

Combating Impunity of Crimes against Press Freedom

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Abstract

Worried by the rising incidence of arrests, detention, jail, harassment and even murder of journalists across the world, all of which are crimes against press freedom, this paper takes a look at the reasons for the unpunished offences against press men and women and examines the efforts made to combat the impunity of such crimes. To accomplish this objective, the paper reviews the place of the press in society as the Fourth Estate of the Realm; and discusses the specific roles of the media for the state, politics and religion. The work which is anchored on the social Responsibility Theory of the press, does an overview of press freedom, presents a roll call of past and contemporary cases of assault on the media; and lists possible causes of impunity of offenders against press freedom. Stating the efforts made to combat impunity of offenders against press freedom, it mentions the handicaps of the efforts to combat impunity and adduces suggestions for combating the impunity of crimes against press freedom.

Key words: Combating impunity, crimes, press, attack on the media

1. Introduction

In 1644, John Milton, a chief apostle of libertarianism or free press doctrine, published a pamphlet entitled *Areopagitica* in which he made a scathing and vitriolic criticism of authoritarianism and a pungent condemnation of the practice of licensing printing by the 16th Century English monarchy. In the pamphlet, which was described as the best piece of English prose, Milton defended his argument in favour of unlicensed printing or unrestrained freedom of expression and the self-righting principle which he propounded.

In doing so, he declared that *he who slew a book slew reason* – implying that anyone who prevented a viewpoint from being expressed had marred the holder's intellect and so deprived society of ideas needed for growth. Unfortunately, in this age, the most talkative age in human civilization, not only books representing the press or mass media are being slain, their writers and publishers representing journalists, are also being slaughtered – all on an altar located in an unfree-market place of ideas.

The press is persecuted across the world, especially in countries where the meaning of democracy is seemingly distorted. Lamenting that “media freedom faces severe pressure across the world”, the United Nations Secretary General, Mr Ban Ki-moon, in a message delivered on his behalf at the commemoration of the 2012 World Press Freedom Day in Abuja on Thursday, May 3, recalled that in 2011, UNESCO condemned the killing of 62 journalists in the course of their legitimate duty. The United States and Britain have also deplored the growing spate of attacks on media freedom and journalists, the world over.

Much as there is overwhelming evidence that the Nigerian press is not alone in its affliction, one is green with angst and anger that Nigeria which recently enshrined the Freedom of Information Law in its constitution should allow itself to be enlisted in the directory of the world's unrepentant violators of press freedom. Without prejudice to any effort any agency or authority in Nigeria is making - covertly or overtly – to correct the ills in this direction, it can be contended that the present spate of attacks with impunity on the Nigerian media houses and their personnel smacks of insensitivity on the part of government.

1.1 The Place of the Press in Society

All over the world, the potency of the press as the **Fourth** Estate of the realm is acknowledged. Autocracy needs the press as much as democracy does. Societal needs and tastes shape the content of the media and the content of

the media moulds behaviour and patterns of social view and conduct. Hence the observation by Okon (2001) that “one sure way of understanding the relationship between the media and society is to view the media as subsystems operating within a system enveloped by a set of social conditions that make up the society”(p140).

The media themselves are hedged in a field of social forces -cultural, religious, economic and political. The media perform some roles for the society or state which spells out certain conditions that the media should fulfill in order to operate in a mutually beneficial or symbiotic relationship. While the media perform socio-economic functions, media operations are coloured by socio-economic interests. For instance, the political or economic interests of media owners affect the nature of media content. Of interest in this discourse are the roles of the press for the state, politics and religion.

1.2 The Press as the *Fourth Estate of the Realm*

The coinage *the fourth estate of the realm* is attributed by the historian Thomas Carlyle to the eighteenth century polemicist, Edmund Burke, and applicable to the press gallery of the English House of Commons. As recalled by McQuail (2005) “Burke asserted that the power of the press was at least equal to that of the other three ‘estates of the realm’ – lords, commons and clergy. It became a conventional term for journalists in their role as reporters of and watchdogs on government”(p.555).

