consummated.

The Mastois said that the marriage was to offset the "rape" of Salma, and that is why they never reported the rape to police, because the issue had been resolved as far as they were concerned. Taj Mai cursed the international media for glorifying Mukhtar Mai, and for only telling one side of the story. Contrary to the press coverage at the time of the rape, Curran made the argument that the Mastois were not the powerful, wealthier tribe that lived across a sugar cane field. According to Curran, the Mastoi home was engulfed in poverty, with only two emaciated goats and two thin cows comprising their herd of livestock. Curran observed that the Mastoi family had no food and no money (Curran 37).

Maqsooda, the wife of Allah Ditta, said that on June 22, she heard Salma screaming. When she finally found her, she saw that Salma was beating Abdul Shakur with a sickle because he tried to do something inappropriate with her. Maqsooda then threw Abdul Shakur into a room and locked the door. She told Curran that Shakur broke a window and tried to escape. Maqsooda caught Shakur and locked him in the room once again. Once the Mastoi men arrived, she told them that she had caught Shakur “raping” Salma (Curran 38).

The Mastoi women said Shakur’s father, uncles and Maulvi Abdul Razzaq arrived at the home that day with an officer, asking them to release Shakur and to not press charges for what they alleged that he did. The Mastoi men agreed if the Gujars delivered one of Shakur’s sisters in marriage for the rape of Salma. The Gujars offered Mukhtar Mai and the verbal nikkah took place that night, according to the Mastoi women.

The Mastois claimed that Mai’s father, brother, and uncle witnessed the nikkah (verbal Muslim marriage). They told Curran marriages were conducted verbally in the early days of Islam. Eleven days later, Mai underwent a rape test after filing a police report. The Mastois claimed that any semen found would have been that of Abdul Khaliq, her husband. Nonetheless, the Mastois alleged that police found traces of semen after Mai’s rape test and immediately started making arrests. A total of 14 Mastoi men were arrested (39-40).

Curran claimed that while the Mastois were poor, Mukhtar Mai’s family was actually well connected and backed by the Jatois, the wealthiest and largest of the old tribes in that part of the world. They also had the support of the Imam (Islamic preacher)

with the biggest mosque in Meerwala, Maulvi Abdul Razzaq (Curran 41). But the media, and AFP in particular, consistently referred to the Mastois as a “powerful clan” or “higher caste tribe” (Table 2). The core of Taj Mai’s bitterness was directed toward Maulvi Abdul Razzaq. The family referred to him as the “architect” of the rape case. There was bad blood between the Mastois and the religious leader.

The Imam and the Journalist

Maulvi Abdul Razzaq served as a critical starting point in the spread of Mukhtar Mai’s story. Without his June 28, 2002 sermon, so many people may have never known about the gang rape. Without his persistence, the Gujars may have never gone to the police. He told Curran in a 2006 interview that he did register the case with police and drafted the statement on Mai’s behalf.

Razzaq’s motivations for publicizing the rape claims and then pursuing charges became a source of contention in both the trial of August 2002 and the appeal hearing in 2005 that acquitted five Mastoi men (43).⁸ Razzaq’s brother, Haji Altaf Hussain, testified in 2002 that he witnessed Mai being dragged into the Mastoi home by four men and then he watched as she was thrown out an hour later in torn clothes. Razzaq and Altaf lived in the same home at the time, but Razzaq insisted that he walked away from the gathering on the night of June 22 and knew nothing about Mai’s gang rape until six days later (Curran 44).

Razzaq said he was teaching the Quran to students in the Farooqia madrassa (religious school) in the days following the rape. He told Curran he heard about the rape a

⁸ The Pakistani Supreme Court reversed this decision in 2005 (The Express Tribune)

week later, on Friday, June 28, when a Mastoi told him about the gang rape. The religious leader then revealed all the details to his congregation, including who the perpetrators were. After the sermon, Razzaq drove with a few people to Ghulam Farid's home to convince him to press charges. He wanted Farid to know he was not alone. He said he tried to talk to the woodcutter about what happened to his daughter, but he did not want to discuss it. He told Razzaq it was not truth. Razzaq left him alone (Curran 45).

According to Curran, the Friday sermon quickly spread through teastalls and bazaars in Meerwala. She referred to Mureed Abbas as a "small-town human rights activist and a wannabe freelancer" who was at a shop with two other aspiring reporters when he heard about the details of the sermon (46). Curran claimed all three were eager to establish themselves as journalists and they wanted a piece of this story. The next day, June 29, Mureed Abbas approached Abdul Razzaq about the gang rape. Razzaq invited Abbas and his two friends to talk to Mai's father to make another attempt at convincing him to go to the police. This time, the father agreed. According to his testimony in court in 2002, Mukhtar Mai and her father arrived at Razzaq's home the next day, Sunday June 30, ready to file charges (Curran 47-49). At the appeals hearing in March 2005, the defense argued that Mai's family never wanted to go to the police. They said that Razzaq pressured the Gujars to file charges.

During that appeals hearing in 2005, Razzaq's strained relations with the Mastois were brought to light, as was his prior connection to the extremist group, Sipah-e-Sahaba, Army of the Companions of the Prophet. The Mastoi men's attorneys argued that Razzaq concocted the story about the rapes in order to seek revenge from the Mastoi tribe (53-54). According to the Mastois, Razzaq was the architect of the Mukhtar Mai rape story

and he falsified information to retaliate against the Mastois for attempting to take his land in past years and because they had attempted to force him out of his mosque for allegedly harboring terrorists (55).

Mureed Abbas was the first reporter to publish a story on Mukhtar Mai. When pushed for answers, a Mastoi elder demanded he stop asking questions. It was too late. Abbas found a story that fit his worst nightmare of what powerful men did to women. Abbas claimed he and two of his fellow reporters went to a police station the weekend of the sermon to push police to file a report (56). He said the police report was filed Sunday evening, as the prosecution claimed.

In an interview with Curran in 2005, Abbas said he took Mai to the police department on June 30, and police loaded Mukhtar, her father and Shakur into a police van and drove them to a police station in the neighboring city of Jatoi. In July 2002, Mukhtar and her father told a magistrate that they arrived at the Jatoi police station that night and police reports were already completed. Abbas said those statements had been drafted by Razzaq.

The Jatoi Rural Health Center was closed late Sunday night, so Abbas told Curran he drove to Dr. Shahida Safdar's house sometime after 8 p.m. and drove her to the hospital on his motorcycle. He said the doctor unlocked the Health Center and by 10 p.m., she had examined Mukhtar. Curran claimed that Abbas had already filed a news report to three newspapers in Multan detailing a gang rape on the orders of a tribal

council. Curran accused Abbas of finding the doctor because he wanted to ensure the case was registered so his story would not be affected (Curran 56-57).

