

Media Rights: The Wake Of Press Control Measure By The Government Agencies In Delta State, Nigeria

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Abstract

This study media rights in the wake of press control measure by government agencies shows the unduly repression of the press in various degrees. The rigid control of the press by the government, and the numerous repressive press laws has serves as a clog to the wheel of media progress. The study utilizes the questionnaire and in-depth interview responses directed to media practitioners in Delta State. Results show that the respondents are aware of the media rights with an aggregate of 95 (54.91 %). Also, the in-depth interview responses concur and correlate with the findings that perceived the unsteadiness of the press, challenges, denial, assaults and threats to freedom of speech. The study therefore put forward that the Federal Government of Nigeria should review her constitution and furnishes it with a strong protection and assurance of press freedom.

Keywords: Media; Rights; Press; Control; Measure; Government; Agencies

1.0 Introduction

The media rights and press freedom are fundamental to any democratic society, encompassing the freedom to seek, receive and disseminate information without interference. The interrelationship between both reflects on the country level of respect for its citizen's rights. Noelle- Neumann (1974) affirmed that "people who perceive that they hold a minority view will be less inclined to express it in the public". The establishment and implementation of laws which grants the press rights are often at the mercy of political leaders who may decide to ignore or bend press laws in their favor. However, the media continues to face serious challenges in carrying out its responsibilities. The colonial governors gradually removed the Nigerian press from the protective umbrella of common law and subjected it to harsh press (Ogunade, 1981). The intolerance of the press criticism and the active involvement of the press in socio- political controversies of the time were major factors in the repression of the press during the colonial era. Another important factor was the governors belief that Africans were barbaric as explain by Omu

(1968) “relying on the contemporary racial prejudices of their time, the colonial governors believed that the vast majority of the African population were barbaric and excitable and although reckless statements and misinformation might not be strictly seditious, they could misled or inflame the people and undermine the basis of colonial power”. Then, the repressive laws were enacted to persecute, jailed journalists and newspapers proprietors for sedition. Fake news, politically motivated, defined crimes and offences (Omu, 1968; 297). In addition, the obliteration infringement of press freedom is a fact in the era. The Nigerian press whimpered as its freedom seriously whittled (Ogunade, 1981). The attainment of political independence in 1960 did not grant the press the freedom rather than the negative state of the press persists and worsened. The Nigeria press became politically inclined and heightens its tradition of fierce press which had become the benchmark of the political journalism (Ogunade, 1981). The struggle for the Nigeria freedom of information law continued in 1993 until three interest groups Media Rights Agenda, Civil Liberty Organization and Nigerian Union of Journalists began a campaign for the enactment of the freedom of information law (Omotayo, 2015). The main objective of this campaign was to indicate the rights to use documents and information in the safe keep of the government or its officials and agencies as a requisite to guarantee freedom of expression.

Furthermore, media right agenda formed a revised draft which constitutes the freedom of information bill. Due to the military regime, the bill was not favourable. Despite the return of democracy in 1999, the promulgation of freedom of information law still continues in several discourses in seminars and workshops. The Bill was later passed into law by the 4th National Assembly and assented by President Good Luck Jonathan on May 28th, 2011. Despite the enactment of freedom of speech, President of the Federal Republic of Nigeria, Major General Muhammadu Buhari (rtd) took Nigeria back to Decree 4 of 1984 on 4th June, 2021 with the ban of micro - blogging social media (twitter). The offence of twitter was deleting a tweet by the President which was considered as a hate speech (Nwakanma, 2021). Also, the media cannot do much for government because they are too subjected to maximum official control to have initiative or been creative (Iredia, 2021). In lieu of the above, this work beck to examine the media rights in the wake of press control measure by the government agencies.

Statement of Problem

The Press operates freely as enshrined in section 39 of the Nigerian Constitution, which guarantees freedom of expression, including the right to receive and impart information; ideally it should operate without fear of censorship, harassment or intimidation, allowing journalists to fulfill their watchdog role effectively. However, government agencies have increasingly employed press control measure like censorship, harassment, and intimidation, arrests and detention of journalists. These actions undermining the rights of the media reducing the quality of diversity of information in public sphere can leads to corruption, abuse of power and poor governance. Enabling threat to the erosion of media rights, democratic decline, and marginalization of voices are critical issues affecting vulnerable population in Delta State. Therefore, the study seeks to examine media rights in the wake of press control measure by government agencies in Nigeria by assessing the impact of these press control measures on media rights in Nigeria and the extent to which they undermine the independence and effectiveness of the media and implication for democratic governance and human rights in Nigeria.