The origins of the term “the fourth estate” are best explained within the context of the medieval “estates of the realm.” In medieval society, three “estates” were formally recognized: the clergy, the nobility, and the commoners. Each estate had a very distinct social role and a certain level of power, and the idea of the estates of the realm became so entrenched in European society that it still lives on, to some extent, although society is far more egalitarian today.

(http://en.wikipedia.org/wiki/Estates_of_the_realm)

The equivalents of the three estates in contemporary times, are the three organs or arms of government –the legislature, the executive and the judiciary. Because of its watchdog role of reporting the activities of the three arms of government and the power it wields, the press is seen, *albeit* unofficially, as the fourth organ of government.

1.3 Specific Roles of the Media for the State, Politics and Religion

For the state, the media perform the following role:

- (a) They serve as a partner in progress by helping the state to sell and execute its programmes through information dissemination and enlightenment.
- (b) They play the watchdog role by holding government accountable to the people through reporting the activities of government to the people to assess the government and governance.
- (c) They serve as one of the tenets of democracy. It can hardly be said that a state is democratic if the media do not exist there to offer the platform for people to exercise the right of expression.
- (d) They serve as a means of social control as through them government publishes its stance issues during crises, issues orders and spells out the consequences of defying the orders.
- (e) They sensitize, ginger or raise the consciousness of people and move them to action on behalf of the state. This is the socio-political mobilization function of the media.

Worried by the Boko Haram insurgency and recognizing the importance of this mobilization function of the media, the PDP National Chairman, Alhaji Bamanga Tukur, in a media chat with BEN TV at the “2013 Nigeria Arise Award” in London, reportedly said the media had a key role to play in creating awareness in Nigerians towards rising to the security challenge which was fast destabilizing the nation.

In the political sphere, the press observes and reports the work of government and politics. The mass media can confer status and legitimacy on political leaders and issues by making them appear important and “right” (i.e. legitimate). The mass media also set political agenda for society by deciding what political topics people talk about. Should there be party mergers like APC to castrate the PDP? Should the presidency be controlled by the North for a century before the region hands it over to the South to taste it for one day and return it to the

perpetual owner, the lord and master of Nigeria? Should elections into Nigeria's political offices be contested only by occult grand-masters while decent men and women are kept at bay? This agenda-setting function of the media is an important aspect of the institutional linkage between the press and politics.

In respect of religion, the media are used to propagate and promote a faith and win converts to it. This needs no further explanation as our radio and television are fraught with religious broadcasts in addition to articles on religion in the print media. Today, if a religious organization does not involve itself in televangelism, radio evangelism, or religious advertising, it is as if it does not exist. And, *Insha Allah*, the doctrines of the great Prophet Mohammed are also being sold on the media market place.

In carrying out the above functions, the press offers interpretations too - a judgement of the meaning and significance of what it sees. Such judgements often include criticism or approval.

All this does not mean that the press is flawless. Far from that! As a human institution, the press is subject to human frailties. Walter Cronkite, formerly of the Columbian Broadcasting Service (CBS), in the following quoted address to some newsmen decades ago, admitted very authoritatively that the press could be prejudiced and biased. Please hear him:

I do not want to leave you with the impression that...we (journalists) are perfect. Far from it! We make many errors...We are not always fair and just. There is not a man who can truthfully say that he does not harbour in his breast prejudice, bias and strong sentiments on some, if not all, the issues of the day. Yet it is the distinguishing character of the professional journalist (to)...set aside those opinions in reporting the day's news. None of us succeeds in this task in all instances, but we know the assignment and the pitfalls and we succeed far more often than we fail or than our critics would acknowledge (Bojuwade, 1991, p.1).

1.4 Theoretical Anchor of the Paper

This paper is anchored on the social responsibility theory of the press. In 1942, an independent commission on the Freedom of the Press headed by Robert Maynard Hutchins - at that time, the chancellor of University of Chicago (Blanchard, 1977) - was set up. The commission which was charged with the responsibility of studying the role of the press in the US society and making recommendations on how the press should best operate in support of democracy, comprised academics, politicians and social activists (Baran and Davis, 2006). Financed by Henry Luce (Time magazine owner and publisher), the organization came up with the theory of social responsibility in 1947 (Hutchins, 1947).

