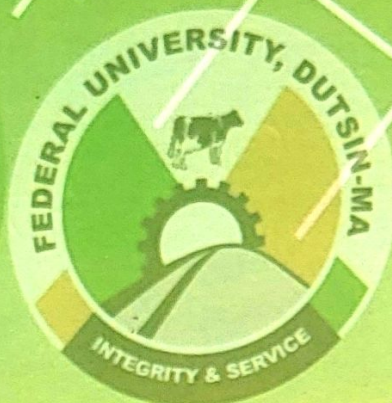




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Title Free Press and Good Governance in Nigeria: A Review of Muhammadu Buhari's Administration

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Abstract

Taking explicitly into cognizance 20 years of uninterrupted democracy in Nigeria after the return of democracy in 1999, this paper seeks to explore, as well as analyze the continuous abuse and onslaught by the Nigerian government officials on media practices. This paper while relying on secondary data sources reveals that ever since the transition from the military regime to a democratic government, in spite of the expectation that the level of harassment and abuse on the media should have been a thing of the past; rather, the trend has continued unabated, especially under President Muhammadu Buhari led administration. Noting from the relationship that exists between a free media and good governance, assessing the administration of President Buhari with instances that are verifiable, and with the fact that good governance is a sine qua non for development and growth in fledgling democracy such as Nigeria's, it is not yet time to celebrate for Nigerian press and Nigeria. This paper recommends that the Nigerian government should make laws that would protect as well as give leverage to the media to carry out its responsibility without fear of intimidation and harassment. The future of free media is highly dependent on good laws, as much as good governance depends on free and unbiased media.

Keywords: Democracy, Good governance, Administration, Press freedom, Media

Introduction

Freedom of speech and expression is one of the fundamental human rights that citizens enjoy in any democratic realm. For a fact, citizens' freedom of speech and expression (represented by independent and free media) is one of the cardinal points to measure in any society the level of democratic norms and acceptability. For any society to grow, the citizens' right to an unhindered expression of personal opinion must not only be enshrined in the constitution of the land, but government must deliberately make effort to ensure that their rights are protected. It is in doing so that government is reliably able to gather uncensored feedbacks from the people. This practice stems from the belief that in

democracy, sovereignty resides in the people and as such, they are the center of governance. In giving credence to this, a former American President, Thomas Jefferson emphatically remarked that, if he were to choose, he would prefer free press without government than government without free press. Such a strong endorsement coming from the Presidency of America, often considered the world's strongest democracy, is worth noting, and perhaps, worth celebrating (Ben, 2014).

Absolute press freedom in the true sense of the word is only a mere construct and does not exist in its unadulterated form in the modern contemporary society. Man as an individual and group is limited particularly in expressing him/herself through oral and written means (Johnson, 2014), advanced democracies such

as United States, England, France, Denmark among others, boldly enshrine freedom of the press in their constitution because they have come to realize that freedom of speech is as important as right to life itself. However, Nigeria and other developing countries are still grappling with comprehension of the significance of free press as a *sin qua non* to democratic development and by extension good governance. Nigeria whose democratic experience since independence in 1960 has always had multiple military interruptions of her democratic development.

From the inception of press in Nigeria, when Henry Townsend founded the first known newspaper in 1859 (*Iwe Iroyin*) in Abeokuta (Abati 1998) every attempt was made to stifle the voice and independence of local press by the colonial masters. However, the press has continued to play a vital role in the independence and democratization process in Nigeria (Akeem, 2010). It (press) has in thousand meaningful words brought to the knowledge of the public and the government issues that are paramount to the democratic development process in the country as similarly opined by Ukaegbu (2007) that: "Different press organizations have brought the deplorable state of Nigerian society to public knowledge. They have used critical journalism to expose issues ranging from poverty and crime to bad roads and other shortcomings in Nigerian cities".

Nigeria has had an un-interrupted democracy between 1999 and 2020 and its far yet to be rooted in press freedom and public opinion. The country seems to gallop on the road to press freedom as her leaders since 1999 have had different dispositions towards press freedom. This is because a number of journalists have had to sleep behind the bars for reports they filed that are considered anti-government, a similar experience with the pre-1999 era give example of such journalist- Mr. Agba Jalingo, publisher of Cross River Watch

is one of the many cases). It is the view of the all-important necessity of press freedom to the growth of nascent democracies like ours that this study sets to assess the extent of press freedom in Nigeria under the administration of President Muhammadu Buhari. Further to this, this research examines how well has the press fared under the present administration? Lastly, the study is aimed to offer suggestions on how to ensure freedom of the press to facilitate good governance and Nigeria.

