

Hushed voices and the media's defence of the civic space

A media monitoring report on infractions on civil rights in Nigeria

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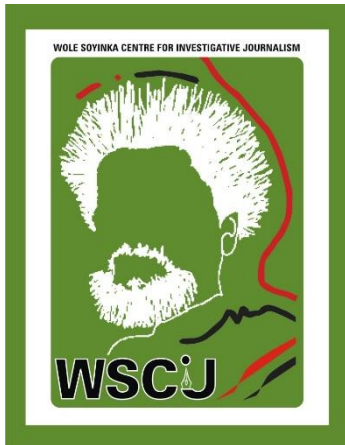
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Executive summary

The conclusion of this report is that the vitality of the civic space in Nigeria is threatened. The need to reinforce the role the media in general and investigative reporters in particular as protectors of civic space, inspired the Civic Space Guard project and along with it, this media monitoring report. The Wole Soyinka Centre for Investigative Journalism (WSCIJ) launched the Civic Space Guard project in December 2021 with support from the Luminate Group, MacArthur Foundation, Ford Foundation and the Open Society Foundations-Africa (OSF Africa). This report spans a decade (2012-2022). The exercise analyses incursions into Nigeria's civic as reported in the media.

The objectives are to: ascertain incidents of civic space infractions by year; determine the occurrence of civic space infractions (by gender and place); identify forms of civic space infractions (violent and non-violent); classify civic space infractions perpetrators (state and non-state actors); ascertain the victims/survivors of civic space infractions; determine the venues of civic space infractions and examine some types media reportage of civic space infractions.

Content analysis (CA) of 150 media reports published by 33 media organisations formed the study population. The content categories analysed are news, interviews and feature stories. This was complemented with critical qualitative interpretive analysis and participatory panel discussion. Specifically, on critical qualitative interpretive analysis, all assembled media contents were subjected to critical analysis to interpret the essential communication contents to determine the nature of civic space infraction and by who in line with the objectives of the study.

Similarly, the participatory stakeholders' panel discussion tagged '*Hushed voices and the media's defence of the civic space*', which involved the police, lawyers, journalists, human rights activists and citizens enabled participants to independently provide a group view on the Nigerian civic space. The WSCIJ intentionally convened the stakeholder's engagement to harvest their views on Nigeria's civic space, drive conversations and support journalists who defend the space.

Key findings indicate that majority of civic space infractions happened during protests against failed promises of good governance and human rights abuses. Out of the 150 incidents of civic infractions across the 36 states and Federal Capital Territory, 45 (30%) incidents occurred in 2021 and were on protests against unpopular government policies, police brutality and journalists harassed in the line of duty by state actors (security agents) and non-state actors (thugs and hoodlums). Abuja and Lagos were famous for civic space infractions with 37 (24.7%) and 29 (19.3%) incidents respectively. The report also showed men faced the highest rate of physical intimidation and harassment. Among state actors, security agencies are the highest perpetrators of civic space infractions in Nigeria with 103 (85.12%) infractions.

The Nigeria Police Force (NPF) was mostly responsible for the state infractions. The report implies that the Police officers, who in an ideal situation should be protectors of the people, are often tools to oppress and suppress dissenting voices. Again, these indict state actors as major violators on the freedom of expression, participation, association, and peaceful assembly in Nigeria.

Journalists are endangered in the civic space with 65 (43.3%) incidents which happened in the line of duty. Despite this, most media reportage of civic space infractions were not followed-up or investigated. Most incidents of civic space infractions reported in the media were breaking news or news stories – 136 (90.7%). Some broadcast media organisations that reported and amplified the protests against poor governance and human rights abuses sometimes got the ‘sledgehammer’ of Nigerian Broadcasting Commission (NBC) as its sanctions often crossed the thin line between media regulation and gagging of the press.

The report suggests that the state is attempting to close or at the least shrink the civic arena against the Civil Society Organisations (CSOs) such as Non-Governmental Organisations (NGOs), pressure groups, citizens and the media from expressing their views and discontent on the state of the nation; and trying to bring state actors to account on poor governance and human rights abuses. To diminish the work space available for civil society actors and the media is a threat to human rights. The possibility to freely associate, express opinion, assemble and engage is reduced.

Despite the challenges, the media still stands tall as a defender of the civic space. All efforts must be made to ensure neither the independence of the media nor the robustness of the civic space is threatened. This media monitoring report is a contribution to efforts in Nigeria and globally to help us better understand the incursions to the civic space, and raise conversation and action to ensure the sanctity of the civic space and the media’s place as its independent and formidable guard, is preserved.

Motunrayo Famuyiwa-Alaka

Executive Director/CEO, WSCIJ

Acronyms

APC: All Progressives Congress

CA: Content Analysis

CSOs: Civil Society Organisations

DSS: Department of State Security

EFCC: Economic and Financial Crime Commission

FOIA: The Freedom of Information Act

IYC: Ijaw Youth Council (IYC) Worldwide

MDAs: Ministries, Departments and Agencies

MRA: Media Rights Agenda

NA: Nigerian Army

NBC: National Broadcasting Commission

NCS: Nigeria Correctional Service

NGO: Non-Governmental Organisation

NIA: National Intelligence Agency

NIMC: National Identity Management Commission

NPF: Nigeria Police Force

NSCDC: Nigeria Security and Civil Defence Corps

OHCHR: Office of the United Nations High Commissioner for Human Rights

OSOPADEC: Ondo State Oil Producing Development Commission (OSOPADEC)

PDP: People's Democratic Party

SSS: State Security Service

UN: United Nations

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Introduction

According to the Office of the High Commissioner for Human Rights (United Nations), the civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: accessing information, engaging in dialogue, expressing dissent or disagreement, and joining together to express their views (UN - OHCHR 'OHCHR and protecting and expanding civic space'.ⁱ Again, Buyse (2018, p.2), defined the civic space as 'the layer between state, business, and family in which citizens organise, debate and act.'ⁱⁱ This may account for why Ogwezzy-Ndisika (2021), described the civic space as the practical room for action and manoeuvre for citizens and CSOs.ⁱⁱⁱ

However, in the last decade, the civic space has declined and many CSOs are under pressure. In 2014, a group of CSOs in a joint statement emphasised that, 'States are seeking to exert control over these spaces, to silence critical and challenging voices.'^{iv} Similarly, in 2016, the non-governmental organisation (NGO) Freedom House, which monitors political and civil liberties, noted the tenth consecutive year of 'decline in global freedom', which the United Nations (UN) Special Rapporteur on the Right to Freedom of Peaceful Assembly and of Association, Maina Kiai, dubbed a 'global clash between tyranny and self-determination' because some governments are increasingly hostile to civil society engagement.^v

Capturing it, Buyse (2018, pp.1 & 2) states "Whereas threats to and restrictions for civil society actors, both from states and from non-state groups, have always existed, the last decade has witnessed something that goes beyond individual instances...[and this] seems to be structurally and purposefully squeezed in a very large number of countries", which has thrown many CSOs into pressure. State actors use different tools such as anti-NGO laws, arbitrary inspections, harassment, and criminalisation of strikes, to shrink the civic space. As such, in many countries, civil society is under pressure. Collective citizens' efforts, especially when they have political salience, seem to be regarded with increasing suspicion and actively countered. This suggests an element of 'reverse transitions', that is, moving from democracy to a more authoritarian form of government, rather than the other way around.^{vi}

Again, Ogwezzy-Ndisika (2021)^{vii} stated that there are restrictions to some issues such as limitations on creation and registration, functions and activities, and on access to resources for NGOs. Albeit she argued that although, these efforts by governments to halt civil society are selective and ad hoc, generally, whatever tool is adopted by governments is a function of the estimation of the extent of the problem or by political expediency.

