

EVERY PERSON SHALL BE ENTITLED TO FREEDOM OF EXPRESSION: REDEFINING PRESS FREEDOMS IN THE LIGHT OF SECTION 39 OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED)

Victor AGANBI, Ph. D

B. A Mass Comm, MSc Mass Comm, MBA Marketing, BL, L.LB, PhD Mass Comm
Senior Lecturer

Department of Media and Communication Studies,

Afe Babalola University, Ado-Ekiti

Ekiti State, Nigeria

vabuad8938@yahoo.com

Abstract— *This paper concerns itself with the argument that our primary understanding of press freedoms may not be the true representation of the intention of the lawmakers and that due to several factors our primary definition of a journalist is due an update. By using a doctrinal method of research, the paper discussed press freedoms in light of Section 39 of The Constitution of the Federal Republic of Nigeria (as amended). This paper discussed the provisions of the Nigerian Constitution which serve as the legal framework for the journalism profession in Nigeria. The paper highlights that because of the shortcomings of these sections, they do not contain the required legal framework for press freedoms, the journalism profession and freedom of information in Nigeria. The paper discussed the meaning of the term journalist in today's digital age and found that the internet has challenged many of the definitions of what a journalist is and thus who should enjoy press freedoms. This research adopts a non-doctrinal, multi-disciplinary methods.*

Keywords— “Press Freedoms,” “Digital Media,” “Journalist,” “Freedom of Speech,” “Internet,”

I. INTRODUCTION

In Nigeria, press freedoms are to an extent provided for under Section 22 of the Constitution of the Federal Republic of Nigeria Constitution 1999 (as amended), the section provides that, “The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Chapter and uphold the responsibility and accountability of the Government to the people.” Bankole in commenting on this Section, states that “by virtue of this provision, the constitutional powers and duties or obligation of the press are to help government realize the fundamental objectives and directive principles of state policy as contained in the constitution.”¹ He goes further to state that “The media or the

¹ Odunayo Bankole ‘Press Freedom and The Nigerian Constitution: A Vague Proposition’ *Sharp Journal* (Lagos, 2012) < <https://www.sharpjournal.com/press-freedom-and-the-nigerian-constitution-a-vague-provision/>> accessed 19th January 2020.

press is also expected to uphold the responsibility and accountability of the government to the people.²

In addition to Section 22, the press in Nigeria draws its power to source for information ostensibly from Section 39 (1) of the Constitution of the Federal Republic of Nigeria Constitution 1999 (as amended), which guarantees freedom of expression for all citizens. The section provides 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”. It is important to reiterate here that this freedom accrues to the common man on the street and also to the “press men” or “journalists”. Arguably, this freedom as it accrues to the citizenry is greater than which accrues to the “press men” simply because the right was initially given to the citizenry who then chose to exercise in a different capacity as “press men” or “journalists” and the “press men” or “journalists” are individuals first before existing in any other capacity. This is why the responsibility to safeguard and protect this right is owed to the common man and not exclusively to the “press men” or “journalists”. Furthermore press licenses are conditioned on a contractual promise to provide equal expression to all shades of citizen voices or lose the right to own the “medium”. In addition to the above, technological advancements have come to test our previously held definition of journalists, primarily because of the rise of citizen journalists and bloggers who do not fit into the typical definition of journalists.

II. FREEDOM OF THE PRESS AND MEDIA

The press and media are concepts gravely misused and abused. Understandably, they are used to refer not just to the “institutions” and “technologies” but also people who make up those institutions and operate those technologies i.e. the journalists. It must however be clarified that the etymology is rooted in the actual printing presses and media devices for transmission and broadcasting of messages from sender to receiver³. In this regard, the expression freedom of the press, press freedom, media freedom and journalists’ freedom are synonymous and used interchangeably. The press or media cannot have freedom of speech as they are machine/technology. At best it is the press man, the media man that can exercise press or media freedom. Therefore, freedom of the press as a concept which protects the right to obtain and publish information or opinions without government censorship or fear of punishment is in practice enjoyed by “press men” or “journalists”. This study therefore suggests that a better terminology to describe this freedom going forward is “freedom of the press men” or “freedom of the journalists” because owing to the fact that the press is an inanimate object it cannot exercise any freedoms and therefore “freedom of the press” is a misnomer in actuality as it refers to these inanimate tools and technology. To buttress this, an analogy with a company will suffice. Where a company is an artificial person properly so called that can exercise rights and can have rights exercised against it, these actions and effects are