The gist of the theory is that while the press has the right to publish, it should be socially responsible. That is, it should be responsive to the wishes and aspirations of the people to create a better society. It should provide accurate and factual information; and provide full access to the day's intelligence.

As Nwabueze (2012) writes, "This theory seems to be predominantly operational in most countries today. The United States, Japan, Britain, and many European and African nations operate their media systems based on this theory"(p.97). Regulatory bodies such as National Broadcasting Commission (NBC) and the Nigeria Press Council (NPC) are reflections of a system operating the Social Responsibility press theory, adding that:

With respect to self-regulation which is also a basic tenet of Social Responsibility theory, bodies such as Nigeria Union of Journalists (NUJ), Radio, Television and Theatre Workers' Union (RATTAWU), Nigeria Guild of Editors (NGE) and Newspaper Proprietors Association of Nigeria (NPAN) strive for professionalism and adherence to ethical standards among their members. This way, the press is streamlined towards operating with responsibilities to the society (Nwabueze, 2012, p. 97).

The social responsibility theory approves of both state and private ownership of the press so that one will be a check on the other. This theory is the foundation of media laws to check the excesses of the press, and of media ethics to keep practitioners within the limits of responsible practice.

The question now is, has the Nigerian press become so irresponsible? If no, why has it been so terribly stripped of its freedom to operate responsibly?

1.5 Operational Definition of Terms

- **Combating:** fighting against
- **Impunity:** freedom from punishment or prosecution
- **Crimes:** law-breaking activities that affect the state, not just an individual
- **Press Freedom:** the right to know and make known issues of public interest through the print and/or broadcast media without interference, assault, molestation, prosecution or being killed by designated persons or authorities
- **Press:** used interchangeably with the *mass media* or simply, *the media*

2. Press Freedom in Nigeria

The role of journalists in nation building cannot be questioned. The gap between the government and the governed could only be bridged by the media by letting the people know how they are being governed in all facets. That is why a free press, according to one commentator, stands as one of the great interpreters between the government and the people. For us to allow it to be tethered, he says, is to be tethered ourselves.

The assertion of the right to speak, to publish, to know and make known is said to be one of the great historic claims to liberty. An American judge once argued that the claim to the freedom of the press to perform its role gives expression to the proposition that without it (i.e. the press) there can be no free society, observing though, that freedom of the press is not an end in itself but a means to the end of a free society.

The UN Secretary General, Mr. Ban Ki-moon, contends that the freedom of expression is one of mankind's most precious rights, maintaining that freedom of expression underpins every other freedom and provides a foundation for human dignity. He believes it wholesale that "free, pluralistic and independent media" are essential for the exercise of press freedom.

The issue of press freedom has for long been a very controversial one in Nigeria. Agunanna (1985) observes that: "Talking about press freedom in Nigeria with its men and machine is one thing while the principles and conditions under which it operates are quite another"(p.5).

Although ours has been regarded as the freest press in Africa, there have been episodes since independence which have reduced the assumed freedom of the press in Nigeria to the mere expression of the wise saying that "in the country of the blind, the one-eyed man becomes the chief."

2.1 Shades of Opinion on Press Freedom

Even though in Nigeria our constitutions have provided for the freedom of expression, there has not been any specific provision for press freedom as distinct from the right of every citizen to hold opinion.

According to the Political Bureau Report (1987), in 1976, the Constitution Drafting Committee decided not to make any special provision for press freedom in its draft constitution. Their reason for taking that decision was that even though there was the need to protect the freedom of the press, there were no grounds for giving any Nigerian citizen a lesser right to freedom of expression than any other person who happened to be a journalist.

Consequently, like the 1963, 1979 and 1989 constitutions, the 1999 Constitution of The Federal Republic of Nigeria, as amended in 2010, only provides for press freedom in the context of the general freedoms of every citizen. This provision which is contained in section 39 (1) of the constitution states that: "Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference."