Figure 1

Forms in which the government shrink the civic space^{viii}



From the above, it is clear, that the media is involved in the civic space as an actor, protector and in the conversation and this is the assumption guiding this study. Thus, the media dimension of the civic space forms the entry point for assessing the shrinking civic space in Nigeria.



Therefore, the report assessed Nigerian media coverage of civic infractions. As earlier detailed, the objectives are to: ascertain incidents of civic space infractions by year; determine the occurrence of civic space infractions (by gender and place); identify forms of civic space infractions (violent and non-violent); classify civic space infractions perpetrators (state and non-state actors); ascertain the victims/survivors of civic space infractions; determine the venues of civic space infractions and examine some types media reportage of civic space infractions.

Methodology and scope

This assessment of civic space infractions (abuses of journalists, citizens, activists and other stakeholders within the civic space) spanned 2012 – 2022 – a 10-year period. Using the media's coverage of civic space infractions in Nigeria, it distilled the incidents of civic space infractions by year; occurrences of infractions by gender and place; forms of infractions (violent and non-violent); perpetrators of infractions (state and non-state actors); victims/survivors; venues of civic space infractions; and media reportage of civic space infractions by genre.

We adopted for a content analysis method complemented with critical incident analysis and participatory stakeholders' panel discussion to exemplify civic space infractions in Nigeria. Data were obtained from 150 elements purposively sampled on civic space infractions by state and non-state actors reported in the Nigerian media. Thirty-three (33) media organisations published the 150 media reports that formed the study population. The content categories analysed are news, interviews and feature stories.

Specifically, on critical qualitative interpretive analysis, all assembled media contents (news, interviews and feature stories) were scrutinised to interpret the essential communication content, determine the nature of infractions and types of perpetrators in line with the objectives of the research.

The participatory stakeholders' panel discussion tagged '*Hushed voices and the media's defence of the civic space*^{ix}', which held on 28 April 2022 involving the police, lawyers, journalists and human rights activists, enabled participants to independently provide views on Nigeria's civic space. The event held at the Providence Hotel, GRA, Ikeja, Lagos. Benjamin Hundeyin, (Public Relations Officer, of the Lagos Command of the Nigeria Police Force), Debo Adedayo (Nigerian comic skit maker and actor), Olakunle Akinrinade, (weekend crime desk editor, *The Nation* newspaper), Inibehe Effiong (Human Rights lawyer) and Victoria Ibezim-Ohaeri (Executive Director of Spaces for Change) as panellists in a session moderated by Bukola Samuel-Wemimo of *Channels Television*. At the session participants discussed issues on civic space infractions in Nigeria with specific illustrations of incidents, and suggested ways to protect the space and support investigative reporters and stakeholders who defends its sanctity.

Quantitative data gathered from CA were analysed using Microsoft Excel version Office 365; and presented using simple percentages, infographics and charts. While data gathered from critical qualitative interpretive analysis, that is, excerpts of critical incidents from the 150 purposively sampled stories and participatory session, were descriptively analysed and used to complement data from CA.

Limitation

One of the major limitations to the report methodology, which was online, is the fact that many of the media houses did not have online presence before 2014. For those who did, the archiving system and perhaps website capacity was poor as most of them deleted older publications. The data gotten between 2012 and 2018 were quite sparse.

Operational definition of terms

This section explains some terms as used in this document:

Individuals: These are persons or groups of people who took advantage of the universally accepted economic, social, and cultural rights within the civic space.

Civic space: This is the arena in which universally accepted human rights, allow people to organise, assemble, participate and communicate with each other freely in their quest to influence the political and social structures around them.

Content analysis: A systematic, objective and quantitative procedure adopted to examine the contents of newspapers, television and other publications.

Forms of infractions: For this study, the infringement of human rights were divided into two. These infractions were analysed to check whether the perpetrators deployed force leading to physical harm, arrest, incarceration or death. These incidents were classified under violent infractions. The non-violent infractions were incidents where physical force was not applied.

Frequency: It is the rate at which these violent and non-violent infractions occurred over the ten years assessed.

Genres: Refers to content categories, for example, news story (description of event, decision, action); news analysis or background story (article primarily explaining the impact of an event or decision; what it means or does; explaining the history of the developments; people/institutions involved; factors creating the issue); feature story (longform human interest story tied to the news which seeks to expand on the issues reported); and interview.

In the line of duty: This refers to journalists whose rights were infringed on carrying out their constitutional roles.

Infractions: These are actions that are contrary to established laws, agreements and treaties on civil rights. Infractions cannot happen except these laws have been broken. For every infraction, local, national or international, there are consequences.

National Broadcasting Commission (NBC): The National Broadcasting Commission is the broadcast regulator of the Federal Republic of Nigeria. The commission was set up on August 24, 1992, by Decree 38 of 1992.

Non-state actors: They are bodies or individuals not controlled by the government. The non-state actors can be individuals, thugs, hoodlums, militia groups, bandits and others.

State actors: Bodies and other agencies directly under the control of the government at either the Federal, State or Local Government levels.

Unidentified persons: Persons whose status or identities could not be ascertained during the course of this media monitoring.

Analysis of Nigerian media coverage of civic space infractions (2012 - 2022)

WSCIJ monitored reports on media coverage of civic space infractions from thirty-three (33) Nigerian media outlets between 2012 and 2022. They are: *Al Jazeera, Biz Watch, Blueprint, Channels TV, Cable News Network, Council on Foreign Relations, Daily Nigerian, Daily Post, Daily Trust, Diamond Celebrity, Everyevery.ng, Foundation for Investigative Journalism (FIJ), Fox News, Guardian Newspaper, International Centre for Investigative Reporting (The ICIR), Media Rights Agenda, News Central, Nigerian Tribune, Platinum Post, Premium Times, Pulse.ng, Punch Newspaper, Ripples, Sahara Reporters, The Cable News, The Guardian, The Nation, The Niche, The Sun Newspaper, This Day Newspaper, Today News, Vanguard Newspaper and Western Post.*



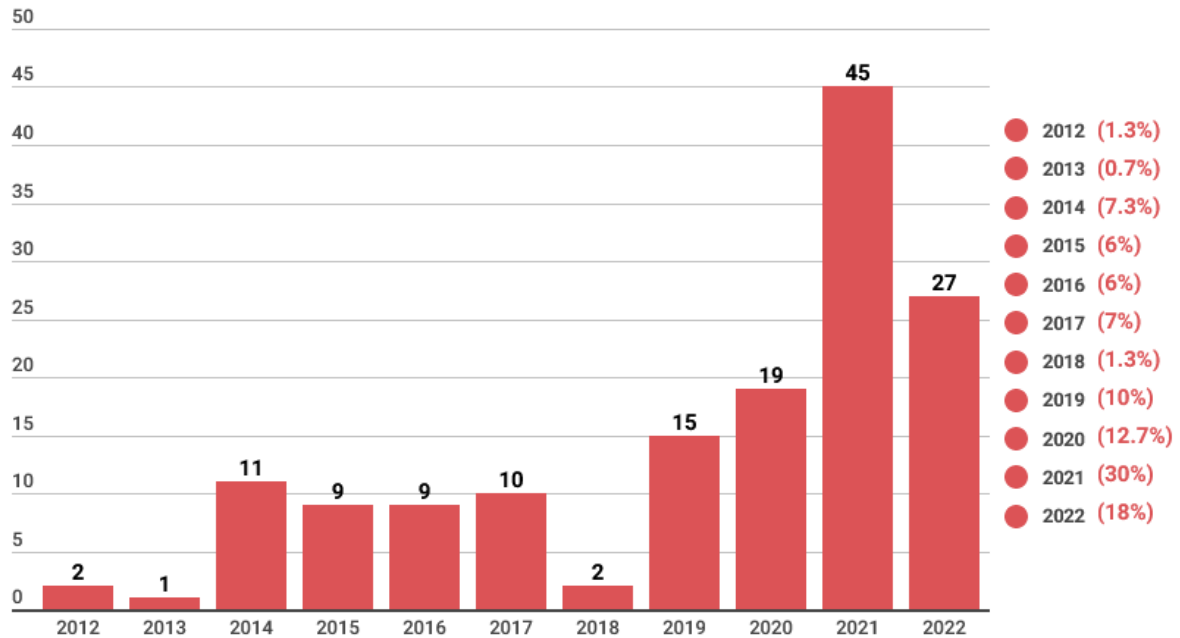
Analysis of findings

Years monitored: 2021 led with more incidents of civic space infractions

The period under review (2012-2022) spanned two administrations led by the two most prominent political parties – the People’s Democratic Party (PDP) and the All Progressives Congress (APC). The reports spotlighted important events; and reported some infractions that suggest the civic space is shrinking.

