Media Rights/Freedom Issues and Journalistic Practice in a Democratic Society: Nigeria since the Return of Democratic Rule 1999-2013

By

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Abstract
The return to democratic rule in Nigeria in 1999 was seen by many as an opportunity for the country to once again strive towards the attainment of her development potentials, economic power and people's empowerment. The return to civil rule that saw the election of President Olusegun Obasanjo in 1999 through President Yar'Adua in 2007 and President Goodluck Jonathan who became acting president offer the death of Yar'Adua, and President after election in 2011; after more than 15 years of continuous military rule made it the more difficult to tell the difference between the military government and the democratic government with regards to media issues, given the frequent attacks on the media. Investigating this problem, the paper administered a structured questionnaire to media workers. The data and information collated were statistically analyzed using descriptive and inferential statistical methods. The inferential method used for the test of the research hypotheses was the x chi-square. Results from the survey saw over 70% of the respondents affirmed repressive and suppressive acts against media men and women in the current democratic dispensation. Furthermore, a cross tabulation of questions, shows that the calculated value of x^2 for 16 degree of freedom at 95% is 64.060 and greater than its tabulated value x^2 which is 7.962, necessitating the rejection of the hypothesis and restating that Journalistic practice in Nigeria is not free from suppressive and repressive tendencies that abridge media freedom in the country. Thus, the facts presented in this paper lay bare the instances of abridgment of media's freedom in our democratic setting. It is a case which is "worrisome as repressiveness, suppression and acts of infringement continue. Thus, this paper concludes that media rights and freedom in Nigeria is still an issue that has greatly limited the professionalism and investigative practices of journalists by and large.

Introduction

The return to democratic rule in Nigeria in 1999 was seen by many as an avenue for the country to once again strive towards the attainment of her development potentials, economic power and people's empowerment. Furthermore, Keane (2010) observed that democracy is to guarantee a political culture, favouring mechanisms that were widely supposed to be synonymous with democracy, such as freedom of speech, expression and that of the press as well as any homogeneous social infrastructure or an economy capable of generating wealth that empowers the citizenry and guarantees them a basic standard of living sufficient to enable them to take interest in public affairs. All these were thought to occur in a society that engenders equality in wealth creation and distribution, peace and security, as well as ensures freedom of speech and expression. Hence, it is opined that freedom of speech and expression grants the citizens and the

press a fundamental obligation to act as the watchdog for the society and the fourth estate of the realm in governance.

The return to civil rule that saw the election of President Olusegun Obasanjon in 1999 through President Yar'Adua in 2007 and President Goodluck Jonathan who became acting president after the death of Yar'Adua, and President after the subsequent election in 2011, after more than 15 years of continuous military rule, made it the more difficult to tell the difference between the military government and the democratic government with regards to media issues, given the frequent attacks on the media; using as it were, the same tactics of the military. There are already numerous instances of a return to the tactics of security agents under Obasanjo's regime and during the period of military rule, including the closure of broadcast facilities and the arrest and detention of journalists. Some of these attacks on the media resulted from theintense media coverage of the president Yar'Adua's medical condition, fueling widespread speculations that he was in a very poor state of health. This situation has apparently impacted negatively on media's perceptions of the state. All legal provisions regulating media operation at the time power was handed over to civilians in May 1999 have remained unchanged. Although there have been noteworthy gains in the status of media freedom in Nigeria, with the government opening up airwaves for radio, TV and print media to private individuals, there continues to be serious violations of the right to freedom of expression.

Statement of the Problem

Journalism is no easy task at the best of times, especially in a democracy such as ours, but, just occasionally. There are moments when journalists and the media are confronted by several issues that have the tendency to diminish their notion of professionalism and responsibilities to a great extent. These issues stem from the suppression of the media's voice, repressive actions of the state, arrest and detention of media men and women, seizure and closure of media materials and houses, as well as the overzealousness of security operatives who try to impress their benefactor. These acts and actions completely negate press freedom, which in the words of Annan (1999) is "*... a cornerstone of human rights. It holds governments responsible for their acts, and serves a warning to all that impunity is an illusion."*Conversely, media freedom is what enables democracies to work. A free press is supposed to maximise political, social and cultural outcomes for citizens in a society.