Media people and their sympathizers have argued that there is the need for a special constitutional provision guaranteeing the freedom of the press. The press, according to them, should have the right to write, inform, and educate the public without fear of censorship, intimidation, molestation or restraint to personal liberty of the writer subject to existing laws of sedition.

When the political Bureau in 1985 sampled opinions on press freedom, a section of the public held the view that a constitutional provision could not even guarantee press freedom. What to them would guarantee press freedom

should include the ethics and values of media professionals and their commitment to these values, the sincerity and honesty of political leaders and an enlightened citizenry (Political Bureau Report, 1987).

To buttress their position, the proponents of this view pointed out that:

The freedom which the American press enjoys derives more from such factors as an independent judiciary, an open system of government which makes for accountability, an alert and vocal public opinion and committed and dedicated pressmen, who will go to any length and inconveniences to search for what they regard as the truth, rather than constitutional freedom. (Political Bureau Report, 1987, p.212).

This implies that the press should, in spite of all odds, earn its freedom through hard struggle and objectivity.

However, it is often contended that if a specific constitutional provision is made for press freedom, journalists would be more emboldened to perform their duties. In other words, the availability of a provision to fall back on would psychologically boost the confidence of the press in the discharge of its functions.

There is no doubt that the courage and the vibrancy of the American Press are enhanced by the First Amendment to the American Constitution which states that: Congress shall make no law... abridging the freedom of speech or of the press.”

Nigerian journalists have contributed to national growth from colonial spoilage to nationhood, to the search for peace and the task to keep Nigeria one, to the efforts at rehabilitation and reconstruction and to the present attempts to achieve a real democracy. The press should therefore, be given enough elbow room to operate because an intimidated press cannot be a creditable partner especially in these days of a weaponless war against corruption.

2.2 A Roll Call of Assault on the Media: Ancient and Modern

Any attempt to catalogue the cases of persecution of the press in Nigeria from the earliest of times up to the present, will be a will-o-the-wisp. We shall, however, make some explanations from a sprinkling of cases, mainly contemporary.

2.2.1 The Rtd. General Ibrahim Babangida Era: 1985 – 1993

Never before had the media come under so much attack as it was the case during the retired General Ibrahim Babangida’s regime. The attacks became so open and sustained that even the most ardent supporters of the government began to shiver and whisper disapproval.

The irony of this unfortunate development is that no previous administration in our history had enjoyed the type of press support which the Babangida administration (1985 – 1993) enjoyed at its inception. And no honest, fair-minded Nigerian would deny that that regime had deserved that initial support. The reasons were obvious. In the first place, the Babangida administration literally liberated the Nigerian press from the Buhari/Idiagbon’s reign of terror and blackmail, aggravated by Decree No. 4 which gagged the press. Secondly, when it came into power, the administration instituted what looked like an open and tolerant government - a government that not only tolerated dissenting views but indirectly encouraged them through its policy of public debate (*The Guardian*, 1990, June 15).

But alas, Nigerians were stunned by the administration’s draconian decrees and repressive measures against the operation of the press. Besides the countless cases of arrests and detention of journalists (especially editors), the incidence of proscription of newspapers and clamping down on media houses soared to the high heavens under Babangida’s dictatorship.

In April 1986, the government proscribed the *Newswatch* magazine for five months for publishing “ahead of government’s consideration and decision” the report of the Political Bureau in its edition entitled: “Third Republic – A New Political Agenda.”

This proscription attracted opinions from many Nigerians one of the most prominent of whom was Dr Olu Onagaruwa, a constitutional lawyer. Onagaruwa who saw the government action as unconstitutional, observed that: “All that has been shown is that government has made a demonstration of power and not law. The meaning of a free society is that the press should publish without interference notwithstanding how they procured their information” (Smith, 1987, p.8).

On May 10, 1993 security agents and armed policemen seized 40,000 copies of *The News* magazine which was entitled “Methods and Tactics of the Babangida Government.” Seventy thousand (70,000) copies of *Tell* magazine had been seized two weeks earlier ‘because of its cover story which detailed the booby traps that made Babangida’s promised disengagement on August 27, seem unreal” (Igiebor, 1993, p. 7)

Before President Babangida Ibrahim “stepped aside” in August 1993, he had, at various times, shut down (and opened) almost all the private (and even some state government – owned) newspaper houses in the country.