Dr. Shahida Safdar examined Mai at the Jatoi Rural Health Center eight days after the alleged rape. She took nine vaginal swabs, sealed them in three vials and handed them to a constable for dispatch to the chemical examiner in Multan, the closest large city about 75 miles away. Dr. Safdar noted a healed abrasion 3 x 1 cm on the right buttock and a healed abrasion 1.5 x .5cm on the vaginal area (Curran 50).

In Multan, a chemical examiner analyzed the swabs. A week later, he submitted a report to police confirming that the swabs were stained with semen. With those findings, Dr. Safdar ruled that Mai had been raped. At the trial, police testified that they went to Mai's home and questioned her family and Razzaq. An officer asked Mai for her clothes the night of the rape. The officers testified that Mai said she would provide them the clothes the next day.

Razzaq collected her clothes and delivered them to police the next day, but the clothes were never examined for semen. The officer had no explanation for why the clothes were not tested (Curran 50-51). And while DNA testing was available in Pakistan at the time, no DNA tests or semen analyses were carried out to find a direct link between the defendants and the semen found on Mai's swabs (Curran 119).

While at the Gujar home on June 30, police learned that Shakur had claimed to be sodomized by three Mastoi men. The officer took Razzaq to police, after which Deputy Superintendent Saeed Awan ordered that sodomy charges be filed against the three men. Shakur was examined on July 3, 2002, at the Jatoi Rural Health Center for signs of

sodomy. Dr. Fazal Hussain noted ‘marks of violence’ on the area between the scrotum and anus. He also noted that parts of the anus were callous or hardened and that there was a tear on the inner lining of the anus. The doctor also noted two healed cuts on Shakur’s chest and a stitched wound measuring 2.5 cm on his head (Curran 52). On July 3, Razzaq filed another police report against the Mastois for the rape of Abdul Shakur.

The doctor sent two anal swabs to a chemical examiner in Multan to have them checked for semen. Before the results were delivered, the doctor ruled that Shakur had been raped. Eight days later, the chemical examiner issued a report stating no semen was found. While on trial, the defense asked Dr. Hussain if there can be no symptoms of sodomy after 10 days and he said that was correct.

Shakur was examined 11 days after the alleged sodomy, but Dr. Hussain insisted that the signs and symptoms he viewed were the result of sodomy. The defense accused Dr. Hussain of issuing a false medical report in response to pressure by the government and police. He denied the accusation (Curran 52-53).

Why Curran Believes the Rape Case was Fabricated

Curran does not believe Mukhtar Mai was ever raped. Below are the conclusions she arrived at after interviews that took place between 2004 and 2006.

Curran took issue with who reported the gang rape to police. Neither Mai nor her family initially reported the crime. Maulvi Abdul Razzaq and reporter Mureed Abbas pushed them to do so. Curran accused both of having separate but personal agendas. Curran also took issue with Razzaq’s role in the whole case. She said the religious leader

had a murky past, with links to an extremist group. The Mastois called Razzaq the “architect” of the gang-rape charges and Curran believed them.

According to Curran, Razzaq brokered the watta-satta deal between Shakur and Salma and Mai and Abdul Khaliq and he was furious when the Mastois went back on their end of the deal because of Shakur’s claims of being gang-raped. He announced the rape to his congregation one day after Salma’s marriage to her cousin. After the sermon, Razzaq tried to convince Mai’s father to file charges on two occasions. He finally went to police himself (Curran 267-269).

Curran stated that medical science asserts that it is possible for non-motile sperm to remain inside the vaginal cavity for 17 to 21 days and that it is plausible that internal swabs would be stained with semen eight days after a rape. But the doctor who examined Mai eight days after the gang-rape took nine vaginal swabs to test for any semen. Three of those were internal swabs, three were external and three were from the posterior fornix. One week later, the chemical examiner reported that all the swabs were stained with semen. A prosecutor apparently told Curran in a private interview in 2006 that the possibility of semen remaining on the body externally after eight days of toiletry and ablution was dim and that the chemical report was an embarrassment to the case. Under cross-examination, Mai did say that she had used the toilet and washed herself in the eight days between the attack and the medical exam. The prosecutor, who asked not to be identified, said the fact that all the swabs, not just the internal ones, came back stained with semen showed how much pressure officials were under to manipulate evidence to get a conviction (Curran 259-260).

Curran said there was no medical proof of gang rape because there was no DNA or semen group-analysis performed, even though health officials claimed nine swabs were stained with semen. These tests are available in Pakistan and they are used in rape cases. The doctor who performed the examination on Mai concluded in her initial report that Mai had been raped before the results of the swab tests returned. Instead of collecting semen samples from the accused men at the health clinic, police requested prostatic massages to link the suspects to the rape. Prostatic massages essentially determine whether a man is able to have an erection. All four suspects passed the “Potency Tests” and the reports concluded they were capable of performing a sexual act (261).

Mai’s clothes were also never tested for DNA. According to Curran, Mai initially declined to provide the clothes she wore at the time of the gang rape. Police did receive the clothes a day or two later, but did not have them tested. Curran argued that the clothes should have contained traces of semen if the rape had occurred because Mai told the court under cross-examination that her “private parts” were not wiped clean between each assault and that she wrapped her scarf around her legs and waist when it was over (Curran 260-261).

Curran observed that the Mastois were and are the poorest families in the village – poorer than Mai’s family. Curran stated that during the trial, police investigators conceded that Mai’s family was financially better off than the Mastois. Curran said Mai’s family had the backing of the Jatois, the most powerful tribe in Meerwala and Abdul Razzaq, one of the most powerful figures in the local community.

Curran also argued that there was no tribal council or panchayat that ordered the gang rape because there was a gathering of only one tribe, the Mastois. They had gathered because they had a funeral earlier in the day. Other Mastois arrived over the next few hours as a crisis evolved over how to deal with Shakur's violation of their girl's honor. An akath is the gathering of one tribe and a panchayat is a council of elders representing all tribes in the area. An akath does not issue verdicts like a panchayat, nor does it mediate disputes like a panchayat. It is not a tribal council or jury (Curran 264-265).

While both the defense and prosecution agreed that the men in her family delivered Mai to the gathering of Mastois, both sides disagreed on what context she was brought to the Mastois' home. The Mastois claimed the Gujars were partaking in the "rukhsati" or delivery of the bride by the men in her family to the groom's family. The Gujars say she was brought by the men in her family to seek pardon on behalf of her brother for allegedly raping Salma Mastoi. Each side denies the other's claims (Curran 270).