Democracy is commonly accepted as the global standard of good governance. Hence, globalisation spreads democracy including press freedom (Barland, 2005). In Nigeria being, a journalist remains a dangerous, often fatal profession. Within this dispensation, journalists who perform different occupations in the profession - be it reporter, producer, editor or newscaster - have faced organized crimes of death, death threats, pressure on their media house, and threats against their families, because of their work. Authorities are often intolerant of journalists who are critical of the Government, especially when they report on issues of corruption, State violence, and lack of good governance and security. The arrest of journalists is a very common practice in Nigeria.

Objectives

The following objectives are to be considered in this study:

1. To examine the extent to which media freedom of journalists is abridged in a democratic setting.
2. To find out the ways through which media freedom could be upheld and safeguarded in a democratic Nigeria.

Hypothetical Statement

This hypothesis will be tested to ascertain it veracity from the primary information collated in this paper.

H1: Journalistic practices in Nigeria are free from suppressive and repressive tendency that abridge media freedom in Nigeria.

Theoretical Framework

Theoretical foundation of the Nigerian media today, swings between the autocratic or authoritarian tendency and libertarian paradigm. The Authoritarian theory of the media holds that journalism should always be subordinate to the interest of the state in maintaining social order and achieving political goals (Siebert et al, 1956). The main thesis of the liberal theory is that democracy is advanced by the mass media when press is free from government control. A free press, in turn, empowers people because it gives them access to political information and processes. At the same time, it is also an 'educational' tool for grassroots politicians; acquainting them with the issues important to the people. As a result, the system of government becomes "more open and accountable" (Curran 2002: 136).

The press adopted *Libertarian ideals* wherein it became a free means for society to freely gather and disseminate knowledge as it pleased. As against the press of earlier times which served as government instrument of control, the Libertarian press became the people's instrument to monitor the establishment. The Libertarian press theory emerged as an alternative to the Authoritarian press theory. Freedom of expression and press freedom are influenced by economic and power arrangements in society, and the information age has not altered that fundamental principle. The social, economic, and technical changes underlying information in society after some existing structural arrangements, and redistribute power, but they do not eliminate systemic organization and control. These changes affect freedom in different parts of communication processes and systems: making necessary, new understanding and approaches to promoting and ensuring freedom.

The organization of media and communication systems and markets, their relations with the state and elite, the presence of dominant content producers and providers, the choices of content provided, the consumers to whomcontent is directed, and how it is delivered are all being affected by the fundamental changes in society. These are increasingly shifting the mechanism of control and influence over media from public to private spheres, reducing the ability of the public to influence it through democratically determined policies, and making public oversight of media and communication systems and operations more difficult.

Media systems and their content and the degree of freedom of expression and freedom of the press are reflections of dominant cultural elements in society. The concepts, as well as the language of freedom of expression and press freedom, emerged in response to historical

structural arrangements dominated by the state, and became a fundamental component of the democratic revolutions. They were primarily designed to provide protection against state impediments to citizens' expression, to permit challenges to state authority, and to break state-sanctioned monopolies on distribution of information.

As time passed, the mass media model of communication in Western nations emerged partly because of those freedoms and because of the technological changes provided by the Industrial Revolution and economic changes in society, created by wage earning and continual employment. The mass media model was highly influenced by structural arrangements, based on a market economy. Specifically, this model developed within the control of media proprietors and relied upon monetized labor, and was co-opted by institutional arrangements such as class, race, and gender. Further, it was subject to only a modicum of constraint by governmental policy operating within the nation-state system (Picard, Allen, Streeter, Wasko, and Weilnad, 2013).

Democracy and the media

Democracy should be seen as that which engenders development in all ramifications. This development is echoed by the media. Democracy should not be reduced to serving as a means to development-that would be to devalue its own worth. But democracy is not just a political system just for the sake of it: rather, it is about the distribution of decision making power about key resources in society, and about checks, balances and limits on how such power is used in various instances. The public sphere and civil society concepts help us understand the role of media in this (Berger, 2002).