The fate of each of the following newspapers during the Babangida dictatorship is as indicated in the table below:

S/N	Newspaper/Magazine	Dates of Closure and Frequency
1	<i>The Punch</i>	Twice: 29/4/90 for 21 days; 22/7/93
2	<i>The Guardian</i>	May 1991
3	<i>The Concord Group</i>	Twice: 1992 and 1993
4	<i>Champion Newspapers</i>	9/6/90
5	<i>The Vanguard</i>	10/6/90
6	<i>The Reporter</i>	1/3/93
7	<i>The Sketch Press</i>	22/7/93
8	<i>The Observer</i>	22/7/93
9	<i>Abuja Newswatch</i>	22/7/93
10	<i>The News</i>	1993

The above institutions were shut down for publishing certain pieces of information which either actually breached or were claimed by the government to have breached the security of the state.

2.2.2. The Martyrdom of Dele Giwa

On October 19, 1986, Mr. Dele Giwa, the founding editor-in-chief of *Newswatch*, was brutally murdered by a parcel bomb. The October 25, 1994 edition of *Tell* magazine recalled: “Two years after the assassination, the

police virtually closed their investigations, claiming that all the leads they had, did not lead anywhere. In other words, they could not determine those who conspired to... get rid of him”(Dele Giwa) (Igiebor, 1993).

Babangida’s regime was overtly and covertly accused, at various times, by various eminent Nigerians of being responsible for the novel murder of Dele Giwa, the Martyr of Nigeria’s investigative journalism. The late Gani Fawehinmi, a radical and irrepressible lawyer, was among the people who openly held that regime responsible for the brutal killing. The late Major Gideon Orkar in his broadcast during the abortive coup of April 22, 1990, pointedly accused the Babangidaadministration. Yet the accused government did not think it necessary to react in any way to save its face and remove the blight on its credibility.

In an interview with *Tell*, Edmund Ikechukwu Onyeama, a former operative with the Military Intelligence – headed by Halilu Akilu – told the story of how Dele Giwa was bombed. Speculations were rife as to the reason for his killing; one of them being that he was eliminated to avoid his revelation of some top secrets of the government.

2.2.3. Press Torture under the Regime of General Abacha: November 17, 1993-June 8, 1998

When the regime of the immortal General Abacha was struggling to break the world record of human rights violations, the press, through its surveillance and crusading functions, raised an alarm for the world to know that Nigerians were living in the valley of death. The press called attention to the innumerable cases of murder and attempted murder in the land, which occurred between 1994 and 1996. For this act of courage, the press paid dearly.

The height of the clampdown on the press at the time was the proscription in August 1994 of *The National Concord*, *The Punch* and *The Guardian* groups of newspapers by three retroactive decrees. The decrees were entitled: *The Concord* Newspapers and *African Concord Weekly* magazine (Proscription and Prohibition from Circulation) Decree No. 6; *The Punch* Newspapers (Proscription and Prohibition from Circulation) Decree No. 7; *The Guardian* Newspapers and *African Guardian Weekly Magazine* (Proscription and Prohibition from Circulation) Decree No. 8. The proscribed papers were considered too critical of the ruling junta, especially during the renewed struggle by pro-democracy forces to terminate military rule.

In a dare-devil attack on the freedom of the people to freely express themselves on matters affecting them, government and its agents rampantly disrupted press conferences and peaceful protest marches, arrested and detained journalists and impounded thousands of copies of newspapers and magazines and destroyed numerous films and plates used in printing and publication.

In 1995, the editor-in-chief of the defunct *The Sunday Magazine*, *TSM*, Mrs Chris Anyawu was on March 15, arrested and taken away by security operatives from the Ilupeju, Lagos office of the magazine. The military authorities in Abuja were unhappy over a *TSM* cover story entitled “Coup Update: Bloodbath Soon.” This led to her incarceration in July 1995 for “exposing a government round-up of political opponents.”