Unfortunately, all of the events Curran disputed in her 2008 book were from 2002, when the international firestorm erupted in Pakistan. None of these details were reported in the international press before the trial began. One must question how public opinion would have differed had Curran done this extensive reporting in 2002.

Mukhtar Mai's Response

In a personal interview via telephone in 2011 between the researcher and Mukhtar Mai, she said that at the time the case broke the media overwhelmed her because until

that point, she had no idea what media was. Before the case, she spoke only Seraiki, a Punjabi dialect spoken in her village. She had never picked up a newspaper or watched a newscast.

She said when journalists from all over the world started to ask her about the most horrific thing that had ever happened to her in her life, she did not know how to respond. Mai recalled that back in 2002, she sometimes resented the media for their inquiries and the resulting stories about all her personal affairs, but now she is grateful to them for all the support they garnered for her.

Mai denies that Razzaq was any “architect” behind the charges. She said he did have an issue with a man from the Mastoi clan – but he was not one of the suspects involved in the case. She said she is very upset by what Bronwyn Curran alleged in her book and she welcomes anyone to travel to her village and talk to her townspeople to find out what happened. Mai said, “First, it used to upset me a lot. But then I say God is watching everything. God watches, right? He is also the one who provides respect” (Mai interview).

Mai said she is a public figure now; her life is an open book, and so she does not hide anything from the media. She said the media treated her well and provided her with a lot of strength and support. She said the media are the reason she is standing today. At the time of this interview with this researcher, the Pakistani Supreme Court was hearing Mai’s case and all 14 men were still behind bars. Mai recalled Curran interviewing her at her home in Meerwala with a translator who spoke Urdu that Mai had difficulty understanding because her Urdu was not as polished at the time.

Remembering the language barrier, Mai questioned what Curran quoted from their interview. Mai said Curran would not give her any of the profits from the book about her rape, which upset Mai, and she has not had contact with Curran since. She did not know that Curran had published a book, nor did she know the contents of it. She said she would have her attorney read the book and decide if any action needed to be taken (Mai interview).

Chapter 5

Analyzing the International Media Coverage of the Mukhtar Mai Rape Case

For journalism ethicist Stephen J.A. Ward, ethical principles are man-made restraints on social behavior. Something is right or wrong, he argues, if it honors or violates principles that are agreed upon by equals (Ward 6). Codes of ethics are voluntary guidelines agreed upon by their respective equals on an honor system.

Ward offers three foundational principles for global journalism ethics. The first is claim of credibility, the claim that all journalists have an ethical obligation to provide their audience with credible news and analysis, within which the public should have ability to question procedures and authenticity (Ward 10).

The second principle is the claim of justifiable consequence. Ward stresses that journalists should be able to justify the significant consequences of their actions. This is not what readers and viewers expect journalists to provide, but rather this principle is asking that journalists consider the potential harm caused by their reports. Journalists are asked to take care about publishing false or exaggerated reports that can cause harm. Within this second principle, Ward offers three potential consequences that could justify pursuing a story: (a) If the consequences are insignificant or ethically neutral; (b) if the consequences are beneficial to individuals or society; (c) if the consequences are harmful but necessary, given journalism's social functions (Ward 11).

From an ethical perspective, Ward asks if the harm outweighs the benefits. He feels that the story should be published if not publishing would cause greater harm, if it

would amount to censorship or if it would be seen as a failure to inform the public. He says that the claim of justifiable consequence does not state that journalists should avoid reports that cause harm (11).

The third principle is the claim of humanity. Here, Ward details this principle as one in which journalists owe their primary allegiance to all of humanity, not to parts of it. In other words, Ward feels that journalists owe credible and justifiable journalism to all prospective readers and viewers in the world. The reason the world is stressed in the claim of humanity is because Ward wants journalists to learn to be loyal outside the boundaries of their own city or country, and instead feel responsible to their own, to foreigners and to mankind (Ward 12).

If Ward's three foundational principles were applied to this case, the outcome of the initial media coverage may have been considerably different. Within the claim of credibility, journalists did their job by interviewing Mai and local authorities and human rights officials, but they lost credibility by not interviewing the Mastois or including why the Mastois' side of the story was not included.

Within the claim of justifiable consequence, journalists should have understood the consequences of their reporting and how that would affect the legal proceedings in a third world country that had too much to lose if the men were not convicted. Journalists should have taken care to not convict the men before the trial started. Finally, the claim of humanity demands that journalists not only have an obligation to the victim of an alleged rape, but to the suspects as well.

There are some ethical guidelines one can abide by: Aristotle's Mean, Kant's Categorical Imperative, Islam's divine commands, Mill's principle of utility, Rawls' Veil of Ignorance, the Judeo-Christian person as ends, and Nel Noddings' Relational Ethics (Christians et al. 12-15). By systematically approaching these ethical guidelines, it is clear that Kant's Categorical Imperative partnered with Ward's three foundational principles is the most appropriate form of ethical reasoning until proper enforcement of international media ethics is established.

While each ethical principle can be applied in this case, none offer a more concrete form of ethical reasoning as Kant's Categorical Imperative. What is right for one is right for all (15). Journalists should approach the underlying principle of their decisions by asking themselves if they want it applied universally. Journalists have a responsibility to have integrity in their work and abide by the highest ethical standards, which is what Ward demanded with his three imperatives for journalists: act as global agents, serve the citizens of world and promote non-parochial understandings (Ward 14-16).

Agenda Setting Effects On Ethical News Reporting

Once the rape charges were filed and Maulvi Abdul Razzaq announced what happened to his Friday congregation, the rest of this story became history in the international press arena after Curran published her wire report on July 1. Journalists from all over the world traveled to the tiny village of Meerwala to hear Mukhtar Mai's story. No matter how many resources were in place in Pakistan to cover this story, the information was a second-hand reality.

People do learn from the mass media. In this case, the media's agenda played a pivotal role in the ethical reporting of this story. Throughout the international coverage of this story during the summer of 2002, the media were quick to point out that it was because of media attention that Pakistan pushed this case through the court system (The Gazette C15), delivering guilty verdicts and sentences within two and a half months of the crime.

This story was selected out of the many "honor crime" stories because it appeared as if a tribal jury had issued a verdict for a woman to be raped for the alleged crime of her younger brother. This contributed to the "pseudo-environment" to which Lippmann had referred (Lippmann 15). The reality was that this was one of just many atrocities that happen in that country. The media were able to keep this one from drowning in the barrage of human rights stories from around Pakistan.