Figure 2

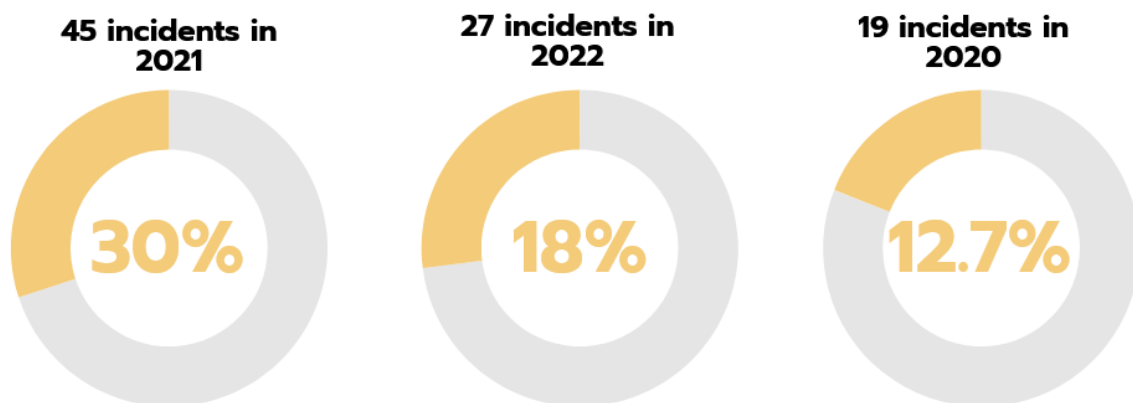
***Incidents of civic space infractions by year**



**A huge limitation to the analysis is the fact that many media outlets did not have online presence or content before 2014*

Out of the 150 stories monitored as shown in figure 3. These 45 incidents were on protests against unpopular government decisions/policies, police brutality and journalists harassed in the line of duty by state actors (security agents) and non-state actors (thugs and hoodlums). Protests against police brutality and calls for good governance constitute the majority of the 45 incidents. This was followed closely is 2022 with 27 incidents representing 18%; and 2020, with 19 stories representing 12.7% of the total 150 stories monitored.

Figure 3 Highest numbers of incidents of civic space infractions



The continued rise in the number of civic space infractions between 2020 and 2022 may not be unconnected with the government's intolerance of dissenting voices as more people protested against bad governance. Also, out of the 150 stories monitored, 2019 had 15 (10%) incidents; 2014 recorded 11 (7.3%) incidents; 2017, 10 (6.7%) incidents; 2015 and 2016 recorded nine (6%) incidents each; 2012 and 2018 had two (1.3%) incidents each; while 2013, one (0.7%) incident, accounting for the lowest case of civic space infractions reported in the Nigerian media.

A critical examination of the above data revealed some trends. Incidents from 2012 and 2013 were relatively low. This may be because incidents were lost in time as many media organisations had no online presence. With the advent of many online platforms, reportage around civic space infractions increased sharply. A slight decline was witnessed in 2015 (an election year when political officeholders went around campaigning and cajoling people for votes) and 2016 (immediately after the election with many officials still perceived as new). In 2017, incidents increased and again sharply reduced in 2018 (just a year before another election year). Incidents of civic space infractions have spiked from 2019 till date.

The above data is in sharp contrast to the picture the government attempted to paint for the international community. Giving a possible explanation for the incidents of civic space infractions recorded by year, Victoria Ibezim-Ohaeri, during the aforementioned participatory session panel discussion^x, stated that the continued rise in incidents of infractions in Nigeria may be traced to the attitudes of various governments copying and adopting bad practices of other governments. According to her, "Governments are copying bad practices. Anywhere governments see bad behaviour, say this is happening in Tanzania, once your government becomes aware that Tanzanian government can do it and get away with it, they will copy it".

Again, she explained that government's thirst for power may be responsible for the various infractions in the civic space. In her words: "*Governments are thirsty for more power that is why we are seeing a lot of bills, social media bills, hate speech bills, the NBC Act they are trying to amend it. The essence is to enlarge governmental powers to control the media space.s*" Explaining further, she said that "*National security is the most popular rhetoric that is used to justify crackdowns on the civic space*". She blamed section 45 of the 1999 Constitution (as amended) for the high-handedness of the Nigerian state. According to her:

"Section 45 is a very dangerous section of our Constitution that provides that in certain circumstances you can derogate from constitutional freedoms and fundamental rights of citizens in certain sense. Those instances are very broad and vague and many of them float around National Security. So, what is happening in the country is that anything can be stretched to rope security dynamics into it. Look at the #EndSARS protest of 2020, at the end of the day what were they charged with? The protesters were charged for terrorism financing".

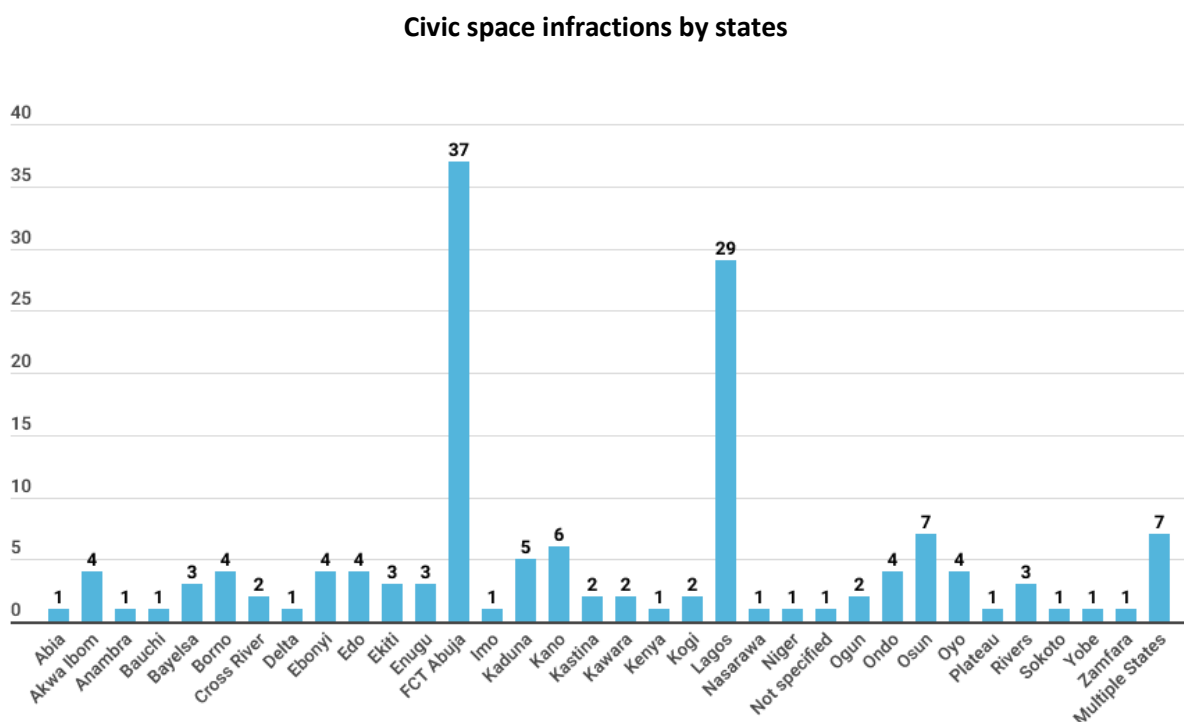
Providing another perspective, Benjamin Hundeyin, Police Public Relations Officer (PPRO), Lagos State command opined that when the Police knows that there is a public interest assembly going on, but it had received intelligence that there might be incursions at variance with national security, no matter how legitimate the goal of that assembly, the police would act to protect lives and property, even if it means disrupting the assembly.