Press Freedom

It is critical and imperative for the mass media to be given the responsibility of observing, criticizing and airing out the views and opinions of the general public. The press as well ought to provide both the government and its citizens with analyzed information about happenings in their environment. The media is almost impossible to be ignored and bolted especially in this modern dispensation (Oberiri, 2016). Dwight (2016) describes press freedom as a situation whereby an opposition to any government or leader can publish effective criticism without suffering government retaliation in the form of fines, intimidation, imprisonment and death. The definition does not include any form of communication, or actions that may break the law especially mob protest or actions. In a popular case in the United States, *Whitney versus California* in 1927, the judge of the case retorted that: "freedom to think as you will and to speak as you are, means indispensable to the discovery and spread of political truth" (Brandeis, cited in Lincoln, 2020). The freedom of speech and press gives avenue for the truth to come out and not just what the government wants us to hear and believe (Lincoln, 2020)

Sambe and Ikoni, cited in Oberiri, (2016) explained that press freedom lays emphases on the unrestrained liberty to write or publish information for the benefit of the public. Similarly, Agee, Ault & Emery (1979) views

press freedom as "freedom to print without prior restraint". This entails that press freedom goes beyond just given journalist the right and power to publish documents that criticize and praise the government but also gives citizens the power to air out freely their opinions and view about the government or leaders without any intimidation, fines, torture or death by the government or its agents. Press freedom is the unrestraint ability of the media to perform its lawful roles of watchdog to the government and the society without fear of intimidation, persecution or threats from the any quarters be it government or individuals whose interest is bruised.

Good Governance

There exists a sharp difference between good governance and governance, these concepts though markedly different, are often misconstrued to mean the same. Nevertheless, both concepts have no generally accepted definition. Governance is the use of economic, political and administrative authority to control a country's affairs at every level, this includes mechanisms, processes and institutions through which citizens and groups make known their interests, put their legal rights to use, meet their obligations and resolve their differences (UNDP, 1997). The International Monetary Fund (IMF) defines governance as the process by which public institutions conduct public affairs and manage public resources. It is a process of rulership and administration that explains the relationship that exists between the leaders (government) and the led (citizens).

Its meaning as explained by UNESCO (2005), good governance includes greater participation by civil society in decision-making, rule of law, anti-corruption, transparency, accountability, poverty reduction and human rights. In the context of our modern society, the term good governance is akin to democracy particularly in liberal sense of it such as the United States.

The World Bank (2007a) views good governance as the way public officials and institutions receive and make use of the authority to sharpen public policy and provide goods and services for public use. The International Monetary fund (IMF, 1997) posits that good governance is agreed to be of huge benefits to a state's political growth, while poor governance is among the most important causes of state failure and underdevelopment. Juan (2016) contends that good governance corresponds to four attributes of the polity: constitutional, political, executive and the content of public policy. For instance, at the constitutional level, good governance requires changes to the fundamental principles and rules on which government is based. Competence of any government in sustaining and upholding the nation among other nations is a sign of good governance and its inability to do so is bad governance. It is apt to conclude that the proficiency of the government in upholding its citizens' right is regarded as good governance and its inability to protect the rights of the citizens is bad governance. Conversely, to Madhu(20115), disobeying court order as well as meddling with the constitutionally established judiciary is bad governance.

Nigerian Press in the Pre-Colonial and Colonia Era

A European missionary to Nigeria, reverend Henry Townsend of the Anglican Mission is regarded as the father of Nigerian newspaper. He established the "Iwe-Irohin Fun AwonEgba" (the newspaper for the Egba people) in 1859; the newspaper at first was written in Yoruba language (a year later available in English) and was directly interested in educating the Egba people in basic Math, History and Geography. Most of the vernacular newspapers we have today, have been patterned after IweIrohin (Akogbo, 2012). Reverend Townsend was as a religious man who features church, weddings and post

office announcements in his newspaper. However, the newspaper collapsed in 1867 after the 1867 crisis in Egba land.