Also, three journalists, Kunle Ajibade of *The News* magazine; George Mba, *Tell* magazine’s assistant editor; and Ben Charles Obi, former editor of the defunct *Classique* magazine, were convicted.

2.2.4. The Case of the detained and prosecuted Leadership Newspaper Journalists by Men of the Nigeria Police

Four journalists with the *Leadership* newspaper were detained at the Force headquarters in Abuja in April 2013 for publishing a story entitled “Outrage trails presidential directive on Tinubu, APC.” The four journalists, Mrs Chinyere Fred-Adegbulugbe, Mr Tony Amokeodo, Mr Chibuzor Ukaibe and Mr Chuks Ohuegbe, were eventually released by the court of public opinion.

2. 3. Boko Haram Attack on the Media

On April 26, 2012, the Islamist sect, Boko Haram, bombed *ThisDay* newspapers office in Abuja and a building in Kaduna that houses several media outfits, including *ThisDay*. Four persons were killed in the suicide car

bombing in Abuja, and three died in the Kaduna blast, according to witnesses and media reports (*Vanguard*, 20012, April 27).

In an online statement, the group boasted that it bombed *ThisDay* newspapers because they had reported many “lies” about Boko Haram (*Premium Times*, 2012, May 1). According to the statement, the group was carrying out a revenge on the newspaper for publishing a story in 2002 about the Miss World beauty contest slated to be held that year in Nigeria, stating that Boko Haram said the event “dishonoured” Prophet Mohammed (Human Rights Watch, 2003, July 23).

Reports had it that the group threatened to attack other named media houses . Besides the bombing of the media houses, Boko Haram also claimed responsibility for killing a cameraman who worked with the government - owned National Television Authority, in Maiduguri, on October 22, 2011.

On October 25, 2011, *Reuters* announced that the Islamist sect had claimed that the cameraman was an “informant of security agencies.” A journalist with Channels Television, in Lagos, was also shot and killed during the January 20, 2012 attacks in Kano.

3. Possible Causes of Impunity of offenders against Press Freedom

The causes of committing crimes with impunity against press freedom are probably legion. Of these, the eight that are adduced by this paper can be explained within the coinage of **IMPUNITY**:

- (i) **I**: Immunity of certain office holders while their tenure lasts
- (ii) **M**: Misconception of the role of the press in society
- (iii) **P**: Pride of place in society
- (iv) **U**: Underdevelopment of the faculty of the offenders
- (v) **N**: Nazism of the rulers
- (vi) **I**: Ingratitude to the shapers and moulders of society
- (vii) **T**: Thuggery in the Nigerian brand of politics
- (viii) **Y**: *Yes-manism* of the yes-men

3.1 Combating Impunity of Criminal Acts against Press Freedom

“Impunity means the impossibility, de jure or de facto, of bringing the perpetrators of violations to account - whether in criminal, civil, administrative or disciplinary proceedings - since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty, sentenced to appropriate penalties, and to making reparations to their victims”(<http://www.unesco.org/new/en/unesco/>).

UNESCO, in an online report, says in the past years, only about one-in-ten cases of crimes against journalists, media workers, and social media producers led to a conviction. This level of impunity, the organization contends, is not just bad in principle in terms of flouting the rule of law, in terms of which every state has a duty to protect its citizens in general. Of even greater concern, because of the visibility involved, impunity for attacks on journalists in particular sends a signal to the wider public to keep quiet about corruption, environmental damage or human rights violations. The result is self-censorship across a society and an erosion of public faith in the judicial system. In this way, impunity also feeds a vicious cycle. Those who threaten or use violence against journalists are emboldened when they see that it is possible to disregard any prospect of punishment. “When impunity becomes pervasive, it activates a self-propelling, re-energizing cycle with every additional infringement that the low risk of punishment inspires.”