That raises the question – did public opinion respond to their respective environments or the "pseudo-environment" the news media created with their coverage of this story? In this case, it appears to be both. Human rights activists have been keeping a close eye on crimes against women in Pakistan. This case gave them a platform to stand on, and a woman to use as the "poster child" for honor crimes. Public opinion came flowing in -- outraged at how something like this could happen. But in a country where some women are bartered and raped to settle tribal disputes, it really was not that far-fetched.

Since most people rely on the news media as their primary source of information about foreign policy issues (McCombs 12), McCombs pointed out that there was

evidence of the importance of foreign affairs rising and falling in response to media attention in the United Kingdom and the United States. With 88% of the international media coming from the United Kingdom and the United States, Pakistan knew its image could not handle the negative press. The government, in turn, made sure this case was rushed through the court system – and officials made sure a verdict that would please the world was issued – whether or not they believed the gang rape happened, whether or not they had a strong case. *The Times (London)* and *The New York Times* both provided intense coverage of this story, and each one has a significant impact in their respective countries on the salience of foreign affairs.

In the Mai rape case, some people around the world may have felt they did not understand much about tribal laws and customs, creating a high level of uncertainty. The issue was not relevant to a lot of people, but people may have felt it was relevant if they were a woman, a survivor of sexual assault or simply passionate about human rights. High relevance and high uncertainty define a high need for orientation, making the media agenda and public agenda very comparable. Agenda-setting gains strength as the need for orientation rises.

The Mai rape case was a strictly unobtrusive issue because readers and media audiences did not experience it directly. For unobtrusive issues, when personal experience is not enough, the media agenda becomes the primary source of orientation (McCombs 62) – and the need for orientation is satisfied through use of the mass media. The more exposure an individual has to the media, the more influential the media are. Individuals with a high need for orientation are more likely to turn to newspapers or web sites because those media offer more detailed information (McCombs 64-65).

McCombs explains that the unit of analysis on each agenda is an object, which is another word for “public issue.” Communication is a process that can include any set of objects or a single object competing for attention among journalists and audiences. Each object, or public issue, has attributes or characteristics and properties that fully explain each object (69). Attributes refer to those properties and traits that characterize an object.

A crucial component of the news agenda and its set of objects are the attributes that journalists and then the public have in mind when thinking and talking about each object. The first level of agenda setting is the transmission of how important an issue (object salience) is. The second level of agenda setting (attribute salience) refers to how these news agendas of attributes influence the public agenda (70).

While traditional agenda setting is focused on gaining attention, attribute agenda setting is focused on comprehension. Attribute agenda setting looks at which aspects and details of the issue are important to the audience. Second-level agenda setting suggests the media not only tell us *what* to think about, but they also tell us *how* to think about some issues – in turn, telling us what to think. Some attributes are emphasized more than others in the news. It is important to know how the public, in turn, thinks and talks about those issues. Attribute agenda-setting focuses on how the news media shapes public opinion on current events (78). It is the agenda of attributes that define an issue and sometimes tilt public opinion toward a certain perspective or solution. Controlling the debate on any issue is the ultimate influence on public opinion (82).

Analyzing the Coverage

To understand the international coverage of this case, the researcher examined 101 articles and wire service stories that were published between July 2, 2002 and September 4, 2002. In Table 1, news organizations are provided along with their respective headlines, authors, article length and location and the sources cited. Table 2 provides a deeper look at the media coverage with Gujar and Mastoi attributes produced in each story, as well as additional information that news organizations offered.

Of the 101 articles sampled, 21 touched on the Mastoi's side of the story or their 'not guilty' pleas. Four of the articles touched on Faiz Bakhsh's proclamation of innocence to a local newspaper journalist in Pakistan. Twenty-one articles had some sort of statement made by one of the defense attorneys. Almost 25-percent of the articles made some mention of the Mastoi, but only one of the 101 international news articles surveyed came close to providing both sides of the story. That was the article written by Ian Fisher of *The New York Times* on July 17, 2002. In the article, Faiz Bakhsh was quoted as saying that his "heart melted" at Mukhtar Mai's plea for forgiveness. He said he did not hand down the sentence of rape, nor did the council. He said Abdul Khaliq took that task upon himself. Abdul Khaliq was quoted as saying that he was given permission to "take revenge" but he instead listened to Mai's pleas and cries for forgiveness. He told the reporter: "I didn't rape her. I just held her for two or three minutes" (Fisher 3A). Furthermore, according to Table 2, Ian Fisher and David Blair of *The New York Times* and *The Times (London)*, respectively, each provided several articles more than 1,000 words in length. As noted earlier, each paper has a significant impact on public opinion in their respective countries.

While the Mastois may have had their story straight when they spoke to Bronwyn Curran in 2005 and 2006, they did not seem to have their stories straight in 2002 before the trial started. The handful of articles that touched on the Mastoi's side of the story mentioned Faiz Bakhsh's visit to a local journalist and how he said he did not issue the rape verdict. In fact, *The Statesman* article dated July 8 stated that Faiz told a local Multan reporter he was against the verdict of rape and told the tribesmen to pardon Mai's family since she apologized for the act of her brother. The article stated, "He wept when the members of the Jirga criminally assaulted the woman" (*The Statesman*). If Mai was truly delivered as a bride to the Mastois home, it is paradoxical that mention of her being a bride was not the first thing Faiz Bakhsh mentioned to the reporter he talked to – and Abdul Khaliq also made no mention of it. If she was truly taken to the Mastoi home as a bride, surely the men could have verbalized the difference between a bride and a woman who was about to be raped.

The reporters definitely had opportunities to include what the Mastois had to say about the story. Whether it was including what Faiz Baksh told a local journalist or whether it was including what the defense was arguing in court, there were opportunities, even if the Mastois did not make themselves available to the media the way Mai did. What is alarming is that toward the end of the trial, reporters wrote in their articles that a number of Mastois kept a vigil outside the courthouse, praying for the acquittal of their men. However, not one of these articles detailed what exactly the Mastois were feeling and why. Not one of these articles sampled said that attempts were made to talk to the Mastois, but that they refused or denied interviews while waiting to hear the verdict.

Findings

In each medium, importance is conveyed through the repetition of stories, stories found on the first page, large headlines and lengthy stories. The Mukhtar Mai case was repeated in the international community. While the headlines printed could not be analyzed because articles were obtained through an electronic database, the following is a list of findings from Ethics Tables 1 and 2. Table 1 examined the slant of news coverage by providing the news organizations, the byline and source of each article, the titles of each article, the length of each article, where the article was located in the newspaper and which sources were cited. In Table 2, the researcher separated the content into attributes that were given to Mai and the Gujars, attributes given to the Mastois, and additional information journalists added in their respective articles.