² *Ibid*

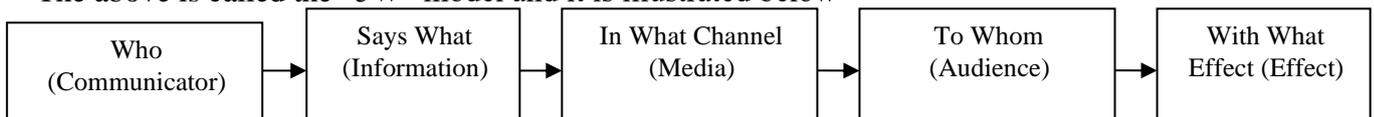
³ Today owing to digital advancements, freedom of press applies to all types of printed and broadcast material, including books, newspapers, magazines, pamphlets, films and radio and television programs.

carried out and meted on its principal officers. Similarly freedom of the press/media is a benefit which in actuality accrues to journalists and press men.

To drive home this point, it is necessary to consider the Harold Lasswell model of communication. Harold Lasswell was an American political scientist and communication theorist. In 1948, while he was a professor at Yale Law School, he developed the model of communication which is regarded as "one of the earliest and most influential communication models." In his article "The Structure and Function of Communication in Society"⁴, Lasswell wrote: "a convenient way to describe an act of communication is to answer the following questions:

- a. Who
- b. Says What
- c. In Which Channel
- d. To Whom
- e. With What Effect?

The above is called the "5W" model and it is illustrated below



Lasswell's model was put forward as early as 1948, although at that time the development of media was relatively traditional and simple, the model is regarded as "one of the earliest and most influential communication models"⁵.

The model explicitly divides the communication process into five parts or elements, and correspondingly limits to five research areas. As we can see from the illustration above, the "who" is the sender⁶ who "says what" through a channel and the message is received and there is a corresponding effect. The sender is a natural person who sends his oral or written message through a medium to the receiver who is also a natural person thereby resulting in an effect. It means that a sender who is utilizing this "medium" of the press to send his message is certainly the one who should be enjoying this freedom, which is the basis for the suggestion for us to better phrase the freedom enjoyed as "freedom of the press men".

⁴ Harold Lasswell, 'The Structure and Function of Communication in Society' in Bryson, L (ed.), *The Communication of Ideas* (New York: Institute for Religious and Social Studies, 1948), 117.

⁵ P Shoemaker and J Tankard and D Lasorsa, *How to Build Social Science Theories* (Sage Publications 2004), 109

⁶ In mass communication, the communicator is not one person, but some organized institutions, such as newspapers, radio stations, television stations, websites, etc. Content of communication is designed and developed by professional, such as reporters, editors, web developers, etc. Because of the emergence and development of computer and network equipments, new media communication moves towards to the public, at the same time it also gives the public abilities of producing, publishing, transmitting information, this is subversion to the traditional media. Liu Liwei and Guo Xiaoyang. *New Media Art & Design* (Chemical Industry Press 2013)

III. NEW MEDIA AND DIGITAL MEDIA

Owing to advancements in information technology, computer, internet, mobile phones and tablets, a new pattern of media has arisen, one often referred to as “new media”. According to Wenxiu when reference is made to the new media;

We will think of digital technologies, such as the Internet, computer multimedia, video games, augmented reality and so on. However, new media does not include analog broadcast, paper-based publications and other traditional media, unless they contain technologies that enable digital interactivity. Thus, a lot of media are digital upgrade version of the traditional media, such as digital broadcasting, digital television, etc.⁷

It is important to note that development of digital storage and database technology breaks through the quantity limitation of information stored by traditional media, in a particular device, traditional printing information can be edited, stored and delivered in the form of digital information. The import of the above is that new media is just a relative concept, because of this, we also often hear some associated media concepts, such as digital media, mobile media, network media, all media, and so on⁸. Flowing from the preceding, this study also suggests that while you have digital media, there is nothing like digital message or digital content, therefore nomenclatures such as digital advertising, digital political science or digital history is a misnomer.