Objectives of the study

The main objective of this study is to examine media rights in the wake of press control measures by government agencies in Nigeria.

Research Questions

The following research questions were raised to guide the study;

1. To what extent has the media creates awareness on media rights?
2. How do Press control measure influence media rights and the ability of journalists to report on sensitive topics in Nigeria by the government?.
3. What are the effects of Press control measures by government agencies on media rights in Nigeria?
4. What are the legal and constitutional implications of press control measures on media rights in Nigeria?

Expectation of the study

The study will be beneficial to the society, Organization, learners and all media practitioners in the following ways;

- It helps highlights the challenges faced by Journalists and empowering them to advocates for their rights.
- It contributes to policy reformation and creates a conducive environment for media practice.
- It promotes media rights and improves access to information.
- It will strengthens civil society and organization to supports and advocate for media rights and freedom of expression.
- It contributes to academic discourse by adding to existing literature on media right, press freedom, and government control measures.
- The study will help promotes accountability and transparency by examining press control measure.

Repression of Media Rights and Press Control Measure by Government Agencies

In Nigeria, the media and the press has faced a lot of repressive laws (Press control) that influenced their practices during the military era. The dissemination of diverse views and information in the media was to dissolves the democratic structures. Also, Decree No.1 of 1993 abrogates the constitution of the Federal Republic of Nigeria, suspension of Decree No.58 and restores the 1909 constitution. In addition, Provisional Ruling Council was established as the law making body for the federation (Ogbondah, 2003). Also, Decree No. 6 of 1994 place a six month ban on the circulation of Concord Newspaper and African Concord weekly magazine. The Decree was enacted on August 24, 1994 but took a retroactive effect from June 10, 1994 to legitimize the government's earlier prescription of the Concord Newspapers and Magazine. The press Decree gave the police to seal up the premises. Again the Decree No. 7 of 1999 enacted empowered the government to legalize arbitrary closure of Punch group newspaper. More so, Military administrators issue arbitrary directives barring journalists from rendering their services dutifully as the societal watch dog. They are often victims of assaults, verbal threats, intimidation, seizure of equipment and imprisonment. The democratic coalition of Nigeria (

NADECO) was marked for total annihilation. Alfred Rewane, Kudirat Abiola and Dan Suleiman were brutally murdered because of their strong voice. Also, the junta's were also throwing bombs at military formations in pretence to frighten the key activists such as Olabiyi Durajaiye, Olu Falae, Presidential candidate of All Peoples Party in 1999. Others were used, dumped and persecuted. Alex Ibru, publisher of the Guardian and Olu Onagoruwa, former Abacha cabinet member etc were not spared. There was no love for the independent press.

3.0 Effect of Press control measures by Government Agencies

The military and the civilian government in Nigeria had left traces of untold tragedy of backwardness and retarded socio – economic and political development which are the true recipes of democracy. Also, a total breakdown of law and order had been one of the significant flow of the denial of the fundamental human rights of the people and outright torture of the freedom of the press in Nigeria (Sambe, 2018).The military control the media by suppressing and holding onto power (Agbese 2005). The issuance of this restrictive decrees by the successive military governments heighten the control on media to report, limiting their freedom of exercise and aggravating peppering effect on journalism. More so, several factors like the following continue to militates against press freedom till today (Apuke, 2016).

Legal Pressure - Although press freedom is guaranteed by the constitution there are often counteracting forces that limit or restrict its exercise, creating tension between the theoretical right to free press and the practical realities that hinder its implementation. Thus, Journalist do not enjoy press freedom as constitution counteract each other for instance section 39 of the 1999 Nigerian constitution qualifies and curtails freedom of expression and of the press. Also subsections two of section 39 validates and justify any law made for the purpose of preventing disclosure of preventing disclosure of information received in strict confidence while in the service of the state in government. Again section 45 of the constitution limits the exercise of freedom of expression and the press. This is evident that press freedom is not assure.

Economic and Political Pressure - Economic and political pressure makes the broadcast media especially the government owned media outlets to publish or repot information in favor of the government. This is the aftermath of the restrictive degrees to uphold control and suppress the media thereby limiting press freedom.

Secrecy - Government agencies and officials still terrorize journalist depriving them from having access to their records or information about their shedding activities.

Direct Censorship and Force - Government uses forces, violent means and harassment to restrict press freedom. For instances many journalist was and till date being brutalized, killed and jailed for expressing their view to public issues.