In order for citizens to engage in public debate and to hold their governments and others accountable, citizens must have access to free, pluralistic, independent and professional media. The idea that communicationand dialogue between different members of society will occur naturally cannot be taken for granted, and the media provide a means of access to information and igniting dialogue. Fueling the democratic discourse, the media can fulfill a watchdog role by reporting on the activities of governments, civil society and the private sector. A plurality of media outlet is key for this to occur because of the breadth of material to report on and to ensure that different opinions would be heard. The media enables citizens to be informed and participate in their society, which generates real empowerment. Accurate, fair and unbiased reporting is also the best defense against ignorance and uninformed decision-making.

Media Freedom

Media freedom is conceptualized to mean the instance where the mass media has an unquestionable right to discuss whatever is not explicitly forbidden by law, including the wisdom of restrictive statute" (Ahuja, 2004). The emphasised aspect is that the media operates with such an independence that is devoid of interferences from any political and external interests. Siebert, Peterson and Schramm (1974) wrote, "The underlying purpose of the media is to discover the truth, to assist in the process of solving political and social problems by presenting all manner of evidence and opinion as the basis for decisions."

Growth in the number of news media outlets and channels has not resulted in a parallel expansion of viewpoints in traditional and new news media, especially within local communities. This has adverse consequences for the ability of citizens and communities to hold their governments accountable. If media cannot be free and competitive, they can be neither plural nor

diverse. Who owns the media and its infrastructure and who controls its sources of capital and revenue are crucial for any media system (Forster, 2012).

Ensuring freedom for the media around the world is a priority. Independent, free and pluralistic media are central to good governance in democracies that are young and old. A Free media is believed to ensure transparency, accountability and the rule of law; promote participation in public and political discourse, and contribute to the fight against poverty. An independent media sector draws its power from the community it serves and in return empowers that community to be a full partner in the democratic process. Freedom of information and freedom of expression are the founding principles for open and informed debates. New technology will continue to evolve and allow citizens to further shape their media environments as well as access a plurality of sources.

The combination of access to information and citizen participation in media can only contribute to an increased sense of ownership and empowerment. Media freedom and access to information feed into the wider development objective of empowering people. Empowerment are a multi-dimensional social and political process that helps people gain control over their own lives. This can only be achieved through access to accurate, fair and unbiased information, representing a plurality of opinions, and the means to actively communicate vertically and horizontally, thereby participating in the active life of the community.

Cases of Media Rights Issues in Nigeria

Since the return to democratic rule in Nigeria in May 1999, several infringements have been observed and documented that abridge journalists' rights and media practices. The following documented cases is a clear pointer to the fact that media practitioners are partially free and sometimes not free and secure to practise their media duties in a true democratic state.

Table 1: Cases of Media Rights Issues in Nigeria

S/No	Individual/Case reported	Media House	Case of infringement	Agent of Infringement	Year/Date
1	Musa Muhammed Auwal	*AI-Mizan*	Arrest,Illegal detentions and harassment	SSS and Joint Task Force	2013
2.	Ahmad Salkida	*Blueprint Magazine*	Threat to life	Boko Haram	2013
3	Several journalists	*National Accord, Vanguard and Tribune Newspaper*	Threat to life due to alleged misrepresentation of the sect in reports	Boko Haratn	2013
4.	Several journalists	*New Nigerian, Aminiya, Voice of Nigeria (Hausa service), Nigerian Standard and NTA Cameramen*	Attack by unidentified assailants in Katami village inSilame Local government area of Sokoto State.	Unknown	2013
5.	Akinola Ariyo	*New Nigerian*	Threat to life	Security operatives attached to MMA Lagos	2013

