

INSTITUTE OF CURRENT WORLD AFFAIRS

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Showdown for the Press

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Dear Peter,

The Nigerian government has launched a campaign of intimidation against its opponents in the press. In the past month, police have raided the offices of three newspapers and arrested six editors. The editors are out on bail awaiting trial for publishing false information, and for sedition in two cases. The newspapers have responded with renewed attacks on the administration of President Shehu Shagari and his National Party of Nigeria, joined by some, but not all, other papers in demanding press freedom. Africa's most democratic government and its most outspoken press are headed for a showdown.

The gauntlet was taken up on July 28 when a government spokesman announced the president would sue the Nigerian Tribune for that day's lead article, which alleged the president was taking part in an NPN effort to bribe opposition legislators. The Tribune had made similar charges against the party a month earlier. By naming the president as a participant, the paper appears guilty of libel if it cannot substantiate the charge. Shagari seems justified in suing, but the confrontation soon took on a broader and more ominous aspect.

The majority shareholder of the Tribune is the wife of Chief Obafemi Awolowo, leader of the Unity Party of Nigeria and Shagari's bitterest foe. The paper has viciously and continually attacked the president and the NPN since Awolowo's loss in the 1979 presidential election preceding this country's return to civilian rule. Shagari had indicated that his patience was wearing thin. On July 2, he warned that he would take action against those who, after failing "to win political power through the democratic process...abused the concept of freedom of expression." He said the constitution had "adequate...provisions for dealing with those forces which are disturbing the unity, stability and progress of our country."

On Aug. 3, the Nigerian police occupied the Tribune's publishing plant in a pre-dawn raid. They arrested two editors after searching their offices and homes. They gave no reason for their action, nor did they feel they had to. Questioned about the editors' arrest, the police inspector-general was quoted by the Tribune as saying, "They are human beings like any

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other person and there is nothing unusual in being arrested, if other people could be arrested." He pointed out that he could constitutionally hold the men for 24 hours without charge. His department exceeded the limit by 12 hours, releasing the men, still without charge, the evening of the following day after routine and seemingly pointless interrogation.

With the raid, concern over the excesses of the Nigerian press, brought to the fore by the president's lawsuit, became complicated by worries about the government's attitude toward press freedom and, indeed, personal freedoms. The confrontation between Shagari and his opponents in the press may have a decisive effect on the role of the press in Nigeria's second republic. At issue is the long-running debate over whether, in new and unstable nations, the primary responsibility of the press is to promote unity by supporting the government or to check the abuse of power by being a government critic. The outcome may be largely determined by the positions taken by Nigeria's other newspapers, particularly the three that are generally acknowledged to be the most independent: The Punch, privately owned and the second largest selling paper, with a circulation of 150,000; the Daily Times, 60 percent owned by the federal government, the largest of Nigeria's papers with a daily circulation of 350,000 and a Sunday sale of 420,000; and the New Nigerian, wholly owned by the federal government, with a circulation of 75,000. The rest of Nigeria's 15 English language dailies and 24 weeklies in English or vernacular languages, whether owned by state governments or individuals, are identified with a political party and engage in partisan journalism.

Other than the expected outburst by the Tribune and other UPN papers, the press was slow to respond to the police raid. The Punch's story put the significance of the act in focus by beginning, "The police yesterday carried out their first surveillance on a newspaper office since the new civilian administration took over in October 1979." Yet, although 100 armed policemen occupied the premises for 13 hours, initially barring entry to workers and preventing the publication of the paper's early edition (a late edition appeared, reportedly to the surprise of the police), The Punch's headline referred to a police "vigil". The Daily Times took the same approach, saying the Tribune's offices were being "guarded" by the police. The New Nigerian reported the offices were "sealed off", but its story appeared on the back page. (Like all Nigeria's dailies, the New Nigerian is a tabloid, so backpage stories have some prominence.) The paper led with a story about a change in pension rules for Lagos state government workers.

On Aug. 2, the day before the raid, the Daily Times and the New Nigerian carried an appeal by a member of the NPN national executive asking the president to drop the suit against the Tribune. On Aug. 5, however, a government spokesman said it would charge the paper's editors with sedition and with knowingly publishing false information likely "to disturb the public peace" and "to cause fear and alarm" among the public.

The Tribune's editorial for that day said the paper was looking forward to the trial because it could prove its charges against the president. It condemned the police raid and continued its attacks on Shagari. The Tribune and the three non-party papers carried a statement from the National Union of

Journalists condemning the arrests and the seizure. The union said the federal government had taken the "most civilized step by indicating it would sue the publishers of the newspaper" and had undone that good decision through the police action. The seizure and arrests affected not only the Tribune, the union said. "It is part of the grand design to put the press freedom under severe jeopardy."