To increase the risk of impunity, certain measures are being put in place. These include the following:

- ❖ UN plan of action on the safety of journalists and the issue of impunity
- ❖ Submission of a report by the Director-General of the Inter-governmental Council of UNESCO’s International Programme for the Development of Communication on the safety of journalists and the danger of impunity
- ❖ UNESCO work plan on the safety of journalists and the issue of impunity

3.2 Handicaps of the Nigerian Journalists in combating Impunity of Crimes against them

- ❖ Lack of welfare
- ❖ Poverty
- ❖ Inadequate training

4. Suggestions for combating Impunity of Crimes against Press Freedom

Whereas by the nature of journalism the government and the media may sometimes have antagonistic relations in the interest of society, the two institutions can operate in such a way as to ensure good governance. To achieve a stable and progressive Nigerian society that will be free of the bug of Boko Haram, the following steps are suggested:

- (a) A constitutional clause guaranteeing press freedom as distinct from the individual citizen's right to expression, should be provided.
- (b) Nigeria needs an activist judiciary, not a teleguided one.
- (c) Advocacy and conflict-sensitive journalism can come to the rescue.
- (d) Inexperienced journalists need to be trained and retrained to be able to weather the storm of embarrassment from the dark quarters of society.
- (e) In the interest of state security and national development, the government has the right to check the excesses of the press, but that should be only through legal means.
- (f) The government must allow the press enough elbow room to operate as the watchdog of society subject to the laws of sedition.
- (g) Press men and women should always observe the maxim that facts are sacred and comments free.
- (h) Finally, "if you find the underdog to be correct, be twice careful; heroes are not always honest, villains are not always crooks" (Bojuwade (1991, p.6).

References

- Agunanna, B.O (1985, May 6). Paradox of free press. *Daily Star*, p.9.
- Baran, S.J. and Davis, D.K. (2006). *Mass communication theory: Foundations, ferment and future* (4th ed.). Pakistan: Thomson Wadsworth.
- Blanchard, M.A. (1977). The Hutchins Commission, the press and the responsibility concept. *Journalism Monographs*, 49.
- Bojuwade, D. (1991). *The press and public policy*. Ibadan: University Press Plc.
- (http://en.wikipedia.org/wiki/Estates_of_the_realm)
- <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/safety-of-journalists/beyond-the-statistics/in-focus-beyond-the-statistics/>
- <http://www.unesco.org/new/en/communication-and-information/resources/publications-and-communication-materials/publications/full-list/conflict-sensitive-reporting-state-of-the-art-a-course-for-journalists-and-journalism-educators/>

Hutchins, R. (1947). *Commission on Freedom of the Press: A free and responsible press*. Chicago: University of Chicago Press.

Human Rights Watch (2003, July 23). The “Miss World” riots. Retrieved from <http://www.hrw.org/reports/2003/07/22/miss-worldriots-o>, on May 1, 2013.

Igiebor, N.(1993, October 25). From the editor. *Tell*, p.7.

Okon, G.B.(2001).*Basic Dimensions of Mass Communication*. Enugu: HDX Communications Ltd

Political Bureau Report (1987, March) reproduced for mass distribution by the Directorate for Social Mobilization, Abuja.

Premium Times (2012, May 1). Boko Haram threatens to attack VOA,*The Guardian, Daily Trust*, others. Retrieved from http://premiumtimesng.com/mobile/news/4895boko_haram_releases_video_on_thisday_bombing.html May 10, 2013.

McQuail, D. (2005). *McQuail's mass communication theory* (5th ed.). London: Sage Publications Ltd.

Nwabueze, C. (2012). Evaluating the application of social responsibility theory in developing societies. In N.T. Ekeanyanwu; S.N. Ngoa and I.A. Sobowale (eds). *Critique and application of communication theories*, (Pp. 93-104) . Ota, Nigeria: Covenant University Press.

Smith, F.(1987, April 8). It is a big shoot. *The Punch*, p.8.

The Guardian (1990, June 15). The press, the nation and the people(editorial), p.8.

Vanguard (2012, April 27). *This Day, Sun, The Moment* bombed. Retrieved from <http://www.vanguardngr.com/2012/04/thisday-sun-the-moment-bombed/> on May 10, 2013.

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