IV. FREEDOM OF SPEECH AND EXPRESSION

Freedom of speech is a principle that supports the freedom of an individual or a community to articulate their opinions and ideas without fear of retaliation, censorship, or legal sanction. The term "freedom of expression" is sometimes used synonymously but includes any act of seeking, receiving, and imparting information or ideas, regardless of the medium used. In this research, the terms “freedom of speech” and “freedom of expression” will at times be used interchangeably and other times as “freedom of speech and expression”.

Freedom of expression is a universal human right. It is not the prerogative of the politician. Nor is it the privilege of the journalist. In their day-to-day work, journalists are simply exercising every citizen’s right to free speech. The press in Nigeria draws its power to source for information ostensibly from Section 39 (1) and (2) of the Constitution of the Federal Republic of Nigeria Constitution 1999 (as amended), which guarantees freedom of expression for all citizens. The sections in question will now be reproduced to aid understanding, the sections provide expressly that:

⁷ Peng Wenxiu, ‘Analysis of New Media Communication Based on Lasswell’s “5W” Model’ (2015) (5) (3) *Journal of Educational and Social Research* ; 245

⁸*Ibid*

- (1) Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.
- (2) Without prejudice to the generality of subsection (1) of this section, every person shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions

The above provision which guarantees the freedom of expression guarantees it for “every person” which means that the right is accruable to a person, a citizen even when he is not a journalist. On an individual level, speech is a means of participation, the vehicle through which individuals debate the issues of the day, cast their votes, and actively join in the processes of decision-making that shape the polity. Free speech serves the individual’s right to join the political fray, to stand up and be counted, to be an active player in the democracy, not a passive spectator.

Freedom of speech and expression are not recognized as being absolute, and common limitations or boundaries to freedom of speech relate to libel, slander, obscenity, pornography, sedition, incitement, fighting words, classified information, copyright violation, trade secrets, non-disclosure agreements, the right to privacy, dignity, the right to be forgotten, public security, and perjury. Justifications for such include the “harm principle”, proposed by John Stuart Mill in *On Liberty*⁹, which suggests that: "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others."¹⁰ The idea of the "offense principle" is also used in the justification of speech limitations, describing the restriction on forms of expression deemed offensive to society, considering factors such as extent, duration, motives of the speaker, and ease with which it could be avoided.

With the evolution of the digital age, application of the freedom of speech becomes more controversial as new means of communication and restrictions arise, for example the Golden Shield Project, an initiative by Chinese government's Ministry of Public Security that filters potentially unfavourable data from foreign countries¹¹.

The right to freedom of expression is particularly important for media, which plays a special role as the bearer of the general right to freedom of expression for all. However, freedom of the press does not necessarily enable freedom of speech. Judith Lichtenberg¹² has outlined conditions in which freedom of the press may constrain freedom of speech, for example where the media suppresses information or stifles the diversity of voices inherent in freedom of speech. Lichtenberg argues that freedom of the press is simply a form of property right summed up by the principle "no money, no voice"¹³.

⁹John Stuart Mill, *On Liberty* (Cambridge University Press 2011)

¹⁰ *Ibid*

¹¹ Stanford Education ‘The Great Firewall of China: Background’ [2010]

<<https://cs.stanford.edu/people/eroberts/cs181/projects/2010-11/FreedomOfInformationChina/the-great-firewall-of-china-background/index.html>>

¹² Karen Sanders, *Ethics & Journalism* (Sage 2003); 68

¹³ *Ibid*

In the United States of America, the standing landmark opinion on political speech is *Brandenburg v. Ohio*¹⁴ expressly overruling *Whitney v. California*.¹⁵ In *Brandenburg*, the US Supreme Court referred to the right even to speak openly of violent action and revolution in broad terms:

[Our] decisions have fashioned the principle that the constitutional guarantees of free speech and free press do not allow a State to forbid or proscribe advocacy of the use of force or law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or cause such action.