ETHICS TABLE1

- Not one of these articles detailed the Mastois' side of what happened on the night of June 22.
- 37% percent of the articles sampled used Mukhtar Mai's story to highlight the crimes against women in Pakistan, cite the Human Rights Commission and other humanitarian groups and to reveal other honor crimes and exchange marriages where young girls were bartered.
- 70% of the headlines before the trial was over implied guilt; in many cases, men were called rapists and Mai was labeled a victim before the men were even convicted
- Nearly 80% of the articles consisted of 100 words or more. The articles that had more than 100 words indicated the importance that was given to each story, even though the placement of each story differed from paper to paper
- 44% of the articles surveyed were derived from Reuters, Associated Press and Agence France-Press. Although the other 56% of articles were from a number of different sources from the United States, the United Kingdom and Australia, a good portion of those stories may have also come from one of the big three's wire services, as many independent national news organizations refer to the wire services on a daily basis for newsgathering purposes and did not have their own journalists to send abroad

ETHICS TABLE 2
<ul style="list-style-type: none"> • Much of the information in articles contributed by the AP, AFP or Reuters was repeated in other articles word for word, even if one of the big three was not cited as a source. Many of those articles that contained repeat information were newspapers that did not provide an author or source for its article, so one can deduce that information was produced directly from wire services • Phrases and quotes that were repeated in different articles that were not derived from wire services highlight the amount of “interdependence” and borrowing among journalists covering the case • Most of the information that was listed under “Mastoi attributes” was contributed by the Gujars, attorneys or police • Shakur’s allegations of sodomy were referred to as fact in articles from July, August and September, even after the men were convicted – not for raping Shakur, but for raping his sister

Table 2 examines the attribute agenda setting that took place in the international coverage of the Mukhtar Mai case. Articles listed shared Mukhtar Mai’s side of the story. The media told the public to hear her side and learn about her side. At times, the suspects were referred to as rapists before the trial even took place (Table 2). The media told the public that the men were guilty before the trial began. Many stories included additional facts outside of the case, referring to other cases where young girls were betrothed to men twice or three times their age to settle disputes in tribal regions of Pakistan.

Some stories detailed the stories about a woman and a young girl who committed suicide after being gang-raped. The media told the public that these events happened in Pakistan, and this is how some women responded. Mukhtar Mai, on the other hand, considered suicide, but decided to live so that she could fight her rapists. Some stories focused on the government and how President Pervez Musharraf swept in to assist Mai. That told the public that the government believed Mai and was embarrassed.

The context of each article shaped the picture of a woman determined to take her attackers to court and build a school with the money “awarded” to her by the government. This was her coverage. By providing only one side, the media told the public what to think about this case.

The media make their impact through content. Studying the media content of the articles from the summer of 2002 helps predict and understand its impact on its audience. Table 2 shows that the content in the articles surveyed were very similar. While qualitative data is more difficult to measure, it was used as the basic form of analysis in the study because it reveals more than observing quantitative data by itself (Shoemaker and Reese 4).

Attributes

Attribute agenda setting also links the agenda-setting theory to framing. Framing refers to the context of the news based on the media’s use of selection, emphasis, exclusion and elaboration. To frame is to select some parts of a “perceived reality” and make them more salient in a communicable form. Within framing, omissions can be significant (87-89). In the international media coverage of this case, Table 2 shows that the Mastois’ side of the story was omitted – and that omission is significant because the media drew the public’s attention to Mai’s story and made the Mastois’ side of the story irrelevant. The media framed the coverage of the Mukhtar Mai case by repeated interviews by local officials, human rights officials and Mukhtar Mai. If a one-sided story is consistently pushed in the media, it could impact how people feel about that story.

McCombs described the agenda of the mass media as layers of an onion. The layers affect one another and the core. The most external news sources include the president of the United States, public relations practitioners and political campaigns. In the Mai case, President Musharraf, the governor of Punjab and a Supreme Court justice were immediately involved at the first site of international press coverage on the incident. That is the first layer (100). Since journalists cannot observe every situation every day, they rely on public relations sources. Interest groups, non-profits and members of the private sector are also sources because they provide selected information to media outlets (112). As noted by the number of times officials were quoted in articles, human rights activists had a significant amount of influence on this case. They could have had a direct impact on the media agenda.

The next layer is the other news media, which is referred to as “intermedia agenda setting.” These agenda-setters affect the traditions and social norms of journalism. The elite news media have a significant amount of influence on the agenda of other news media. *The New York Times* has a significant pull on the press in the United States (113). In Table 1, while *The New York Times* never placed a Mai story on the front page, the story was always in the first section of the paper, relaying the importance of the story. The *NYT* also consistently relied on AFP, Reuters and AP to produce some of those front-section stories on the Mai case, indicating the importance of the three news wire services, or “elite news media.” Research indicates that newspaper and television wire editors produce a significant amount of news using stories published on the wire (115).

Reading Between the Lines

The media sometimes tell their audiences what is normal by showing that which is deviant. The media do this by giving importance to some people and groups by portraying them frequently in powerful positions and marginalizing others by ignoring them or covering them less (47). Table 2 indicates that in the international media coverage that was sampled. The Mastois were consistently portrayed as the “powerful, higher-caste, high-class” clan, even though Curran later discovered that was far from the truth. The researcher’s data shows that while the powerful are the ones that are often portrayed and less powerful ones are marginalized or ignored, it was the Mastois who were portrayed as the powerful ones, and the Mastois who were marginalized and covered less.

This story received a lot of attention because the media show a preference for violent crime over other types (46). According to Shoemaker and Reese, today rape stories are more common and less newsworthy. “Typical rapes” of women by strangers are no longer news. For rape to be deviant enough to be considered news, the rape itself must be unusual or include obscene details (48). Countries are also worried about how they are presented in the media and perceived by others around the world (50). This particular case encompasses each one of these factors. This case received extensive news coverage because this was not a typical rape case. Pakistan took action immediately because it did not want the plethora of negative press to continue.

In the 1990s, with the growth of cable news and then the Internet growth in 2000, the media started to cut down the number of foreign correspondents, depending on a few

to deliver the news. This resulted in a world seen from a very narrow perspective (Shoemaker and Reese 51-52). The bulk of the news on this topic originated from AFP, AP and Reuters. The other news was generated from U.S., U.K., and Australian sources – all of which rely on the big three wire services.