Abuja and Lagos most famous for civic space infractions

Out of the 150 incidents of civic infractions across the 36 states and Federal Capital Territory, 37 (24.7%) incidents occurred in Abuja and 29 (19.3%), Lagos. Seven (4.7%) incidents were traced to Osun state; six (4%), Kano; five (3.3%), Kaduna; and four (2.7%) each for Borno, Akwa Ibom, Ebonyi, Edo, Ondo and Oyo states. Based on the finding, we argue that Abuja and Lagos are famous for civic space infractions. These two locations are symbolic to every Nigerian government. Abuja is the administrative capital and Lagos state is the economic capital. Government at the Federal and state levels always firm its hold on what happens in these two locations.

Specifically, in Lagos State, Hundeyin,^{xi} Lagos state Command PPRO during a participatory session acknowledged that reports show that there are some flash points within the state [where civic space infractions occur] that the command is trying to address. According to him, “I would not deny the fact on Twitter if I am to catalogue all the complaints I get, the number one on the list is Festac, followed by Ikorodu. We are aware of these things. I am also aware of Ojodu. I am also aware of Ogudu.”

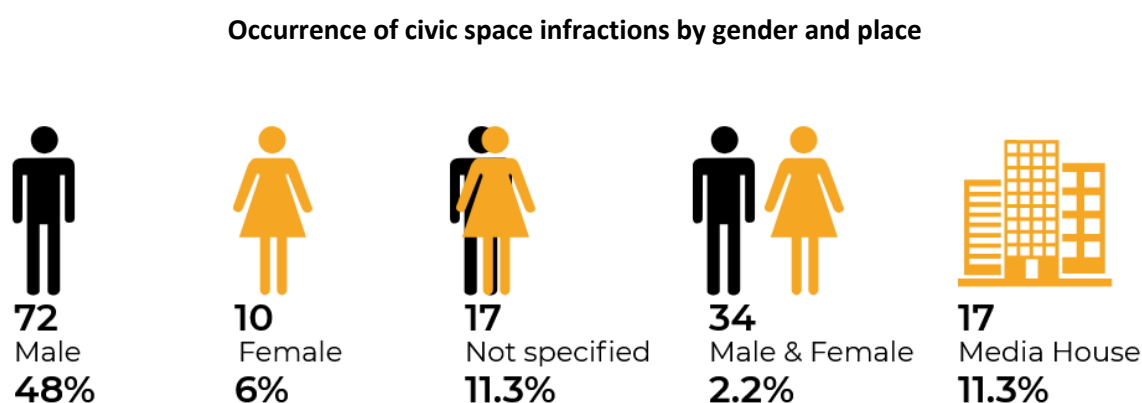
Figure 4



Men faced the highest rate of physical intimidation and harassment within the civic space

In analysing the occurrence of the 150 incidents of civic space infractions, data revealed that 133 (88.7%) incidents were on persons, while 17 (11.3%) were on media houses. Disaggregated data of the 133 infractions on persons showed that 72 (48%) were perpetrated against men; 10 (6.7%), were against the females; 34 (22.7%) happened simultaneously to both genders (male and female); while 17 (11.3%) did not specify the gender of the survivors/victims. Further analysis of the gender of survivors/victims showed that compared to females, the males faced the highest rate of physical intimidation and harassment within the civic space.

Figure 5

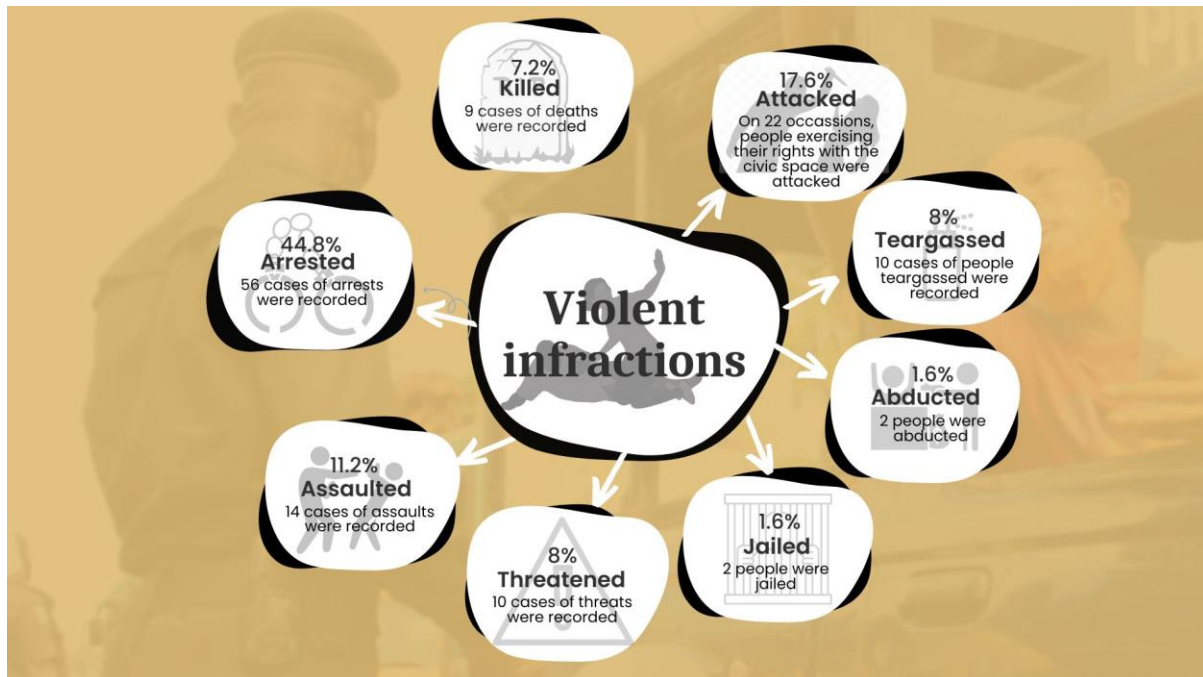


Violent forms of civic space infractions are the highest

The 150 incidents of civic space infractions monitored were grouped into violent and non-violent. Violent forms comprise perpetrators who deployed physical force which resulted in arrest, physical harm, bloodshed, loss of life, extra-judicial killings, illegal arrests, detention or excessive use of force by state and non-state actors. Non-violent infractions were those, which did not involve physical force. Out of the 150 incidents monitored, 125 (83.3%) incidents were violent forms. A breakdown revealed that unlawful arrests accounted for 56 (44.8%) incidents; attacks, 22 (17.6%); assaults, 14 (11.2%); security agents teargassing protesters, 10 (8%); threats, 10 (8%); killed, nine (7.2%); abduction, two (1.6%) while two (1.6%) incidents saw people thrown in jail. These infractions were not only perpetrated by law enforcement agents but also by citizens for political, religious and ethnic reasons.

Figure 6

Violent forms of civic space infractions



Critical qualitative interpretative analyses of some instances reported in various newspapers buttress the findings in figure 6 as they revealed physical force was deployed which resulted in arrest, physical harm, bloodshed, or loss of life. For instance, the case of Martin Obono – an activist, arrested in Abuja over a tweet in which he accused the police of trying to undermine a rape case his client reported, as covered by *Premium Times* on 5 June 2020.^{xii} He was arrested for having the effrontery to question why his clients (females) were detained in the same cell as male suspects. He was however released hours later after he was accused of inciting the public against NPF.