The Internet is a far more speech-enhancing medium than print, the village green, or the mails. Some of the dialogue on the Internet surely tests the limits of conventional discourse. Speech on the Internet can be unfiltered, unpolished, and unconventional, even emotionally charged, sexually explicit, and vulgar – in a word, "indecent" in many communities. But such is to be expected in a medium in which citizens from all walks of life have a voice, and as such we should all join hands to protect the autonomy that such a medium confers to ordinary people as well as media magnates. In my view, our action today should only mean that Government's permissible supervision of Internet contents stops at the traditional line of unprotected speech. It is important to note that freedom of information is an extension of freedom of speech where the medium of expression is the Internet.

V. THE RISE OF SOCIAL MEDIA AND THE CONTROL OF THE INTERNET

Technological developments are not just playing out between businesses; they are profoundly impacting almost every sphere of human life with journalism on the front line. This profound impact on journalism has been occasioned by a rise in popularity of powerful new tools, associated with the improved capacity of the internet to handle two-way interaction, message boards, blogs, wikis and social networks. These tools are sometimes grouped by the phrase 'Social Media'. Newman like many others authors argues that 'Social media' is an extraordinarily difficult term to pin down¹⁶. Sometimes it refers to an activity (a journalist blogged); sometimes to a software tool (Blogger); sometimes to a platform (you can blog on Facebook). It incorporates the term user-generated content¹⁷ and yet much of this content is not really social at all. Social media is also constantly mutating and evolving; just when you think you have nailed it, a new combination emerges, changing perceptions again. It is an evolving phenomenon that has captivated some, intrigued others, and is feared and underestimated by many. According to Solis;

¹⁴ 395 U.S. 444 (1969)

¹⁵ 274 U.S. 357 (1927)

¹⁶ Nic Newman 'The rise of social media and its impact on mainstream journalism' [2017]

<[https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2017-](https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2017-11/The%20rise%20of%20social%20media%20and%20its%20impact%20on%20mainstream%20journalism.pdf)

[11/The%20rise%20of%20social%20media%20and%20its%20impact%20on%20mainstream%20journalism.pdf](https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2017-11/The%20rise%20of%20social%20media%20and%20its%20impact%20on%20mainstream%20journalism.pdf)

> accessed 25th October 2019

¹⁷ Hereinafter UGC

Social media at its most basic sense, a shift in how people discover, read and share news, information and content. It's a fusion of sociology and technology, transforming monologue (one to many) into dialog (many to many) and is the democratization of information, transforming people from content readers into publishers.¹⁸

One definition of Social Media this research will be working with is that given by Solis who defined Social Media as;

the online tools that people use to share content, profiles, opinions, insights, experiences, perspectives and media itself, thus facilitating conversations and interaction online between groups of people. These tools include blogs, message boards, podcasts, micro blogs, live-streams, bookmarks, networks, communities, wikis, and vlogs¹⁹.

Social Media is the democratization of content and the understanding of the role people play in the process of not only reading and disseminating information, but also how they share and create content for others to participate. It is the shift from a broadcast mechanism to a many-to-many model, rooted in a conversational format between authors and people. In the news and information sphere, the dramatic street protests in Hong Kong and the planned 'Revolution Now' by Omoyele Sowore provide just the latest example of how these new internet tools like YouTube, Facebook and Twitter have begun to change the way media is produced, distributed and consumed. The role of participatory and social media in similar examples²⁰ to the ones above have caused New York academic and blogger Jeff Jarvis to argue that 'the witnesses are taking over the news'²¹, and that we are witnessing a historic shift of control from traditional news organisations to the audience themselves. Jarvis argues that before now the one-way nature of the media so far has been an unnatural state due to limitations of production and distribution. He says that, properly done, news can be a democratising force and that it should be a conversation between those who know and those who want to know, and thanks to social media with journalists in their new roles as curators, enablers, organisers, educators, helping where they can²².

On the other side of the debate, former Silicon Valley entrepreneur and author Andrew Keen says the 'cult of the amateur' is undermining great companies who have consistently created value through imparting quality information and education. Keen says that journalists need to

¹⁸ Brian Solis 'Defining Social Media' [2007]< <https://www.briansolis.com/2007/06/defining-social-media/>> accessed 25th October 2019

¹⁹ *Ibid*

²⁰ The Iranian elections of June 2009, Mumbai Terror attacks of 2008.