The Storyline

Pam Shoemaker and Stephen Reese noted that journalists partake in routines to do their jobs, and those routines impact the social reality portrayed by the media (105). In this case, Mureed Abbas and Bronwyn Curran deviated from their routine to deliver this story. Abbas did not just report this story to his country. He made sure that a doctor examined Mai and police filed a report before writing his story. He went out of his way to convince the father to press charges. Curran disregarded many of Abdul Sattar Qamar's articles of violence against women in Pakistan – but not this story. In both cases, the journalists involved deviated from their routine to deliver this story because it fit their perception of crimes against women in the lawless regions of Pakistan.

The routines journalists rely on are designed to help the media cope with physical constraints and to ensure a steady supply of news. Bureaus are established in different parts of the world to generate news and sometimes reporters work to satisfy a theme around which to build the story. Reporters work best when they know what their sources will say. This is why reporters rely on familiar sources, so they can predict who will give them the information they need to fit their story angle (119-120). In the sources column on Table 1, it is clear that journalists kept relying on the same sources: Pakistani police, the Human Rights Commission of Pakistan, Punjab's law minister, the women's affairs

minister, Mukhtar Mai, a human rights group, and a Pakistani Supreme Court justice. Once the trial started, prosecutors and defense attorneys became the primary sources to whom journalists turned. Of the articles examined, the Mastois were directly quoted in an article written by Ian Fisher on July 17. Reporters may have left the Mastois out because they already had the story worked out in their heads, and the sources they had been relying on supported that storyline.

Shoemaker and Reese noted that reporters often scripted stories based on how they believed the story would unfold (Shoemaker and Reese 114). When events are combined with a dramatic story, it is a great match for newsmakers. Ideally, the story will have a clearly defined location and victim, and it will have elements of suffering, heroism and suspense and there is an end in sight – some sort of conclusion. Shoemaker and Reese stated that trying to fit news stories into familiar forms can be dangerous because it can blind reporters to other aspects of the story. Since journalists rely so much on each other for ideas as an organizational routine, it can result in very similar news (Shoemaker and Reese 121-122).

This story had all the elements of that perfect story: The story was located in a small village called Meerwala in the tribal region of Pakistan and the victim was Mukhtar Mai. She suffered a horrible crime at the hands of feudal lords and she was portrayed as a hero for standing up and being the first person in her country to put a tribunal justice system on trial instead of committing suicide. There was an end in sight – the horrible rapists would be punished and Mai would become a symbol for women's rights around the world. Table 2 illustrates how that story was reproduced in the majority of the stories sampled.

Pack Journalism

With the exception of Ian Fisher's July 17 article for *The New York Times*, most of the stories examined did not deviate in content from the others. Reporters are usually interested in "scooping" their competition by providing exclusives. However, researchers have found that journalists knew they would be questioned if their story deviated too far from the wire service version of an event, again encouraging the "follow the pack" mentality (Shoemaker and Reese 125). That desire to be unique, however, is outweighed by the risk of being wrong (125). The "pack journalism" mentality could explain why much of the content is similar in Table 2 and many of the sources are the same in Table 1. As Shoemaker and Reese pointed out, relying on official sources provides a convenient and regular flow of authoritative information, which helps reporters save time on research (132).

Journalists conform to objectivity in their stories, usually to protect themselves from being attacked. Instead of relying on whether or not they have the "truth," journalists rely on verifiable facts, quotable sources and extra facts related to their stories. Since time is constantly an issue, journalists cannot claim their stories are factual, but they can report conflicting statements that allow them to say they presented both sides of a story (Shoemaker and Reese 112-113).

That did not happen in this case. Journalists again shifted from the norm and mainly reported one side of this story in detail. This was a news value that was not adhered to ethically in any of the news articles sampled for this study. Table 1 shows that 44% of the stories analyzed were contributed by one of three powerful wire services.

Most of the other articles still contained content that was almost identical to that published by the wire services. Table 2 shows that almost every article sampled followed the story-telling routine, causing additional distortion because journalists may have been trying to organize the facts to fit the plot line they believed made the best story. Table 2 also illustrates how, with few exceptions, the coverage was often very similar day to day, once again re-enforcing the idea how much influence wire services have on news coverage. Independent sources may have also encountered geographical and language barriers while trying to cover this story, again increasing that dependency on reporters working for the wire services and contributing to pack journalism.

A Journalist's Perspective

In this researcher's personal interview with former CNN Islamabad Bureau Chief Ash-har Quraishi, more details became clear about the obstacles of reporting this story in 2002. Quraishi was on vacation in Chicago at the time the story broke, but he returned toward the final days of coverage to report on the trial. Quraishi said he was one of many journalists who attempted to talk to the Mastois, but by that time, the trial was already underway and the men were not allowed to speak to the media. Quraishi said it was very difficult to cover this story in Pakistan because of the "unending bureaucracy that stood between foreign journalists and subjects." He said visa restrictions and strict oversight of media efforts also prevented some journalists from properly covering the story (Quraishi).

Quraishi did not feel that most journalists assumed the Mastois were guilty before the trial took place. He did say there was a certain level of presumption of guilt based on

other cases that had been highlighted around the country, because it was not common for victims in such an unforgiving society to fabricate the claim of being victims of such violent sexual crimes. He said many times if a woman was the victim of sexual assault and she came forward with allegations of gang rape, the charge would be turned around on the victim and become a case of fornication, which was punishable by death. Quraishi also said that the one-sided reporting could also be attributed to the unwillingness of the Mastois and the villagers to speak candidly with members of the media. He said this story could not have been ignored purely because one side refused to speak of give their side of the story (Quraishi). But should a one-sided story be presented to the public, or is there a way to maintain journalistic integrity while reporting on a story with only one side?

As for finding credible sources, Quraishi explained that developing trustworthy sources was extremely difficult when a journalist was seen as a foreigner. Working in Pakistan was and is a dangerous place for journalists. Sometimes, the way a story is covered is determined by how likely it is to bring physical harm to a journalist. Quraishi felt that for journalists to deliver fair and balanced stories internationally, they need the time and investment to establish well-trusted sources because “arriving to a village and expecting everyone to run to you with information is naïve” (Quraishi). He said with regard to international news coverage, journalists must question everything and foreign correspondents must double, triple and even quadruple confirm and corroborate information given to them. He feels that attribution alone does not guarantee accurate information (Quraishi).

Foreign media may not have approached the Mastois because the journalists were concerned for their own safety. The international coverage may have been incredibly

slanted because the Mastois did not make themselves available to the media the way Mai did. Nonetheless, each journalist had an opportunity to include one or two lines in their stories indicating that requests for interviews were denied when attempting to speak with the Mastois, or that they were threatened or felt threatened.