Following the footsteps already laid down by Townsend, Robert Campbell established the Anglo-African Newspaper in 1863 which was written in English and covered both local and international news, the coverage in terms of distribution was massive than the Iwe-Irohin newspaper. The newspaper was established in the defunct Lagos colony. Years into the colonialism and nationalist movement particularly from 1897 to 1925 many other newspapers have been created such as Lagos Times and The Gold Coast Advertiser (1880), The Eagle and Lagos Critic (1883), The Nigerian Pioneer (1914), The African Messenger (1921) and The Nigerian Daily Times (1926) and the Daily times which was assimilated by Adeyemi Alakija, V.R.Osourn on June 6, 1925 among others. Perhaps the most remarkable of them all was the West African Pilot of Dr. Nnamdi Azikiwe established in 1937. He was passionate about journalism and the need to conscientise the people of Nigeria, He established newspapers in all cardinal regions of colonized Nigeria; in the east he established "The Nigerian Guardian" (1940) located in Port Harcourt, the "Nigerian Spokesman" (1944) in Onitsha and the "Sentinel" (1947) in Enugu; in the north he established "The Comet" (1949) in Kano and "the Northern Advocate" (1947) in Jos. Akpobo (2012). Azikiwe's papers were very effective especially in the angle of mobilizing the youths across the length and breadth of Nigeria. He faced persecution from the colonial government for his anti-colonial publications; in 1945 The Pilot newspaper in Lagos was suspended and later banned from publication. He persisted with the vision of consciously liberating Nigeria from colonial encroachment and domination via journalism. Also one of the most remarkable news paper that served as a mouth piece to Nigerians

against malevolent colonialism of the British is the Awolowo Nigerian tribune which struggled for independence until its achievement in 1960,

Nigerian Press in the Post-Colonial Era

The end of colonialism (1960) in Nigeria brought about the establishment of many other newspapers in the country. The contents and coverage were wider compared to the colonial days. Before and after the military takeover in 1966, newly formed newspaper included the "Morning Post" that was established by the Abubakar Tafawabelawa administration, "The Vanguard" (1990) established by Mr. Sam Amukapu (today is one of the leading newspaper in Nigeria), the Nigerian Standard Newspaper established by the Plateau Government among others. In the 1990s, many community-based newspapers were published. They include (but not limited to) Orisun published at Ilaro, Cradle News at Ife among others. The media surveys in 1999 indicated that, more than 250 community newspapers were established between 1990 and 1999(Akpobo, 2012). It is pertinent to note that by the end of the 1980 most publishing companies were government owned except for newspaper such as Vanguard, Punch, and Guardian newspapers wealth results (2018). Privately owned newspapers such as the News Watch Magazine pioneered by the Dele Giwa, Ekpu, Dan Agbese and Yakubu Mohammed in 1984 prints not less than one hundred thousand copies a day however a segment of its journalist pioneered the formation of the Tell Magazines in 1991(Ndaeyo, 2004 and Olukotun,2004).

Nigeria's transition from military to civilian rule in 1979-1983 and since 1999 came with increase in the number of media organizations. As at 1999, there were only two government-owned television stations, fourteen licensed private television stations, eighty-two AM radio stations, thirty-five FM stations and eleven

short-wave stations in Nigeria as of 1999 (Hudgens and Trillo, 1999)

Press' Freedom in the Forth Republic

Olusegun Obasanjo assumed power as the first Executive President of the Federal Republic of Nigeria upon return to democratic rule in 1999. The nature and character of the Nigerian state under the previous military regimes was one with a militarized psychic and brutalized democratic norms where killing and maiming of government's opposition, gagging of the press and suppression of Civil Society Organizations (CSOs) as well as government sponsored terror against perceived unrepentant and unyielding critics of government was the order of the day. Due to the long and uninspiring years of military domination of the nation's political space, various segments of Nigeria society almost accepted the misnomer under the military as the way of live, but the press, who had remained consistent in the demilitarization of Nigerian political arena through massive campaigns and information dissemination to the people. This was aptly captured by Ben (2014) that after many years of unrelenting efforts against militarization of almost every segments of the outspoken publics, especially the press, the military reluctantly relinquished power to civilians on May 29, 1999.