In Uyo, Akwa Ibom state, policemen picked up Jerry Edoho (Deputy Editor of Ibom Nation Newspaper), and took him to Abuja. (*Punch newspaper* on 7 January 2017)^{xiii} Edoho was forcibly arrested by security operatives and taken to Abuja over a post he allegedly put up on his Facebook page involving Dana Air. The alleged post was a reaction to a photograph of a purported crash involving a Dana Air flight heading to Lagos from Abuja in which he was tagged.

Similarly, *Premium Times* of 20 June 2021^{xiv} reported that State Security Service (SSS) agents arrested Ahmad Abdul over a song perceived as blasphemous and capable of creating chaos in Kano state. The SSS reportedly took Abdul into protective custody to avert likely violent reactions against him from Kano residents. He tendered an apology to the entire Muslim community, Kano State government and Islamic scholars while in detention for days.

Again, *Punch newspaper* of 20 October 2021^{xv} reported the arrest of Abisola Alawode, a journalist working with Legit TV during the #EndSARS protests memorial at the Lekki Tollgate. He was allegedly

hit by the officers after they dragged him by his belt into their parked van. *Legit TV* reported his release after spending over five hours in detention.

Also, *The Guardian newspaper* of 12 April 2016^{xvi} presented a report – ‘*Policemen killed three University of Port Harcourt students while dispersing protests over school fees increment*’. The murdered trio were part of UNIPORT students who barricaded the East-West Road to protest their fee hike from N15,000 to N45,000. The school management announced the closure of the institution and suspension of the students’ union and their affiliate bodies but there was no report of it seeking justice for the dead students.

During the participatory session panel discussion^{xvii} Effiong Inibehe, a lawyer, stated that nobody needs the consent of the NPF to embark on protests. In his words:

“I want this point to be gotten very clearly that the law as of today is unequivocal. You do not need the consent of the Commissioner of Police. You do not need the consent of anybody to protest. Again, the government went to the Court of Appeal and lost. So that is the law today. In obedience and in recognition of that judgment the National Assembly in the Electoral Act of 2010 as amended in 2015 recognised the rights of Nigerians to hold processions and rallies. Under the just assented Electoral Act of 2022, section 91, the Commissioner of Police in each state of the Federation and the Federal Capital Territory shall (lawyers know when the word ‘shall’ is used it has a compulsory meaning it does not admit the exercise of discretion) provide adequate security for the proper and peaceful conduct of political rallies and processions in their respective jurisdictions and for this purpose the police may be supported by the Nigerian Security and Civil Defence Corps and any other Security Agency of the Federal Government right”.

This means that the NPF and other security agencies must provide security and ensure the safety of protesters.

Again, Effiong quoted Section 39 of the 1999 constitution as amended which “... *guarantees freedom of expression, while Section 40 guarantees freedom of association and peaceful assembly*” to buttress his position. Citing the case between Charles Oputa against the Federal Government of Nigeria where he represented the plaintiff, Effiong stated that:

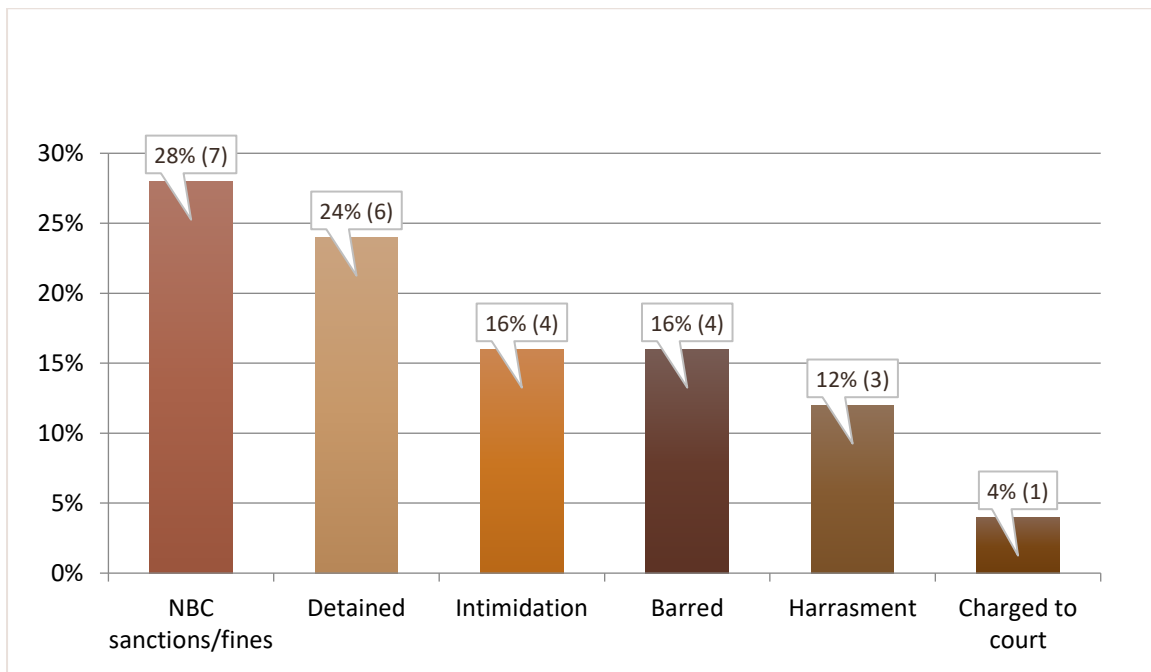
“I represented Charlie Boy at the Federal High Court in the case of Charles of Oputa and the Inspector General of Police, The Nigeria Police Force and the Commissioner of Police at the Federal Capital Territory presided by the current Chief Judge of Federal High Court, Justice John Tsoho. In that case, the police argued that hoodlums were going to hijack the protests. According to them, they had received intelligence reports, that the protest had been invaded and so on. I made the argument that what the police are saying is that they have abandoned their statutory responsibility of maintenance of law and order and that if for any reason there is intelligence whether real or imaginary, the police must ensure that those hoodlums do not invade the protest. Therefore, it is

not defensible to say that on the bases of security threats you can disrupt a protest and the Court agreed with me and disagreed with the police. The court awarded 50 million naira against the police.”

Looking at the non-violent forms of infractions, findings indicate five major categories, which constitute 25 incidents out of the 150 monitored. Of the 25 infractions committed, NBC sanctions accounted for the highest number with 7 (28%) incidents, while citizens and journalists detained account for 6 (24%) incidents. Others are intimidation, 4 (16%) incidents; journalists barred from carrying out their duties, 4 (16%); harassment of journalists, 3 (12%); and one (4.0%) incident of a reporter charged to court.

Figure 7

Non-violent forms of civic space infractions



Qualitative analysis of non-violent forms of civic space infractions reported by Media Rights Agenda (MRA) suggest arbitrary harassment and an attempt at closing the media as an arena of contestation. For instance, *Channels Television* and *Inspiration FM radio* were fined 5 million Naira each by NBC for breach of the Nigeria Broadcasting Code. *Channels Television* was accused of granting Emma Powerful, a leader of the proscribed Indigenous People of Biafra (IPOB), uncensored interview on its live programme, 'Politics Today'; while *Inspiration FM Lagos* allegedly aired a broadcast of IPOB where it made "secessionist claims". According to MRA, NBC wanted to suspend their licences, but following the review of their appeals and apologies, NBC set aside the option of license suspension (Media Rights Agenda on 22 May 2022^{xviii}). Another, Media Rights Agenda publication of 8 October 2020^{xix} revealed that NBC stopped a famous programme – 'Idon Mikiya' on *Vision FM*, Abuja for discussing the controversial tenure extension of Rufai Abubakar, the Director-General of NIA. In addition, NBC alleged the discussion breached section 39(3) (b) of the 1999 Constitution and the NBC Code. As such, the media organisation was fined 5 million Naira.