Chapter 6

Discussion and Conclusion

While it is true that the media should take on the task of “awakening the world’s conscience,” they must do so with a conscience of their own that is fair in practice. The ethical considerations in Kant’s Categorical Imperative, for instance, can help journalists avoid biased reporting and provide their audiences with quality journalism that allows people to decide for themselves what the truth is. The media are responsible for seeking the truth and reporting the facts fairly – not for assuming what the truth is and trying to fit news coverage into a plotline.

Today, with fierce competition for news, some journalists are forgetting the importance of codes of ethics. Each television station, newspaper outlet, radio station and online news organization must demand that each of their employees abide by their respective code of ethics. These ethics must be enforced and monitored in newsrooms, because government involvement will diminish the role and independence of the press.

When details of the international media coverage of the Mukhtar Mai case are examined, it is clear that the majority of the media coverage was slanted. Granted, it favored a woman who had the courage to make history by putting a tribunal justice system on trial and the courage to speak about what she said was a horrific experience and her fight to prosecute the men who raped her. There are, nonetheless, two sides to this story. The world is familiar with one story; the other is unknown to most of the international community that read an international newspaper article on the case between

July 2 and September 4, 2002. The research in this thesis suggests that the media set Pakistan's agenda and the men did not stand a chance at a fair trial because the Pakistani government did not want to deal with the repercussions.

Almost every journalist whose articles were surveyed in this research delivered unethical news reports. The coverage should have reflected common journalistic methods while reporting on this case. If journalists had approached Mastois, that should have been noted in the articles. If the Mastois denied an interview or were difficult or threatening when approached by the media, that information should have been included in the stories. Every single journalist should have made an attempt in speaking to the Mastois – and not relied on “pack journalism” to do their job. More efforts should have been made to get their side of the story and journalists should not have referred to the Mastois as rapists until they were convicted.

When interviewed by Bronwyn Curran in November 2005, Taj Mai Mastoi told Curran the foreign media glorified Mukhtar, and that the publicity on the case was one-sided (Curran 37). She not only talked to Curran, but she allowed the notorious Salma to talk to Curran, as well as Punnu, one of Shakur's alleged rapists. When the story broke in the summer of 2002, although journalists likely made attempts to talk to the Mastois, the international media did not really want to hear the story of the Mastois. Collectively, they decided that this crime happened and many accepted Mukhtar Mai's version of the events without question.

Not one of the international journalists was present when the alleged rape happened. How could any one journalist assume that Mai's side of the story was the

whole story? Especially when simple details of her account of what happened that night kept changing? The content visible in Table 2 shows that some of these journalists borrowed information from one another. They shared sources. They worked off of English-language Pakistani newspapers for some of their information as well, but few did justice to the other side of the story. It may have been because the journalists could not fathom that Mai would fabricate a rape case like this because of the stigma associated with women who are raped in Pakistan. Perhaps, like Bronwyn Curran, it was because this is what they always assumed happened in the lawless regions of Pakistan. Maybe some journalists truly felt that they did the best they could with the information collected.

Throughout her book, Curran lambasted Mureed Abbas for how much influence he had on this case. After all, he is the one who helped Razzaq push Ghulam Fareed into filing a police report about the rape that happened to his daughter. He is the one who picked up a doctor from her home late at night so she could perform a medical examination on Mai. Curran felt that Abbas saw a big headline and went after the story because it fit his perception of crimes in the area – that this story had an extra appealing twist because the gang rape was a decreed sentence (Curran 262). The reality is that Abbas was not all that different from Curran. Curran stated in her book that when news of the rape case reached her Islamabad desk, “it fit our perceptions that brutality against women was rampant in rural Pakistan [and] confirmed our worst fears of eye-for-an-eye tribal justice” (Curran 7). The story was defined as news to both Abbas and Curran because it fit both of their preconceived ideas of the inherent injustices of tribal customs.

In regard to the fairness and balance of stories, even the three most powerful news organizations in the world -- Associated Press, Agence France-Press and Reuters -- did

not provide ethical, balanced news coverage on this story. If three of the most prominent and prestigious news organizations in the world clearly did not abide by their codes of ethics, what can we expect from other news organizations around the world? Stories provided by these international organizations reach newsrooms throughout the world and they had an obligation to offer balanced coverage. Of the articles analyzed, Ian Fisher of *The New York Times* wrote the one article that had the most information from the Mastois as to what happened on June 22. But even that account did not provide much depth as to how the story unfolded that night.

In her book, Curran definitely shed light on the holes in this case. The government and the “international community” had made up their minds that the rape happened – the alleged rapists were essentially convicted in the international media and the court of public opinion before the trial even started. No DNA test was performed to see if the suspects’ DNA matched the semen found on Mukhtar Mai. Curran wrote that she doubted there was ever any semen found on Mai (Curran 260). There was no test to see if there were any traces of semen on Mai’s clothes from the night of the rape (261). There were unanswered questions about Imam Abdul Razzaq and his relationship with the Mastois. However, after researcher reviewed the initial articles that surfaced from the international press, the Mastois did not mention a nikkah in their earlier interviews. Faiz Bakhsh Mastoi was the leader of his tribe, and he never denied being present in the tribal gathering of men on the night of the rape. Mai stood before him. He would have known about her coming to the Mastoi home as a bride. Instead, in the articles that mentioned his testimony before the trial began, all he said was that he regretted the assault and that he did not order it. There was no mention of a marriage.

When Curran went to the Mastois' home several years after the incident to see what their side of the story was, too much time had passed. By that time, one could even argue that the each side was set on whatever their attorneys had coached them to say during the trial and in the aftermath. At that point, more reporting was pointless. After all, until April 2011 the Mastois were still fighting the charges against them. Interviews for cases like this one carry a lot of weight when they are conducted immediately after an incident, especially before a suspect has hired counsel.

While Curran has excellent points in her book and casts doubt on the validity of the hastily thrown-together trial, at the end of the day there is also no proof that Mai was **not** raped and no proof that Salma Mastoi **was** raped. Although no semen was found on Shakur 11 days after the alleged rape, there were still signs of trauma reported on the area between his scrotum and anus (52). The idea of women being raped as a form of revenge is also not unheard of in Pakistan.

The key to ethical and balanced journalism is that while journalists have the right to feel and have emotions about a story, they cannot show that in their work. There is a need for global ethics to cultivate, encourage and promote that global culture of fair and balanced journalism. News reports must be fair and balanced, and if one side does not want to talk, that should be clearly stated in each article. The media cannot convict people in the press, no matter how concrete the case may appear. In the end, while there were agenda-setting effects, the attribute agenda-setting effects show that the coverage was slanted and more effort should have been made by journalists to account for some information from the Mastois or to explain why no information on their side of the story

was provided. This case illustrates what happens when journalists deviate from codes of ethics.