Obasanjo, being an elected democratic president was to him an entirely new phenomenon as he was previously a military head of state (1976-1979). As such, he was critical in the handling of the press and any form of criticism. Ben (2014), added that sometimes he fails to control his anger, even though he always spoke of an free and independent press, his actions spoke louder than his words in the opposite direction.

Cheif Olusegun Obasabjo was succeeded by Umaru Yar'Adua in 2007, who many had considered to be probably the best president Nigeria would have had but he died while in

power. He was succeeded by his Vice, Goodluck Ebele Jonathan who according to Ben (2014) was in the habit of occasionally appreciating the role of free press in national development. Dr. Jonathan was according to Ben sometime over-reacting to seeming bad press and showing some hostility towards it. For instance, In June 2014, Leadership, Punch, and Daily Trust newspapers distribution vans were attacked and seized by some military men suspected to be acting on the order of the presidency. The seizure of the distribution vans was followed by the harassment of newspaper distributors in the major cities of the country (Ben, 2014). The military in justifying their actions informed the public that their action was an enforcement of a superior order as the seized vans had sensitive materials that threatened national security of the nation, hence the urgent need to stop the distribution of the materials before it escalated. Perhaps, one of the dictatorial attempts by the government to eat away the press was the order to the NBC to regulate any political broadcast in the wake of the 2015 elections, that every channel that intended to host a political show or program must submit same to the commission two days before airing. The press experience under Goodluck Jonathan was captured by Ben (2014) in the following words: "the assault on press freedom this time is coming at a time the country is celebrating fifteen years of unbroken civil rule, a great achievement for a country that struggled against oppressive military rule for decades"

All these fatal abuses visited on journalists and media houses during the Goodluck Ebele Jonathan administration took place despite existence of the Freedom of Information Act which was signed in May 2011.

Free Press and Good Governance in Nigeria: The Inevitable Synergy

United States of America, one of the oldest democracies like many other advanced

democracies, in contrast to Nigeria have had an understanding that good governance is tied (among many other things) to a free press. Generally, a free press means the freedom of the press to print, write and air out anything it feels about the government and any other matter (Ben, 2014). The media according to Ben is to carry out the role of gathering, analyzing and presenting the news of the day to an information-underfed society. Therefore, the press in doing this requires some form of encouragement, legally and constitutionally. The press, which is usually referred to as the fourth estate of the realm, serves as a major check to the excesses of various organs of government. To Coronel (2010) the popular notion of the press being the watchdog to the activities of government and its officials has lasted for over 200 years.

The press through its 'watchdog' functions promotes responsibility, accountability and transparency by government on one hand; this it does by pointing out the errors and drawbacks of the government in terms of their performance, policies, rulings and laws. The press also serves as a link between the people and the government while furnishing the public with information about the activities of government. Graber (2009) in underscoring the essence of the press to the promotion of good governance submits that a vigilant press has the capability and capacity of monitoring political office holders and institutions that are meant to act transparently and accountable as people of the view that the press has the role of providing them with information about government wrong doing.

In addition, the press performs other functions such as investigation, analysis, social empathy, public enlightenment and mobilization. A free and unbiased press as a watchdog has the duty to promote accountability and transparency by exposing individuals, government, and its officials of any form of mismanagement, corruption, inhumane acts and abuse of power

through their series of their reports and commentaries. Habermas (1996) holds the view that a free and independent media plays vital and crucial role of information dissemination to the public, while it promote the development of a well informed public opinion that is needed in providing checks against state power and officials.

Through the enlightenment and linkage functions of the press, it aids good governance through the platforms they create for the citizens to query the government on its policies and programs; political parties are provided the medium to reach out to the citizens through the press; and its provide platforms for debates and interactions between citizen and government, civil society and government and between opposing political parties in order discuss to proposed government policies; analyze government programs. Government heavily relies on the press to gather public opinion of the people. All these roles are critical components activities that promote good governance (transparency, rule of law and accountability), this perhaps informed (Phillips, 2014)'s opinion when he posits that: the rapid growth of private independent radio and TV broadcasters and the changing role of the state broadcasters are creating a more congenial atmosphere for the effective functioning of the media as a major player in good governance".