²¹ Jeff Jarvis, 'In Mumbai, witnesses are writing the news' *The Guardian* (Northern Ireland, 1st December 2008) <<https://www.theguardian.com/media/2008/dec/01/mumbai-terror-digital-media>> accessed 25th October 2019

²² Jeff Jarvis, foreword to Charlie Beckett, *Supermedia: Saving Journalism so it can Save the World* (Blackwell, 2008).

fight back, to retain the structures and profession that are in danger of dying out, taking with them concepts such as quality and trust:

The Web 2.0 revolution has peddled the promise of bringing more truth to more people ... but every week a new revelation calls into question the accuracy reliability and trust of the information we get from the internet²³.

Although issues such as accuracy and standards are at the heart of the current debate within journalism, scholars and commentators see these issues as part of a much wider change in the media landscape. Futurologist Paul Saffo talks of the shift from mass media to personal media. He believes many traditional publishers will fall by the wayside in the process. In his words:

The Mass Media revolution 50 years ago delivered the world to our TVs, but it was a one-way trip – all we could do was press our nose against the glass and watch. In contrast, Personal Media is a two-way trip and we not only can, but also expect to be able to answer back²⁴.

For academics like Clay Shirky, the key change is the internet's ability to support 'many to many' conversations, in addition to the 'one to many' broadcast model. Now he says, members of the former audience can talk directly to each other, leading to the 'largest increase in expressive capability in human history'²⁵. Sociologist William Dutton at the Oxford Internet Institute argues that we are witnessing the emergence of powerful new voices and networks which can act independently of the traditional media. He has termed these developments the emergence of the 'Fifth Estate'. According to him:

Highly 'Networked individuals' (helped by new platforms like social networking and messaging) can move across, undermine and go beyond the boundaries of existing institutions. This provides the basis for the pro-social networks that compose what I am calling the Fifth Estate.²⁶

Although it is early days, Dutton believes that the Fifth Estate could be as important to the twenty-first century as the Fourth Estate has been since the eighteenth. From influential bloggers to community networks and activists, this new sphere of activity offers new competition for the mainstream media. These groups are becoming an alternative source of news, as well as another option for politicians, businessmen or other public figure to bypass them and take their message to their supporters or followers. And as if to add insult to injury,

²³ Andrew Keen, *The Cult of the Amateur: How Today's Internet is Killing our Culture* (Broadway Business, 2007)

²⁴ Paul Saffo, 'Farewell Information, it's a Media Age', [2008]
<http://www.saffo.com/essays/essay_farewellinfo.pdf> accessed 25th October 2019

²⁵ Clay Shirky, 'How Social Media can Make History' [2009]
<http://www.ted.com/talks/clay_shirky_how_cellphones_twitter_facebook_can_make_h_istory.html> accessed 25th October 2019

²⁶ William H. Dutton, *Through the Network of Networks: The Fifth Estate* (Oxford Internet Institute, 2007).

these new networks and individuals are also now acting as a check on the traditional media, questioning their accuracy and standards, and forcing a new transparency²⁷.

VI. WHO IS A JOURNALIST

Media is constantly changing and each technical change results in new forms of media being created. Laws are often slow in keeping up with new forms of media and journalists who publish using new technologies are often not protected as their colleagues at more established media. Many legal definitions of 'journalist' have been evaluated as overly narrow, as they tend to emphasize official contractual ties to legacy media organizations, may demand a substantial publication record, and/or require significant income to be derived from the practice of journalism. This leaves confidential sources relied upon by bloggers and citizen journalists largely unprotected, because these producers of journalism are not recognized as 'proper journalists'. Such definitions also exclude the growing group of academic writers and journalism students, lawyers, human rights workers and others, who produce journalism online, including investigative journalism. This has bearing on a controversy in 2015 in which Amnesty International objected to having been a subject of surveillance.²⁸

One of the most comprehensive definitions is found in the Belgian law on protection of sources²⁹. It defines journalists as "any self-employed or non-self-employed person and any natural person who contributes regularly and directly to the acquisition, editing, production and dissemination of information by way of a medium in the public interest"³⁰. An expansion of this law occurred in 2006 when the Belgian Constitutional Court ruled that the protections should extend to all persons including those who do not write on a regular basis³¹ and the law has since been amended by the Parliament. Following this decision, the Act covers all individuals who exercise an informative activity, whether or not they are professional journalists (for instance, the protection includes bloggers).