However, in Delta State, Nigeria, government agencies have increasingly introduced press control measures that aim at regulating the media. These include:

- 1 .Registration requirements for media outlets
2. .Licensing fees for journalists.
3. Restrictions on access to information.
- 4 .Harassment and intimidation of journalists.
5. Closure of media houses.

4.0 Theoretical framework

The study employed the libertarian and the social responsibility theory. The libertarian as postulated by F.S. Siebert, T.B. Peterson and Willbur Schraman in 1963. According to Bran & Davis (2000), libertarian is a normative theory that sees people as good and rational and able to judge good ideas from bad. Libertarian theory provides critical analyses of narrative theories. It is inspired by the idea that the media are entrusted with information power and how these powers are used has consequences on democracy.

Social responsibility theory - Social responsibility theory owes its origin to the Hutchins commission on freedom of the press set up in 1942 in the United States. The theory of social responsibility is built on a system of ethics, in which decisions and actions must be ethically validated before proceeding. If the action or decision causes harm to society or environment then it would be considered socially irresponsible. But if moral values that are inherent in the society creates a distinction between rights and wrong it then means social fairness is delivered. More

so, McQuail (2010, p.120) opined that the major proposition of the theory include the media obligation to society and media ownership is a public trust. News should be truthful, accurate, fair, objective and relevant; and the media should be free but self regulated.

Relevance

The relevance of libertarian and social responsibility theories in understanding media rights amidst government press control measures in Nigeria lies in their contrasting perspectives on the role of the press and its relationship with authority. The libertarian theory underscores the importance of press freedom as a fundamental right, challenging any measures by government agencies that limit this freedom. Also, it supports the role of the press in holding government accountable and exposing corruption, maladministration and human rights abuses.

The relevance of social responsibility to the study aligns with the need to address societal issues such as misinformation, hate speech and inflammatory content which as been cited as justification for government intervention. More so, Government agencies in Nigeria often exploit the principles of “responsibility” to suppress dissent and control narratives, labeling critical media as irresponsible or threatening national security.

5.0 Methodology

The study employed a survey research design using quantitative and qualitative methods to examine media rights in the wake of press control measure by government agencies.. Questionnaire addressing key issues was used to elicit information from respondents. An in-depth Interview method was also applied to provide detailed information and to properly understand the context of the issue.

Research Design – A cross sectional face to face survey which allows collection of data from participants at a single point in time through direct, in-person interactions was conducted among media; practitioners in Delta State. This allows immediate and detailed information.

Validity of instrument - The instrument went through expert’s validation to ascertain accuracy.

Population of study – T he population of study for this work was the media practitioners both in print and electronic media houses within Delta State. Also, interview method was applied to the

heads of the media organizations and the veterans in the media professional bodies like Nigerian Union of Journalists.

Sample size- A random sampling technique was used for the study to ensure that every journalist in the media house has equal chance of being selected. While the sample size was of 173 was determine from the 240 journalists that was selected using the Slovin (2024) formula;
$$N/(1+N*e^2)$$

where N=population size =240, E=margin of error =0.04²

$$n=/240(1+240(0.04^2)$$

$$=240 (1+240 (0.0016)$$

$$=240/ 1+ 0.384 =240/ 1.384 =173.41.$$

Instrument – Questionnaire was used as instrument for data collection alongside with an in-depth interview guide. . The questionnaires and the interview guide was made up of twelve (12) items containing both closed and open ended questions based on journalists knowledge on media rights, how do press control measure influence media rights and the ability of journalists to report on sensitive topics in Nigeria by the government and the effect of repressive laws on the press in Nigeria., effect of press control measures by government agencies on media rights in Nigeria, and what are the legal and constitutional implications of press control measures on media rights in Nigeria.

A total of one hundred and seventy three (173) questionnaires were administered to respondents (Table 1). The questionnaires was made up of twelve (12) items containing both closed and open ended questions based on knowledge on media rights, how do Press control measure influence media rights and the ability of journalist to report on sensitive topics in Nigeria?, What are the effect of press control measures by government agencies on media rights in Nigeria? What are the legal and constitutional implications of press control measures in Nigeria?. A qualitative sample size of 12 was purposely selected for this study.

Data Analysis

Data from the questionnaire were analyzed using inferential statistics of frequency and simple percentage (Table 1) to test for the variation observed in media rights in the wake of press control measure by government agencies. Qualitative results were used to enhance the validity and reliability of the study findings.