Today in Nigeria, the press plays a very important role in highlighting crucial issues that require immediate action by the government on one hand and the need for the intervention of the international community on the other hand. It is through for instance that through constant reports by the media the issue of threats to national security like the Boko Haram, kidnapping and Banditry is being brought to the fore. A free and unbiased press is a veritable and effective tool in demanding efficiency and accountability from government and its officials. Juan, while alluding to the role of a free press to the engendering of good

governance submitted that :“the role of the media as an agenda-setter may also pressure the government to quickly respond and take effective actions to solve certain dramatic political controversies such as scandals, corruption and political crises, etc”.(Juan, 2016)

It is safe to conclude that there is a strong synergy between the good governance in Nigeria and the freedom of expression (press), as the latter helps to reinforce the former.



Source: Juan Liu Wayne State University https://digitalcommons.wayne.edu/oa_dissertations; drafted by the researcher.

Buhari's Administration and Free Press: An Assessment

All around the world, the growth and survival of democracy has always been aided by the existence of free press. The presence or lack of it is also a yardstick to measure how well the leaders have imbibed democratic ethos. Nigeria is not an exception as her return to civil rule in 1999 and even previously in 1979 can be ascribed to the unyielding stand of the press against military dictatorship. The framers of the Nigerian 1999 constitution were aware of the essence of free press when it is expressly spelt out in section 39 of the 1999 Nigerian Constitution as amended. Despite the provision of this section of Nigerian constitution as well as the recent presidential assent to the freedom of information act, Nigerian government have continued to ignore

the constitutional stipulation regarding freedom speech and of the press. This has continued to promulgate agitations and speculations by Nigerians and the international community on the democratic nature of Nigeria and respect for constitution in the country.

The President Buhari led administration that was inaugurated on May 29, 2015 was welcomed by most Nigerians with high hope of coming to be the savior of the politically and economically failing state under his predecessor Mr. Goodluck Jonathan. The cardinal point of his campaign during the electioneering in 2015 was 'change' anchored on the agenda of eradicating corruption, promoting good governance, human right and a sustainable economy for all Nigerians. His seeming posture of uprightness and honesty endeared

him to Nigeria, and he was trusted to possess the ability and willingness to bring about a total break-away from the previous administration in term of good governance and press freedom.

However, events have shown that Buhari administration does not possess the willingness to bring about a new life in the national political arena, especially, in the areas of press freedom and freedom of speech. In comparative perspective, it has been discovered since 1999 that the media recorded the highest number of attacks under Buhari administration (1999-2019). Indiscriminate arrests and attacks on journalists as well as attacks (physical, political and policy) on media houses is put at 189 (Tosin, 2019) and 352 in all (see table below). The current event is akin to the practice under his regime in 1985, when arrest and intimidation of journalist was at its peak. According to the Premium Times, during the international festival of freedom of expression and press, Nigeria among other countries has become one of the central topics of discussion on violence against journalist and media (Tosin, 2019). The several attacks by the state agents against the press and the continued silence of the presidency raises the pertinent submission of Buhari not being different from the previous Nigerian leaders since 1999.

Nigerian journalists are exposed daily to constant threats and intimidations by the government (HRW, 2003), despite the creation of the Coalition of Whistle Blower Protection and Press Freedom (CWPPF) in 2017 to collectively speak with one voice over the maltreatment of journalist in the country. The persecution on the media persisted, for instance in 2017 the editor and publisher of the Weekly Source newspaper Mr. Jones Abiri was arrested, tortured and detained for two years by the Department of State Security (DSS) and falsely charged with terrorism, master mind of a hoax coup against the President (Muhammadu Buhari). Mr. Abiri was kept in an abnormal cell with 24 other inmates who