MRA reported the continued incarceration of Ime Sunday Silas, an editor with *Global Concord newspaper*, despite a successful bail application.^{xx} He was arrested on Monday, 17 August 2020 by police officers for allegedly cyberstalking Martha Udom Emmanuel, the wife of Akwa-Ibom Governor, Udom Emmanuel, when he got to the Ikot Akpan Abia district of Uyo to meet a source; and was taken to a nearby police headquarters, detained and charged to court the following day. Subsequently, he filed for bail on August 24, 2020 which was granted on September 10; but the court order granting him bail was not respected as he was remanded at the police headquarters for more than a month.

TheCable newspaper of 19 May 2020^{xxi} reported the detention of Rotimi Jolayemi, a freelance broadcaster, allegedly on the order of Lai Mohammed, Minister of Information and Culture. He was accused of recording an eight-minute audio critical of the minister which he released via WhatsApp. He was detained for days without being charged to court. *Sahara Reporters* on the other hand, on 26 April 2022^{xxii} brought to the fore some prison officials' harassment of journalists covering the murder trial of the alleged killer of Usifo Ataga, the Chief Executive Officer of *Super TV*.

Also, one of the key findings from the participatory session matches the findings from CA and critical incident analysis. It suggests that the police are hushing the voices of the citizens and CSOs through the arrest and detention of innocent people. During the participatory stakeholders' panel discussion, an investigative reporter, Olukunle Akinrinade, weekend crime desk editor, *The Nation*, condemned the series of illegal arrests and detention of law-abiding Nigerians going about their daily activities as state actors' as attempts at shrinking the civic space. As he puts it:



“We attended parades [where Police parade crime suspects] and then the suspect will tell you that they were just picked up on the streets...[So] I took it upon myself to investigate the issues and I found out that those guys were actually innocent.”

xxiii



L-R: Victoria Ibezim-Ohaeri, founder/Director of Research and Policy, Space for Change; Inibehe Effiong, Principal Counsel, Inibehe Effiong Chambers; Debo Adedayo (Mr Macaroni), Entertainer; Benjamin Hundeyin, Police Public Relations Officer, Lagos State Command, all panelists; Motunrayo Alaka, Executive Director/CEO, Wole Soyinka Centre for Investigative Journalism (WSCIJ); Olukunle Akinrinade, Head, Weekend Crime Desk, The Nation/panelist; Bukola Wemimo-Samuel, News Anchor/Reporter, Channel Tv/moderator; and Assistant Superintendent of Corps Olumide Abolurin, PRO, Nigeria Security and Civil Defence Corps, Lagos State Command, during the WSCIJ Civic Space Guard Conference in Lagos on Thursday.

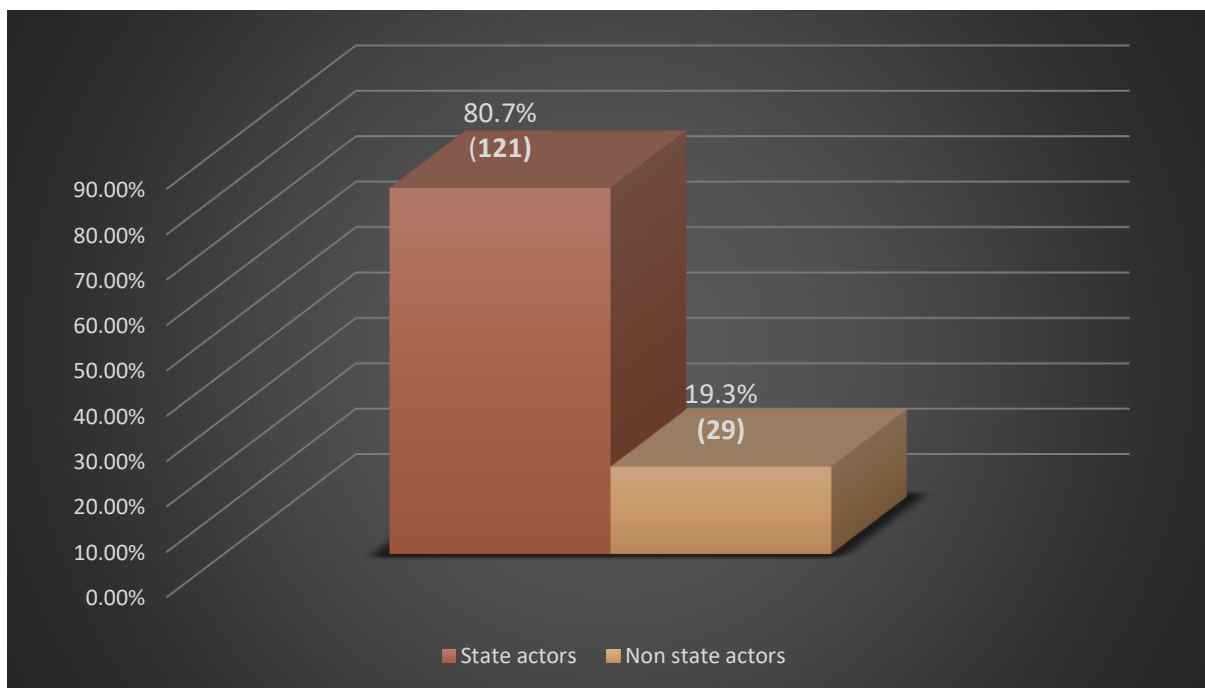
State actors are the highest violators of the civic space

The perpetrators were classified into state and non-state actors. The state actors cover security agents under the control of the government at the national or state levels, while non-state actors are groups or individuals not empowered by the state who abused the civic rights of fellow citizens.

The state actors are a combination of various security agencies and government parastatals. They accounted for 121 (80.7%) infractions, while non-state actors accounted for 29 (19.3%).

Figure 8

Classification of civic space infractors



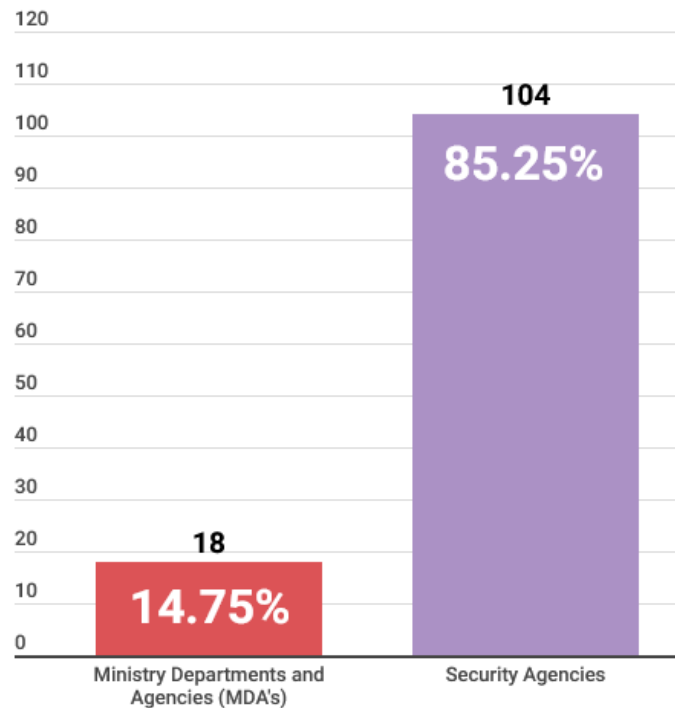
Security agencies are the highest perpetrators of civic space infractions in Nigeria

Data on state actors' infractors of civic space revealed two broad categories of perpetrators - security agencies (DSS, NCS, NA, NPF, NSCDC and *Hisbah Police*- Kano State) and ministries, departments and agencies (NBC, EFCC, NIA, NIMC and others)

Of the two categories, security agencies had the highest frequency of 104 (85.25%) while MDAs accounted for 18 (14.75%) incidents of infractions reported in Nigeria media as shown in figure 8. The security agencies are the highest perpetrators of civic space infractions in Nigeria. It is paradoxical that law enforcement agencies suppress dissenting voices and shrink the civic space instead of protecting those defending it. This may not be unconnected with the fact that security agents mostly obey orders from above to clamp down on dissenting voices as in the case #EndSARS protest of 2020 where there are reported evidences military shooting and killing protesters.