Table 1 : Media organization distribution

S/N	Media Organization(Delta State News And Media firms	Frequency	Percentage (%)
1.	Ray power FM – Oghara	15	8.67
2.	Bridge Radio 98.7 FM – Asaba	13	7.51
3.	Cornerstone News	12	6.93
4.	Financial Watch	15	8.67
5	Nigerian Television Authority, Asaba	13	7.51
6.	Trend 100.9 FM – Asaba	15	8.67
7.	Delta State Broadcasting Service – Asaba	16	9.24 1 st
8.	Nigeria Television Authority - Sapele	13	7.51 3 rd
9.	Quest FM 93.1 – Ughelli	14	8.092
10	95.1 JFM – Otujeremi	15	8.67
11	Melody FM – Warri	17	9.82
12	Mega FM 89.1 – Warri	15	8.67
	Total	173	100

Source; Compiled by Researcher (2024)

Table 1 above, displays the frequency of the respondent's base on the media organization / firms they represent.

Table 2; Research Question one: Knowledge of Media Rights

S/N	ITEM	FREQUENCY (%)	
1.	What is the level of awareness of media rights among Journalists?	YES	95 (54.91)
2	Does the knowledge of media rights influence the practice of journalism among media practitioners?	NO	40 (23.12)
3	Do knowledge of media rights impact reporting of sensitive or controversial topics among media practitioners?	I don't know	38(21.96)

Source: Compiled by Researcher (2024)

Table 2; 95 (54.91%) respondents agreed that they are aware of media rights while 40 (23.12 %) respondents affirmed that they are not aware of media rights and 38(21.96%) respondents attest that they don't know. The interview responses is in line with the result because the interviewee declared they are aware that media rights are legal and ethical principles that protect the freedom of the journalists and media outlets to gather and disseminate information to the public.

Table 3: Research Question Two. How does press control measure influence media rights and the ability of Journalists to report on sensitive topics

S/N	QUESTIONS	ITEM	FREQUENCY	PERCENTAGE (%)
1.	Press control measures such as censorship, licensing requirements, and harassment, can significantly erode media rights by limiting the ability of	YES	90	52.02

	journalists to report freely and independently.			
2	Can press control measure make it difficult or impossible to report on sensitive topics?	NO	40	23..12
3.	Press control measure can deny public access to important information, limiting their ability to make informed decisions and hold those in power accountable	I don't know	43	24.85
		Total	173	100

Source; Compiled by Researcher (2024)

Table 3 shows that 90(52.02 %) accepted that press control measure influence media rights and the ability of journalist to report on sensitive issues. 40 (23.12% said NO and 43 (24.85 %) responded that they don't know how press control measure influence media rights in Nigeria. The interviewee responses agreed that Press control measure such as censorship, licensing requirements and harassment can significantly erode media rights by limiting the ability of journalist to report freely and independently. This is concurred to the aggregate score of 90 (52.02%) that accepted that press control measure influence media rights.

Table 4: Research Question Three: What are the effects of press control measures by government agencies on media rights?

S/N	QUESTIONS	ITEM	FREQUENCY	PERCENTAGE (%)
1.	Press control measure can lead to censorship, self-censorship, and a chilling effect on free speech, resulting in a reduction in the quality and diversity of	YES	85	(49.13)

	information available in public space.			
2.	There is no erosion of trust in the media, the decline of investigative journalism, and the concentration of the media ownership, ultimately threatening the foundations of democracy.	NO	58	(33.52)
3	Press control can severely limit the ability of journalists to hold those in power accountable by restricting access to information, sources and whistleblowers	I don't know	30	(17.34)
		Total	173	100

Source; Compiled by Researcher (2024)

In Table4, 85 (49.13 %) respondents agreed that there is press control measure by government agencies on media rights in Nigeria. 58 (33.52 %) disagreed that media right has not in any way influenced press control measure by government agencies. While 30 (17.34%) affirmed that they don't know the effect of press control measure by government on media right's. The interviewee response when asked same question they agreed that there is press control measure by government agencies on media rights and one of the effect is that press control measure can lead to censorship and a chilling effect on free speech resulting to reduction in the quality and diversity of information available in the public space .Which is in line aggregate score of 85(49.13%) who agreed that there is press control measure by government agencies on media rights in Nigeria. This implies that censorship often suppresses dissenting voices and alternatives viewpoints, leaving only government approved narratives. This limits the diversity of opinions available to the public. Also, fear of repercussions may discourage journalists from pursuing in-depth, critical reporting leading to superficial or biased coverage.