Codes of ethics protect journalists from reporting biased stories, they protect story subjects from unfair and exaggerated media coverage and they protect readers by providing credible information. Codes of ethics also help journalists navigate cross-cultural reporting challenges or unreliable sources, corruption, contradictory interviews, language barriers and bad blood between groups and families – because they force the journalist to maintain an objective position throughout the reporting of a story. It is easy to draft code of ethics, but who is enforcing these in newsrooms around the world? The big three themselves showed a sincere lack of accordance with their respective codes of ethics by their reporting on this case. To ensure fair, balanced and credible reporting in challenging conditions, newsrooms must enforce and monitor codes of ethics. Otherwise, formulating and agreeing to global journalism ethics will be of no use.

Bronwyn Curran is now a media consultant in Australia. A questionnaire for this study was emailed to her three times, but she did not respond. Mukhtar Mai is still running a school for boys and a school for girls, with 300 boys enrolled and 650 girls enrolled at no cost to the students. She relies on donations to keep the schools operational. She has now also opened a women's shelter near her home and school and Meerwala. At that shelter, women are offered attorneys and legal counsel and support for court visits. She remarried in 2009 and recently adopted a three-year old girl from her shelter named Dua, which means “prayer” in Urdu. She also gave birth to a baby boy.

The Final Ruling

The world once again revisited this cast in April 2011, nearly nine years after a judge charged and convicted 14 men for their role in the rape. In an appeal, the Lahore High Court upheld the eight acquittals from 2005 and overturned five of the six convictions citing lack of evidence. The death penalty for the sixth man, Abdul Khaliq, was changed to life in prison. He is now the only one of the original 14 still behind bars (Dawn). Mai told BBC News, “The judgment means nothing has changed in Pakistan” (BBC).

Future Research

In the age of the Internet, social media and digital journalism, there is fierce competition and less money for most news organizations to compete with. With the lack of resources being devoted to international journalism, more international stories should be scrutinized on balance and objectivity. The Mukhtar Mai case is one among many in a media landscape that is ever changing. The author would like to continue to explore these topics and suggests more research possibilities.

Future research on the Mukhtar Mai case can solely focus on how each of the big three’s codes of ethics are enforced, if at all, and how these news organizations feel about the press coverage surrounding the Mukhtar Mai case -- if they feel that the coverage was fair and balanced and if they believe there needs to be proper enforcement of codes of ethics.

Future research on the Mukhtar Mai case could also examine the details of the coverage from the local press and how it compared to the international press. Due to the

language barrier, even some Pakistani journalists were using translators to talk to the villagers of Meerwala, as their language is a dialect of Punjabi. This research found that local reporters were more detailed in their coverage of the events, the case and the trial. After all, Faiz Baksh did turn himself in to a local newspaper instead of police, indicating the power of the local press on the Mukhtar Mai case.

The size of the article headline and the location of the article are also important to take into consideration. Future research should examine articles in real-time so the location and size of the article are examined. A quantitative approach may also be executed to see how the results would differ from the qualitative research presented in this thesis. Researchers can also create a laboratory setting to closely examine agenda-setting and attribute agenda-setting effects.

The television and Internet also have an international reach that should be examined. For television, the length of a news report on the case, the interviews included and location of the story in a newscast would be crucial to examine. For the Internet, it would be interesting to collect the number of news stories posted as well as blogs or social media posts.

Another interesting study on the Mukhtar Mai case is the coverage in the aftermath of the appeals. After briefly researching articles published in the days following the release of the 13 men, it was clear to see that once again, journalists were covering Mukhtar Mai's devastation at the overturned convictions. Nearly a decade later, the media seem to be continuing their one-sided reporting on the Mukhtar Mai case.

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Appendix A

Interview Questions for Mukhtar Mai

*Interview was conducted via phone in Urdu with Mukhtar Mai on April 12, 2011. The conversation was recorded for reference.

1. How are the schools and all of your humanitarian efforts? How many students do you have? How many of them are girls?
2. Do women still regularly visit your home to tell you about the horrible crimes they have experienced?
3. When you think back to the case when it received international attention, how did you feel about the media attention? Did it give you strength?
4. Do you remember a journalist named Bronwyn Curran?
5. Did she tell you that she was writing a book about you? If so, do you know what she wrote in her book?
6. In her book, Curran interviewed the Mastois and went through court documents and came to the conclusion that the rape case was fabricated. How do you feel about that?
7. She believes that you married Abdul Khaliq on June 22 and that Abdul Razzaq made your family file the rape charges when they married Salma to her cousin instead of Shakoor. What is your response?
8. How have people treated you in the years since the men were convicted?
9. Does it upset you when people say that the rape never happened?
10. How has the media helped you and hurt you?
11. How do you feel about the media now?

Appendix B

Interview Questions for Ash-har Quraishi

1. How long were you a reporter in Pakistan?
2. What were some of the prominent stories you covered in that time?
3. How did you come to learn about the Mukhtar Mai case?
4. At what point in the case did you begin to report on it?
5. Did you personally interview Mukhtar Mai?
6. Did you personally interview or attempt to interview anyone from the Mastoi tribe?
7. Did you find that there was a lot of interdependence among journalists? In other words, did journalists often collaborate on stories like this one and share information with one another?
8. Detail some of the dynamics that took place when reporting on this story. What were some of your personal observations regarding the coverage of this case? (i.e. source credibility, dealing with the Pakistani legal system)
9. Were you surprised at how quickly the Pakistani government rushed this case through the court system?
10. AFP journalist Bronwyn Curran published a book in 2008 after thoroughly interviewing both the Gujjars and Mastois and sifting through hundreds of court documents. She came to the conclusion that the rape case was fabricated. Does that finding surprise you?
11. During the two months the international media intensely covered this story, not one international news organization covered the other side of the story. In many cases, the media implied the Mastois were guilty before the trial even took place. Why do you think that is?
12. Looking back, is there anything you would have done differently in covering this case?
13. Does the fact that the international media coverage of this story appears to be slanted toward Mukhtar Mai surprise you or bother you? Please explain.
14. Is there a difference between covering stories locally and covering stories internationally? Please explain.
15. In your opinion, what factors are key to journalists delivering a fair and balanced story, especially internationally?

Appendix C

Previous Research Articles on the Mukhtar Mai Case

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