In the US, several federal Courts Of Appeals have set out a three-part test to determine who should be covered as a journalist in sources protection cases. To apply, the person must be engaged in investigative reporting, is gathering news, and possesses the intent at the inception of the news gathering process to disseminate the news to the public.³² United States media lawyer Charles Tobin is also in favor of a broad definition of journalism as a response to the rise of citizen journalists and bloggers.³³ In 2013, the USA's Society of Professional Journalists passed a unanimous motion that "strongly rejects any attempts to define a journalist in any way other than as someone who commits acts of journalism".³⁴ Moving the framework to a

²⁷ Nic Newman 'The rise of social media and its impact on mainstream journalism' [2017] <<https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2017-11/The%20rise%20of%20social%20media%20and%20its%20impact%20on%20mainstream%20journalism.pdf>> accessed 25th October 2019

²⁸ Possetti Julie, *Protecting journalism sources in the digital age* (UNESCO 2017)

²⁹ Act of 7 April 2005 on the Protection of Journalistic Sources

³⁰ *Ibid* Article 2

³¹ Belgian Court of Arbitration Judgment no 91/2006 of June 7, 2006

³² Re Grand Jury Subpoenas, No. 01-20745, n.4 (5th Cir. Aug. 17, 2001).

³³ Possetti Julie, *Protecting journalism sources in the digital age* (UNESCO 2017)

³⁴ David Banisar, *Silencing Sources: 'An International Survey of Protections and Threats to Journalists' Sources'* (2007)

protection of 'acts of journalism' rather than limiting it to the work of professional journalists is a conceptual shift, according to Stearns in a 2013 report³⁵. Some countries are broadening the legal definition of 'journalist' to ensure adequate protection for citizen reporters (working on and offline). This opens up debates about classifying journalists, and even about licensing and registering those who do journalism. These debates are particularly potent where there is a history of controls over press freedom.

In Nigeria, it can be argued that non-traditional journalists have come to be accepted but there is yet to be a statutory definition that codifies this position.

VII. CONCLUSION

Despite their provisions and the interpretations that can be drawn from them, Sections 22 and 39 do not contain the required legal framework for the journalism profession, freedom of information and by extension Journalist's Privilege in Nigeria. Section 39 has been described as amorphous³⁶ and Chapter II of the Constitution of Federal Republic of Nigeria 1999 (as amended), wherein, Section 22 is contained is not justiciable. Non-justiciability of Chapter II means that the courts cannot adjudicate on any provisions of Chapter II, thus such provisions cannot be interpreted. This Situation leads to limitation as such sections will not go through the fire of judicial interpretation which invariably leads to development of the law and accountability of the government.

A free press is the mouthpiece of the people and a veritable source of information for the people. Walter Lippmann observed in support of a free press thus: "a free press is not a privilege, but an organic necessity in a great society"³⁷. Indeed, as society has grown increasingly complex, people rely more and more on the press to keep abreast with world news, opinion and political ideas hence the need for an unhindered access to information and freedom of sources of information.

The internet has challenged many of the definitions of what a journalist is and thus who should enjoy press freedoms as most major media organisations have created sites and have dedicated staffs that provide content for the sites. Furthermore due to the rapidity of electronic publishing, stories often appear on these sites before they appear in printed versions. More interesting are the more informal types of journalism that have emerged. Bloggers, pod-casters, citizen journalists and other types of information dissemination have stepped in and now often provide information to more people than the old technologies. Based on this a journalist in the modern sense is a person who disseminates information.