Table 5: Research Question four ‘what are the legal and constitutional implications of Press control measure on media rights

S/N	ITEM	ITEM	FREQUENCY	PERCENTAGE (%)
1.	Constitutional provision governs press freedom in Nigeria.	Strongly Agree (SA)	83	47.97
2.	Press control measure does not violate the fundamental right to freedom of expression enshrined in the Nigeria constitution and international human rights instruments.	Strongly Disagree (SD)	60	34.68
3.	The legal implications registration requires, licensing fees and accreditation processes for media outlets and journalists.	Undecided (UN)	30	17.34
		Total	173	100

Source: Compiled by Researcher (2024)

Data from Table 5 shows the legal and constitutional implication of press control measure on media rights in Nigeria with aggregate of 83 (47.97 %) for Strongly Agree, while an aggregate of 60 (34.68 %) for Strongly Disagree and an aggregate of 30 (17.34 %) for respondents have not decided. Therefore, there is legal and constitutional implication of press control measure on media rights in Nigeria. The interviewee response confirmed that Constitutional provision governs press freedom in Nigeria and Press control measures can violate the constitutional guarantees of freedom of expression access to information and press freedom undermining the fundamental rights of citizens. This is in accordance with high score of 83(47.97%).

6.0 Discussion and Findings

This study displays the qualitative and quantitative methods to examine the media rights in the wake of press control measure by government agencies. Also, the researcher matched the replies of the respondents to the questionnaire and interview instruments to propose answers to four research questions set in Section 4.2 to guide collection of data for the study.

Research Question one: aim to examine level of awareness on media rights.

. The data presented in Table 2. Shows that 95 (54.91%) responded Yes while 40 (23.12%) answered No and 38 (21.96%) declared they don't know. This confirms that the respondents are aware of media rights. Similarly, .Eze (2012) and Ebeze (2002) lend supports to the research findings that for the effectiveness of the press in sustaining and strengthening the country's democracy, the press needs an atmosphere free from molestation, harassment and intimidation. It then means that the respondents are aware of media rights. More so, the responses of the interviewees were agreeable. They attested that they have knowledge of media rights and legal frameworks that guide and regulate the activities of the media.

Research questions 2 – investigate the press control measures influence media rights and the ability of journalists to reports on sensitive topics in Nigeria?

The result of the study in (Table3) revealed that majority of the respondents 90(52. 2%) responded in affirmative. 40 (23.12 %) responded in negative affirmation” NO” and others declined they don't with an aggregate of 43(24.83%) .This certifies that press control measure influence media rights and the ability of Journalists to reports on sensitive topics in Nigeria. Also the responses of the interviewees were in accordance to those respondents who agreed that the media rights can influence the press. Iredia (2021) attestation is in support with the findings that the media cannot do much for government because they are too subjected to maximum official control to have initiative or been creative

Research Question three – seeks to find out the effects of Press control measures by government agencies on media rights in Nigeria?

In(Table 4)the result shows that majority of respondents attest to the effect of press control measures by government agencies on media rights.85 (49.13%) while 58 (33.52 %) said' NO”

and 30 (17.34 %) they don't know about the effect of press control measure by government agencies on media rights in Delta State ,Nigeria..Thus the study finding confirms the effect of press control measure by government agencies on media rights.. Sambe (2018) gave credence to this research findings that a total breakdown of law and order had been one of the significant flow of the denial of the fundamental human rights of the people and outright torture of the freedom of the press in Nigeria..On the same note Apuke (2016) affirmed that press freedom is guaranteed by the constitution that are often counteracting forces that limit or restrict its exercise, creating tension between the theoretical right to free press and the practical realities that hinder its implementation .Further, The responses of the respondents collaborated with the responses of the interviewees and this indicate unfriendly nature of the media laws /government actions.

Research Question of four- examines the legal and constitutional implications of press control measures on media rights in Nigeria?

The result in Table 5 shows the legal and constitutional implication of press control measure on media rights in Nigeria with aggregate of 83 (47.97 %) is recorded. This validates the assertions that there is legal and constitutional implication of press control measure on media rights in Delta State, Nigeria. The interview responses is in support that constitutional provision governs press freedom in Nigeria and press control measure can erode the legal framework protecting media rights, creating culture of impunity and undermining the rule of law.

7.0 Conclusion

The findings of this study ascertain the awareness and knowledge of press control measures, and the significant threat it poses to media rights, role and its democratic governance in Nigeria.

Recommendation

Based on the foregoing, the following recommendations are deduced:

- Media houses and practitioners should adhere to ethics / principles of their profession.
- Media practitioners should continue to struggle for the independence of the press.
- A review of freedom of Information Act to curb violence against journalists.

- The media should be encouraged to objectively criticize any public policy.
- The National Broadcasting Commission (NBC) should not desist from her role as a regulator and should consider the media as a partner in progress.

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