where he tortured with hot iron Rod, destabilizing his spinal cord and without any form of medical care. He was also denied access to a lawyer and his family (Freepress, 2019). During the military juntas that preceded the birth of the Fourth Republic in 1999, Nigerians have called in tears for freedom of speech having faced countless harassments, intimidations, incarcerations and deaths of journalists, government critics and protesters. For instance a senior advocate of Nigeria and a foremost human right lawyer, Femi Falana (SAN) on April 26, 2016 wrote to the presidency asking in a petition to order an investigation into diverse and inhumane acts of human right abuses on journalists and of course extra judicial killings in the country following the incident that occurred on February 22nd, 2016, where a squad of soldiers invaded Ogoni land in Rivers State where three unarmed youths were killed and many were arrested for undisclosed reasons. Also, the Human Right Watch on August 21st, 2018 reported the story of how the police anti robbery squad arrested and detained a Premium Times' reporter, Samuel Ogundipe, on August 14th, 2018, for an article he authored about the Inspector General of Police, Mr. Ibrahim Idris. In the same vein, the Amnesty International on November 8th, 2019 reported yet another round of onslaught against journalists, in a case of Mr. Oludare Richards of the Guardian newspaper and other journalists of Arise Television and Galaxy Television while on duty during the case of Mr. Omoloye Sowore (the publisher of Sahara Reporters who was granted bail for a treason charge brought against him). Mr. Oludare was reported pushed away by some DSS officers which resulted to wounds and bruises, among a lot worst unreported cases.

In capturing the general mood of press freedom under Buhari administration, Tosin (2019) has remarked that Nigeria of today is perhaps not the best of times to be a journalist

or civil rights activist in view of the spate of attacks on freedom of the press and speech. It is a self-delusion to think that the media has fared better under the present democratic experience than the days of military dictatorship in the country. Farooq(2019) while agreeing with this worsened condition of the press under the Buhari lead civilian regime opined that "...the press is worse off now than it has ever been since the restoration of civilian rule in Nigeria.". It takes a great amount of risk and courage for press organization(s) to collect report and publish story (ies). A Paris based

media outfit, Reporters Without Borders (RWB) in its 2019 annual world press freedom index, Nigeria ranked 120 out of 180 countries where journalists are most endangered. The report further described the Buhari's administration as one in which journalists are molested, harassed, subjected to physical violence or denied access to information by the government officials, police, and sometimes by the public.

Attacks on the Media under Buhari's Administration (2015- 2020)

Kind of persecution of rights	Number of times
Physical attacks	189
Raid and equipment seizure	9
Equipment and property damaged	17
Denial of access	21
Threats	44
Harassment	12
Arrests	60

Source: Researchers' Survey, 2020

Conclusion

The role of the press in democratization and democratic consolidation in Africa and Nigeria in particular cannot be over emphasized neither can the essence of free press in ensuring good governance be condemned to the background. The press has the obligation of informing the general public and setting agenda for the government, as much as it ensures that the government is brought to account on its action and inaction. The press however must be free, independent and unbiased to take up the all-important function of watchdog to safeguard the nation's nascent democracy and promote the good governance. The Nigeria experience is with a crooked history; though the media was in the fore front of championing the dislodgement of the military from the nation's political arena; it has continuously and restless fought for the sustenance of the hard earned democracy. This study outlined the history, the importance of free press, the persecution of the media from

the military days to the inception the Fourth Republic in 1999 elaborately taking into cognizance the Buhari led administration. It has been discovered however that the press under President Buhari administration more like those before him, has existed to live with injuries and scars of attacks inflicted on it by state agents. The injuries sustained under Buhari administration has undermined the ability of the media to effectively perform its role. It is pertinent to note that effective information dissemination and independent information dissemination agents play vital roles in nation building.

Recommendation

To ensure good governance in Nigeria, the following recommendations should be given due consideration.

1. Any law, Act, Decree or policy that baskets freedom of speech in Nigeria should be revoked particularly the Official Secret Act of 1962.

2. The government and its officials must inculcate the culture of tolerance and accept democratic norms and values which open them to public scrutiny and criticism. They must subject themselves to, and obey the dictate of the laws.
3. The legal framework within which the press operates should be reviewed and strengthened so as to provide adequate protection for journalists and publishers.
4. The judiciary should ready to play her role as the last hope of the masses by sharpening her teeth to bite any government officials to ignore her order especially on the protection of human rights. In doing these, the court must be ready to commit to jail anybody to anyone that act in contempt of her order.
5. The government must invest enormous political will into the comprehensive implementation of the Freedom of Information Act to provide journalist unfettered access to information about the activities of government.
6. The media (itself) must imbibe the culture of neutrality and balanced report so as to increase the confidence of both the public and government in them. This no doubt will reduce the rate of persecution of journalists by government.

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