6.	Hassan Adebayo and Sani Musa	*Daily Trust*	Assault and vandalizing media workers car	Security operatives	2013
7.	Nansok Silas	*Highland FM, Jos*	Killed by unidentified persons	Unknown	2013
8	Dare Fasuba, Akin wale Aboluade, Gbenro Adesina, Sola Adeyemo. Bisi Oladele,	*Vanguard, Punch, TheNews/PM News, Compass and The Nation*	Manhandled and Prevented from covering the visit of Patience Jonathan to Ibadan	Nigerian Police, Nigerian Army	2013
9.	Jude Obiemenyego	*Zion Nationals*	Arrest and threat to life for exposing a case of corruption involving the wife of Delta State official	SSS	2013
10.	Misbahu Bashir	*Daily Trust*	Refuse entry into Military barack to investigate the arrest of Ninety-nineperson traveling in a truck along Kaduna-Abuja expressway	Nigerian Army	2013
11.	lyatse Joshua	*City FM, Lagos*	Arrested for covering a procession in protest of fuel subsidy removal	Nigerian Police	2013
12.	Suleiman Isah	*Daily Trust*	Refused entry into Niger State Government office after being accredited	SSS	2013
13.	Isa Sa'idu	*Daily Trust*	Threat to life for reporting that troops manhandled journalists covering the bombing of 1 Mech. Div. Kaduna	Nigerian Army	2013
14.	Umar Uthman	*African Independent Television-AIT*	Confiscation of Camera	SSS	2013
15.	Jeremie Drieu and Ahmed Salkida	*Tele francias- TFl*	Arrested while filming a documentary that was critical of government	JTF	2013
16.	Martins Ayoola	*Adaba FM, Ondo*	Death Threat on journalists working in the station and removal of 'Oja-Oro' from the air.	Ondo Siale government/NBC	2013
17.	Goke Famadewa	*Punch Newspaper*	Manhandled and beaten covering a dispute inside Shell	Nigerian Police	2013

			Lagos Office		
18.	Okwudili Nnadi, Tochukwu Onuigbo, Ugwu Stephen and Martha Agbedo	*Newspaper vendors*	Arrested and all copies of newspapers confiscated	Nigerian Police	2013
19.	Stanley Mijah	*The Scope Adamawa*	Indicted for having sensitive articles that could disturb public order	Adamawa State Judiciary	2013
20.	Enenche Godwin Akogwu	*Channel TV*	Killed while covering Boko Haram suicide bombings and shooting in Kano	Boko Haram	2012
21.	Zakariya Isa	*NTA*	Killed by Boko Haram for being an informant for the JTF	Boko Haram	2011
22.	Nankpah Bwakan, Francis Zhitta and Nandom Kura	*News Herald*	Arrested and detained for the three for allegedly possessing and distributing leaflets insulting Jonah Jang, the Plateau State governor	SSS	2011
23.	SegunOlatunji	*The Punch*	Arrested and detained for seven hours for reporting a story on INEC	SSS	2011
24.	Abdulazeez Abdullah! and Ahmed Ibrahim Shekarau	*The People's Daily*	Arrestedfor publishing a story that revealed state governors contribution to Jonathan's presidential campaign	Nigerian Police	2011
25	Corruption in the award of contracts for the All African Games	*Tell*	Seizure of June" 30 edition of WeekJy Tell	Organizing Committee of the All Africa Games (COJA)	2003
26	Cyril Mbah	*The Monitor*	Reporters were considered critical of the President	Department of State Security-SSS	2003
27	Haruna Acheneje	*The Punch*	State House of Assembly considered his report as portraying the assembly in negative	Akwa Ibom State House of Assembly	2003

			light		
28.	George Esiri and George Osodi	Reuters and Associated Press-AP	Impounded Camera When Trying To Photograph A Ruptured Pipeline on the Atlas Cove	NNPC/ Nigerian Navy	2003
29.	Jeff Koinange and Simon Munene	CNN	Initial refusal of entry and manhandle	SSS and Nigerian Custom	2003
30.	Several guest discussants	Rhythm FM Port Harcourt	Directive to discontinue a live phone-in programme	National Broadcasting Commission-NBC/River State Ministry of Information	2003
31.	Musa Umar Kazaure	*Daily Trust Newspaper*	Confiscation of Camera/tape recorder and threat to life	POP Chieftain in Kano	2003
32.	Report considered critical of Rivers State Government	*The Argus, The Beacon, and The Independent Mirror*	Raid on the media houses, arrest of journalist and threat to sue for libel	Rivers State Government	2002
33.	Ofonime Umanah	*The Punch*	Harassment for reporting public	Cross River Government/ NUJ	2002
			discontent in government decision to grant safe haven to Charles Taylor	Cross River state chapter	

Source: Reporter Without Borders for Freedom of Information, 2013; Human Right Watch, 2003.