<https://www.researchgate.net/publication/228128366_Silencing_Sources_An_International_Survey_of_Protection_s_and_Threats_to_Journalists'_Sources>accessed 7 October 2019

³⁵ Possetti Julie, *Protecting journalism sources in the digital age* (UNESCO 2017); 28

³⁶ Obinna Johnkennedy Chukwu. 'The Press and Freedom of Information in Nigeria and the United States of America: An Analysis', *International Journal of Law and Society*. (2018)(1)(1) 24-33

³⁷ Walter Lipmann, *Public Opinion*, (Harcourt, Brace & Co 1922)

REFERENCES

- [1] Andrew Keen, *The Cult of the Amateur: How Today's Internet is Killing our Culture* (Broadway Business, 2007)
- [2] Belgian Act of 7 April 2005 on the Protection of Journalistic Sources
- [3] Belgian Court of Arbitration Judgment no 91/2006 of June 7, 2006
- [4] Brian Solis 'Defining Social Media' [2007] <<https://www.briansolis.com/2007/06/defining-social-media/>>
- [5] Clay Shirky, 'How Social Media can Make History' [2009] <http://www.ted.com/talks/clay_shirky_how_cellphones_twitter_facebook_can_make_history.html>
- [6] David Banisar, Silencing Sources: 'An International Survey of Protections and Threats to Journalists' Sources' (2007) <https://www.researchgate.net/publication/228128366_Silencing_Sources_An_International_Survey_of_Protections_and_Threats_to_Journalists'_Sources>
- [7] Harold Lasswell, 'The Structure and Function of Communication in Society' in Bryson, L (ed.), *The Communication of Ideas* (New York: Institute for Religious and Social Studies, 1948), 117.
- [8] Jeff Jarvis, 'In Mumbai, witnesses are writing the news' *The Guardian* (Northern Ireland, 1st December 2008) <<https://www.theguardian.com/media/2008/dec/01/mumbai-terror-digital-media> >
- [9] Jeff Jarvis, foreword to Charlie Beckett, *Supermedia: Saving Journalism so it can Save the World* (Blackwell, 2008).
- [10] John Stuart Mill, *On Liberty* (Cambridge University Press 2011)
- [11] Karen Sanders, *Ethics & Journalism* (Sage 2003); 68
- [12] Liu Liwei and Guo Xiaoyang. *New Media Art & Design* (Chemical Industry Press 2013)
- [13] Nic Newman 'The rise of social media and its impact on mainstream journalism' [2017] <<https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2017-11/The%20rise%20of%20social%20media%20and%20its%20impact%20on%20mainstream%20journalism.pdf>>
- [14] Nic Newman 'The rise of social media and its impact on mainstream journalism' [2017] <<https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2017-11/The%20rise%20of%20social%20media%20and%20its%20impact%20on%20mainstream%20journalism.pdf>>
- [15] Obinna Johnkennedy Chukwu. 'The Press and Freedom of Information in Nigeria and the United States of America: An Analysis', *International Journal of Law and Society*. (2018)(1)(1) 24-33
- [16] Odunayo Bankole 'Press Freedom and The Nigerian Constitution: A Vague Proposition' *Sharp Journal* (Lagos, 2012) <<https://www.sharpjournal.com/press-freedom-and-the-nigerian-constitution-a-vague-provision/>> accessed 19th January 2020.
- [17] P Shoemaker and J Tankard and D Lasorsa, *How to Build Social Science Theories* (Sage Publications 2004), 109
- [18] Paul Saffo, 'Farewell Information, it's a Media Age', [2008] <http://www.saffo.com/essays/essay_farewellinfo.pdf> accessed 25th October 2019
- [19] Peng Wenxiu, 'Analysis of New Media Communication Based on Lasswell's "5W" Model' (2015) (5) (3) *Journal of Educational and Social Research* ; 245
- [20] Possetti Julie, *Protecting journalism sources in the digital age* (UNESCO 2017)

- [21] Possetti Julie, *Protecting journalism sources in the digital age* (UNESCO 2017); 28
- [22] Re Grand Jury Subpoenas, No. 01-20745, n.4 (5th Cir. Aug. 17, 2001).
- [23] Stanford Education 'The Great Firewall of China: Background' [2010] <<https://cs.stanford.edu/people/eroberts/cs181/projects/2010-11/FreedomOfInformationChina/the-great-firewall-of-china-background/index.html>>
- [24] Walter Lipmann, *Public Opinion*, (Harcourt, Brace & Co 1922)
- [25] William H. Dutton, *Through the Network of Networks: The Fifth Estate* (Oxford Internet Institute, 2007).