The three non-party papers carried no commentary on the confrontation until Aug. 9, when a column appeared in The Sunday Punch criticizing newspapers for concentrating on "negative propaganda against opponents" or "damning and damnable vituperation in the name of righteous indignation". The author, a university professor in mass communications, later revealed that the column was written before the Tribune article and the police raid. Evidently, concern over the excesses of the press had been growing for some time, which may be why the papers were wary of taking the side of the scurrilous Tribune.

The police raided the offices of the Nigerian Standard on Aug. 7 and of the Daily Sketch on Aug. 12. In both cases, two editors were arrested, their desks and homes were searched, and they were later charged with publishing false information. The reasons for these charges are still not certain, but writers on both papers speculate that they were the result of stories alleging the NPN had plans to assassinate rival politicians. The Sketch is another UPN paper; the Standard is affiliated with another party.

On Aug. 13, the first commentary on the confrontation between Shagari and the Tribune by any of the non-party papers appeared in The Punch, which doesn't run editorials but gives a lot of space to opinion columns. Regular columnist Tunde Obadina analyzed the significance of the upcoming trial of the Tribune editors:

"What we will see beginning tomorrow is partly a genuine trial of libel, although it has been called sedition, and partly a live or die showdown between the federal government and the UPN. If the editors of the Tribune can prove their charge against the president is well founded, then Shagari should have no alternative but to resign. If he does not resign, the image of democracy can only be maintained by his impeachment."

Obadina's column probably was written before he heard of the raid on the Sketch, perhaps even before news of the raid on the Standard reached him. On Aug. 18, another Obadina column in The Punch dealt with the police raids. He examined the UPN's oft-repeated accusation that the NPN ran a fascist government, an inflammatory description that neither he nor any other reasonable person would have considered seriously up until the recent events. He wrote, "it appears that the use of press freedom as an argument against defining the regime as fascist has lately been weakened."

"Few people believed it a coincidence that the three papers being charged to court are highly critical of the federal government and are owned by individuals or governments whose political parties stand in opposition to the federal government and the NPN....The pattern seems obvious, it gives credence to the allegation made after the Tribune affair that the government was planning to systematically gag the opposition press by intimidation." Obadina concluded, "...the federal government and its party should realize that by creating heroes and pushing the

opposition parties to adopt a live or die defensive pose, it may be creating the conditions whereby our deformed capitalist system can only be maintained by fascist military rule."

On Aug. 13, the police again raided the Tribune. The paper speculated that their raid was the result of a story that linked some police and customs officers to a multi-million dollar piracy of a ship in the port. It said the police were searching for the reporter who wrote the story. This increased a debate over how much the police had been acting on their own in raiding the newspaper offices. For several weeks the press had strongly criticized the force for its failure to avert a bloody riot in the northern city of Kano and for the killing of a star athlete at a police checkpoint in Lagos. On Aug. 19, the New Nigerian carried an article that said a UPN governor didn't blame Shagari for the police actions. The governor warned the president to control the heads of the department before they "destroy the president and the country's peace by their fascist approach." His comments prompted the first New Nigerian editorial on the Tribune case. It came down squarely behind Shagari and the police, saying the legal process is too slow when the government is faced with "a direct threat to public peace and national security."

"By the time the lawyers have finished eating their fees and praying the courts for interim injunctions, irreparable harm may already have been done. And God knows the present administration and the Nigerian Police Force have tolerated precisely this type of excess on the part of the publishers of the Tribune more times than can be counted."

In the same issue, the paper reported a statement from the police inspector-general that police action "to check false publications" will continue.

In the month since the Tribune's article, the Daily Times has not written an editorial on the government's challenge to the free press, though its news coverage has been thorough and balanced. The attention it has paid to the case against the two policemen charged with killing the athlete seems to have foiled an attempt by the department to quash the charges. The paper may soon find itself forced to take sides in a conflict between Shagari, the federal government, the police, the NPN and its papers (including the New Nigerian) on one side, and the opposition parties, their papers and The Punch on the other. On Aug. 29, the Daily Times reported that Shagari would announce "strong measures to deal with 'confrontationists'" on Oct. 1. The language echoes Shagari's words of July 2 and several statements by federal government spokesmen since then. October 1 is Nigeria's independence day, and this year it will mark the second anniversary of the return to civilian rule. The trial of the Tribune editors is set for Oct. 6. Nigeria's third year of renewed democracy promises to be its toughest yet.

Regards,



Bowden Quinn