Methodology

The study made use of the quantitative survey instrument such as the questionnaire. The method was aimed at finding out primarily from respondents, the extent to which media's freedom abridged journalistic practices since the return of Nigeria to democratic rule. The population of the study comprised of mostly journalist young and veterans drawn from Abuja, Kaduna and Lagos. The choice of concentration of the population to these places was because they formed the core areas where journalistic practices had peaked during the military rule as well as in the present democratic dispensation. Having clustered this population within these areas, 50 of them were systematically polled from the plethora of media organizations in these areas. The data and information collated were statistically analyzed using descriptive and inferential statistical methods. The inferential method that was used for test of research hypotheses was the x^2 chi-square. Inference was made on the basis of the p-value of 0.05 or 95% level of confidence, the calculated result of the chi-square was compared with the tabulated chi-square after which the result would be affirmed as being significant and taken in favour of the hypothesis stated or otherwise.

Presentation of Data

Table 2: Respondents agreements on questions on the extent of media's freedom abridgement

Keys: SA=Strongly agree. A= Agree. D= Disagree. SD=Strongly disagree. UD=Undecided.

Statement	SA	A	D	SD	UD	0000Total
The freedom of the press is seriously being abridged in democratic rule as rule as does military rule.	24 (48.0)	19 (38.0)	3 (6.0)	3 (6.0)	1 (2.0)	50 (100.0)
Journalists have found it difficult to practice their work freely within this democratic dispensation	24 (48.0)	15 (30.0)	6 (12.0)	3 (6.0)	2 (4.0)	50 (100.0)
Individual, the state and its agencies have continued to suppress and repress the media	29 (58.0)	10 (20.0)	6 (12.0)	4 (8.0)	1 (2.0)	50 (100.0)
Even the NUJ, NBC, Guild of Editors through the implementation of their codes and ethics negates media's freedom	13 (26.0)	25 (50.0)	4 (8.0)	0 (0.0)	8 (16.0)	50 (100.0)
Threat to life, killings, arrests, detentions, manhandling, bombings, confiscation of equipment and seizure of materials are other ways media freedom is being abridge	11 (22.)	25 (50.0)	5 (10.0)	4 (8.0)	5 (10.0)	50 (100.0)

Findings and Discussion

In all facets of community life, the media play a central role as the conduit for information and potentially a catalyst for activism and change. For example, development issues can have a polarizing effect on a community, encompassing a debate that can stretch from economic benefits to environmental impacts, and to the overall quality of life concerns. Through the media, a non-threatening informed debate can yield positive outcomes for all stakeholders. In these instances, the media ensure the voices in a democratic community can be counted in the process of development decision making and implementation as much as the financial interests of investors in any one particular project. However, with the return to democratic rule in Nigeria since 1999, the notion that this ought to be the case is far from the truth.

Respondents while providing answers to the first questions in the above table, over 70% opined that the freedom of the press is seriously being abridged as it happened during military rule. This understanding that media freedom is being suppressed by the state negates the participation of its

citizenry and could lead to the crumbling of the nascent nature of democracy. Sartini and Cocchi, (2013) categorically declared that if a democracy impinges on journalists' rights and freedom, it will plunge the society into a state of ignorance, indifference and despair. The deduction here is that such arbitrary repression and suppression of the media's right in a democracy which should have been the epoch in which it should thrive would invariably limit its function.

Section 39 of 1999 Constitution and upholds the right of the media to criticize the State and hold it accountable for its actions. As could be seen from the respondents response to the second question, over 70% again agree that even with the provisions of the constitution, media practice in the country is seen as a time-bomb either exploding already or waiting to explode. Conversely, respondents agree that the abridgement of media freedom in thisdemocratic dispensation is an act that could be said to be committed by individuals, states, security operatives and media regulatory agencies and unions and the political-economy in which the media system operates.