Figure 9

State actors as perpetrators of civic space infractions

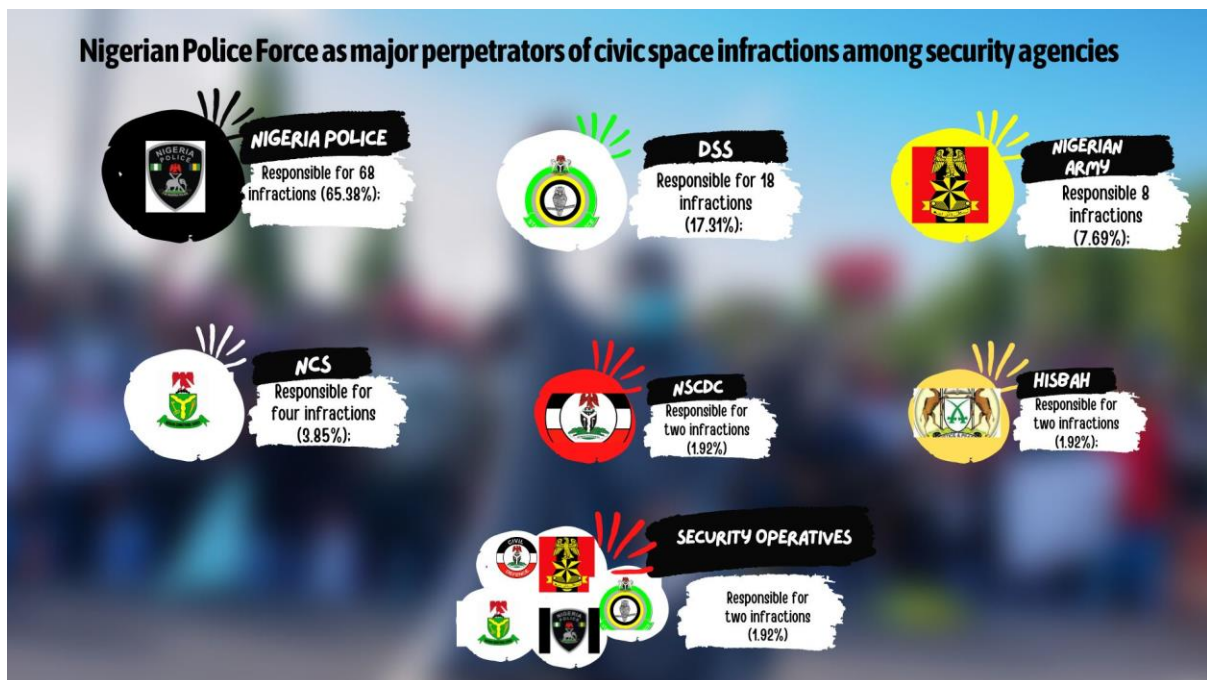
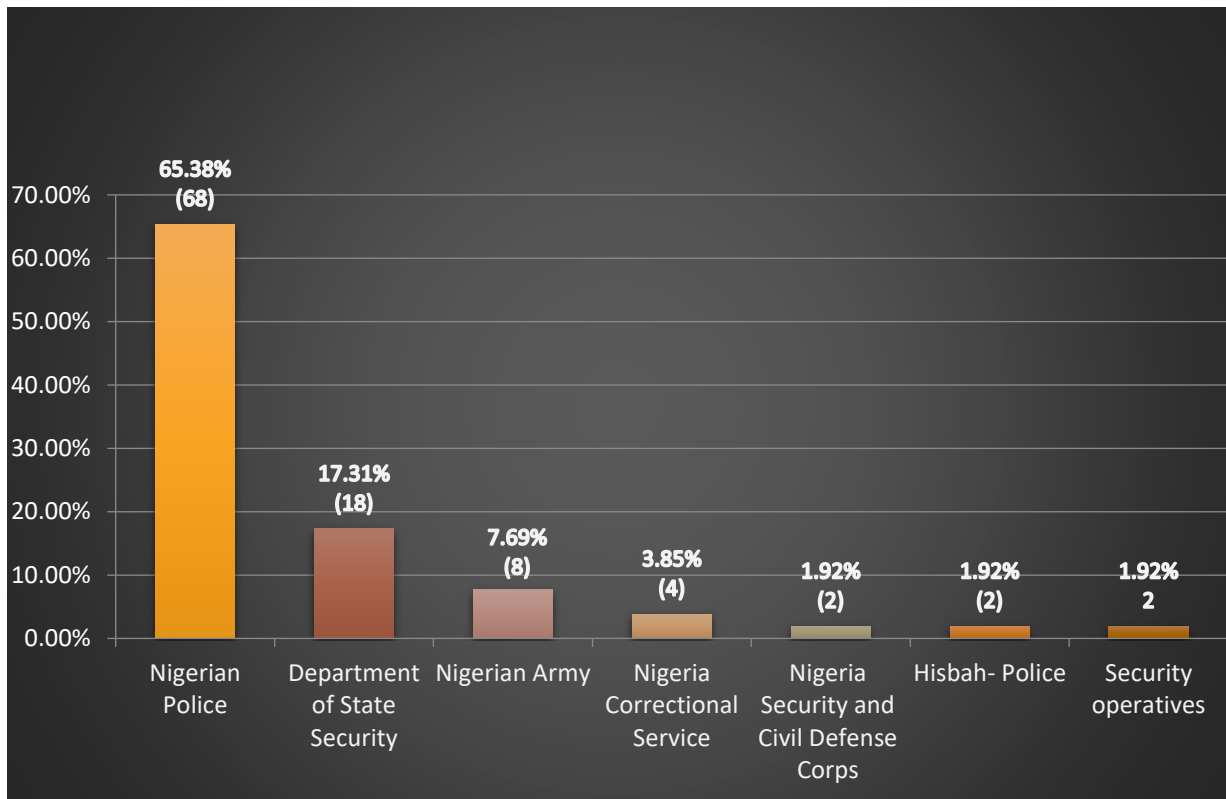


Nigeria Police Force is the major perpetrator of civic space infractions among security agencies

Despite police being the closest law enforcement agency to the citizens and being branded as 'their friend', officers of the Nigerian Police hold the infamous record of the highest number of infractions. Out of the 104 infractions that security agencies committed, the NPF was responsible for 68 (65.39%) incidents; DSS officers, 18 (17.31%); Nigerian Army, eight (7.69%); Nigeria Correctional Service, four (3.85%); Nigeria Security and Civil Defence Corps, two (1.92%), *Hisbah Police* (Kano state government), two (1.92%); and Security Operatives, that is, a combination of some of the security agents from different law enforcement agencies, two (1.92%).

Figure 10

Nigeria Police Force as major perpetrator of civic space infractions among security agencies



The participatory stakeholders' panel discussion^{xxiv} had divergent views on state actors, especially the NPF as perpetrators of the violent forms of civic space infractions.

Inibehe Effiong accused the police of deliberately clamping down on dissenting voices and being a willing tool for politicians and moneybags. In his submission, he declared that the system is rigged to protect the ruling class, which empowers the police to recklessly intimidate and arrest Nigerians. Similarly, Debo Adebayo popularly known as 'Mr Macaroni' recalled how he was brutalised and dehumanised for participating in a peaceful protest to commemorate the #LekkiTollGateMassacre of the #ENDSARS protest. He aptly captured it thus:

"Take for instance what happened after EndSARS...the second wave that was supposed to happen when they wanted to open tollgate, where I was arrested and beaten. What did I and 39 others that were treated that way do to deserve such treatment? The video I made does not do justice to what we went through in their cell."