With the increasing reckless abandon and impunity with which corrupt officials and corruption cases like the vote rigging, aviation scandal, oil subsidy probe and the pension scam that have been covered and reported recently, one would think that the media would be given kudos for good investigative journalism; rather, what was witnessed according to the response to question four and which corroborated Amao (2010), was an avalanche of attack on the press such as dampens the vigour of press men and women to practice their profession with candour. Respondents' agreement which is well over 70%, insisted that incidence such as threat to life, killings, arrests, detentions, manhandling, bombings, confiscation of equipment and seizure of materials abridge media's freedom as presented in Table 1.

Test of hypothesis

H1: Journalistic practices in Nigeria are free from suppressive and repressive tendencies that abridge media freedom in Nigeria. Cross tabulation x^2

			Threat to life, killings, arrests, detentions, manhandling, bombings, confiscation of equipment and seizure of materials are other ways media freedom is being abridge					**Total**
			Strongly agree	**Agree**	**Disagree**	**Strongly disagree**	**Undecided**	
The freedom of the press is seriously abridged in democratic rule as it was in military rule	Strongly Agree	Count	4	17	3	0	0	24
		Expected count	5.3	12.0	2.4	1.9	2.4	24.0
	Agree	Count	7	8	2	2	0	19
		Expected count	4.2	9.5	1.9	1.5	1.9	19.0
	Disagree	Count	0	0	0	2	1	3
		Expected count	.7	1.5	.3	.2	.3	3.0
	Strongly disagree	Count	0	0	0	0	3	3
		Expected count	.7	1.5	.3	.2	.3	3.0
	undecided	Count	0	0	0	0	1	1
		Expected count	.2	.5	.1	.1	.1	1.0
		Count	11	25	5	4	5	50
		Expected count	11.0	25.0	5.0	4.0	5.0	50.0

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square Likelihood Ratio Linear-by- Linear Association N of Valid Cases	64.060a 46.042 23.288 50	16 16 1	.000 .000 .000

a. 22 cells (88.0%) have expected count less than 5.
The minimum expected count is .08.

From the cross tabulation of questions 1 and 5, the calculated value of x for 16 degree of freedom at 95% which 64.060 is greater than its tabulated value $x^2$is 7.962 and hence the result of the calculation does not support the hypothesis. The result is seen as statistically significant, hence the rejection of the hypothesis. Furthermore, since $x^2(16, 50)$ =64.060a. from the table, the p-calculated value is less than p-alpha that is 0.05 level of significance (0.000 < 0.05) at an asymmetric significant level of 0.05, HI is hereby rejected. Thus, from this tabulated chi-square result, it could be deduced that Journalistic practice in Nigeria is certainly not free from suppressive and repressive tendency that abridges media freedom.

Conclusion

One of the greatest impediments to media freedom in Nigeria is the fact that the state and its agencies have failed to recognise the role played by the media for the sustenance of good governance and participatory democracy geared towards the development of the country. This lack of recognition is reflected in the presence of active censorship or restrictive regulation of journalists, threat to life, killings, manhandling and confiscation of media workers' materials and equipment. It should be noted that a difficult relationship between journalism and the exercise of political power is itself a hallmark of democratic society, and the tendency to manipulate news and information or to try to shape the agenda of public debate exists in all societies. But in countries where the democratic culture is not well established and where respect for democratic pluralism and human rights is not firmly entrenched, restrictions on media tend to be explicit and are profoundly damaging to the project of public engagement in democracy and development (International Federation of Journalists-1FJ, 1999). The facts presented in this paper lay bare the instances of abridgment of media's freedom in our current democratic setting. It is a case which is worrisome as repression, suppression and acts of infringement is continuing with impunity. Thus, this paper concludes that media rights and freedom in Nigeria are still issues that have greatly limited the professionalism and investigative practice of journalist by and large.

Recommendations

This paper recommends the following:

1. Government and its agencies be it regulatory or security should understand that continual hostility towards the media would not augur well for our democratic development, hence, there is the need for a fundamental cessation of every act of repression against the media.
2. There is the need for the state, her agencies and individuals to as a matter of urgency, make it a duty and national obligation to protect, preserve and safeguard media workers while undertaking their duties.

3. The state and its agencies should see the media as supportive allies in a democratic society and not an enemy to the state. When this happens, the media activities as the watchdog of the society as well as the fourth estate of the realm would be enhanced, necessitating a virile and more socially responsible media.

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