Adebayo said,

"These guys (policemen) were sticking their fingers in our eyes. The one you saw I was still wearing cloth; I was completely naked. These guys were flogging us, they were beating us and punching."

On the contrary, the police opine that it has a duty to disperse a crowd if they received intelligence reports that such gathering is about to be hijacked by hoodlums or it constitutes breach of peace. According to Benjamin Hundeyin, Police Public Relations Officer (PPRO), Lagos State command:



"If I get intelligence that this place is going to be invaded, the first thing I would do is to evacuate this place. I will not wait to ask if it is Boko Haram or ISIS. No, everybody leaves first. If I get intelligence that this gathering will be infiltrated? Yes, it is my job to stop it, but I must also think about my mandate of protecting lives and property. If the only way I can stop it at that point is to disperse this crowd, I would. I would not wait to ascertain where the attackers would be coming from, then they attack, and there is a problem, and it comes back to me. We know that Macaroni did not get violent. We know

that all these people did not get violent, but we knew that this thing would be infiltrated, If the only way for me to stop it or the first step for me in stopping it is to disperse that crowd, without apologies I would disperse that crowd."

Hundeyin^{xxv} defended the NPF saying that the incidents of civic space infractions have drastically reduced, and the few occurrences are over-emphasised because of the power of social media.

"Let me use an example. If a policeman does something bad and someone gets it on video and puts it on Twitter, trust me in less than an hour you will see like a thousand retweets. There is no news like bad news. So, it travels very fast. Let us say it was

retweeted one thousand times. In the mind of most Nigerians, one thousand policemen have misbehaved, or policemen have misbehaved one thousand times. When a policeman does something good, people just sum it up to say he is doing his job and that does not even get any retweets. Yes, we have incidents of policemen being overzealous. We have incidents of policemen being brutal like we have everywhere in the world. But let us apply some statistics and you would see that the policeman that misbehaved or the incidents of police brutality is a very small fraction. I am not trying to downplay this, and I am not trying to say our men do not misbehave sometimes but I am talking about statistics. You will see that just a very small fraction 0.5 percent sometimes but because of the population in Nigeria, 0.5 percent is a lot.”

Olukunle Akinrinade^{xxvi} did not agree that the people or media are biased over how they report police and their bad behaviours. For him, the enmity between the police and citizens developed over a period of time and it has led to a high level of mistrust between the police and the people but the media still reports cases where representatives of the police acted commendably. According to Akinrinade,

“The other woman (police officer) who work in Ojudu who helped rehabilitated a boy that was attacked by a robber, did the media not publish her story? The police officer who bought food for a displaced person in Ijaye also got good traction. In fact, The Nation published the picture because it was something [news] seeing a policeman tending to somebody who had been displaced.”

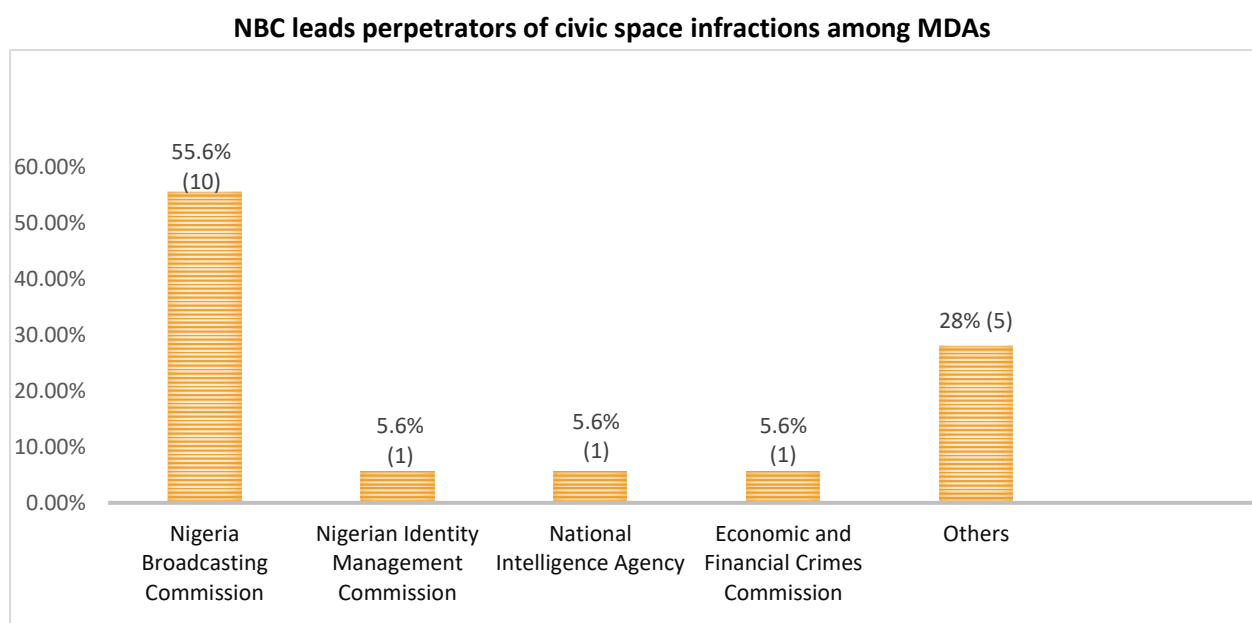


Cross section of participants at the Civic Space Guard Conference

National Broadcasting Commission leads perpetrators of civic space infractions among MDAs

Out of 18 incidents of infractions committed by the MDAs, NBC was responsible for 10 (55.6%) through sanctions, licence suspensions, fines, and directives to media houses not to broadcast news that many say were unfavourable to the powers that be. The NIMC, NIA, and EFCC were responsible for one each (5.6%). Others are university management, state government, school security, judiciary (Sharia court sentencing of nine people to death for blaspheming the prophet), and the presidency, with one incident each totalling five i.e., 28% of the 122 incidents of infractions by stated actors as shown in figure 11.

Figure 11



In line with the findings from CA, Bukola Samuel-Wemimo^{xxvii} submitted that

“Under the late President Umaru Musa Yar’Adua a television station was shut down because it carried a story alleged to be false and I recall I was still at my former place of work back then in 2007 under his administration our television station was shut down”.

She further opined that successive Nigerian governments had clamped down on civic space activities. For instance, under Goodluck Jonathan Government *“newspapers were impounded and media workers were arrested”*. Again, she stressed that

“Under the Goodluck Jonathan Government, protesters under the #BringBackOurGirls movement were threatened sometimes and their valuables destroyed even though the former president said on his Facebook

page just some years back that Nigerians would miss the freedom of expression [after his tenure of office].

These instances attest to the intolerance of government to divergent views and transcends the period monitored. Civic space infraction in Nigeria has a long history.

Is the media complicit in its own abuse?

What is responsible for NBC's sanctions, licence suspensions, fines, and directives to media houses not to broadcast news that is unfavourable? Inibehe Effiong^{xxviii} opines that the continued abuse of media space by the government and its agencies may be connected to the fact that many media organisations and journalists are reluctant to seek redress when the government infringes on their rights. According to him:

When Lai Mohammed started saying broadcast stations should pay fines for hate speech, I reached out to some of the media houses that were fined, I said I was willing to take up the case. All I needed were documents issued by NBC regarding the fine. Trust me all of them shied away... So, why is it that the media in Nigeria is so reluctant to challenge the violation of their rights? Why is it that when journalists are arrested you do not see media houses that employed those journalists filing incidents in court against the police or the government?"

Hoodlums lead non-state actors in civic space infractions

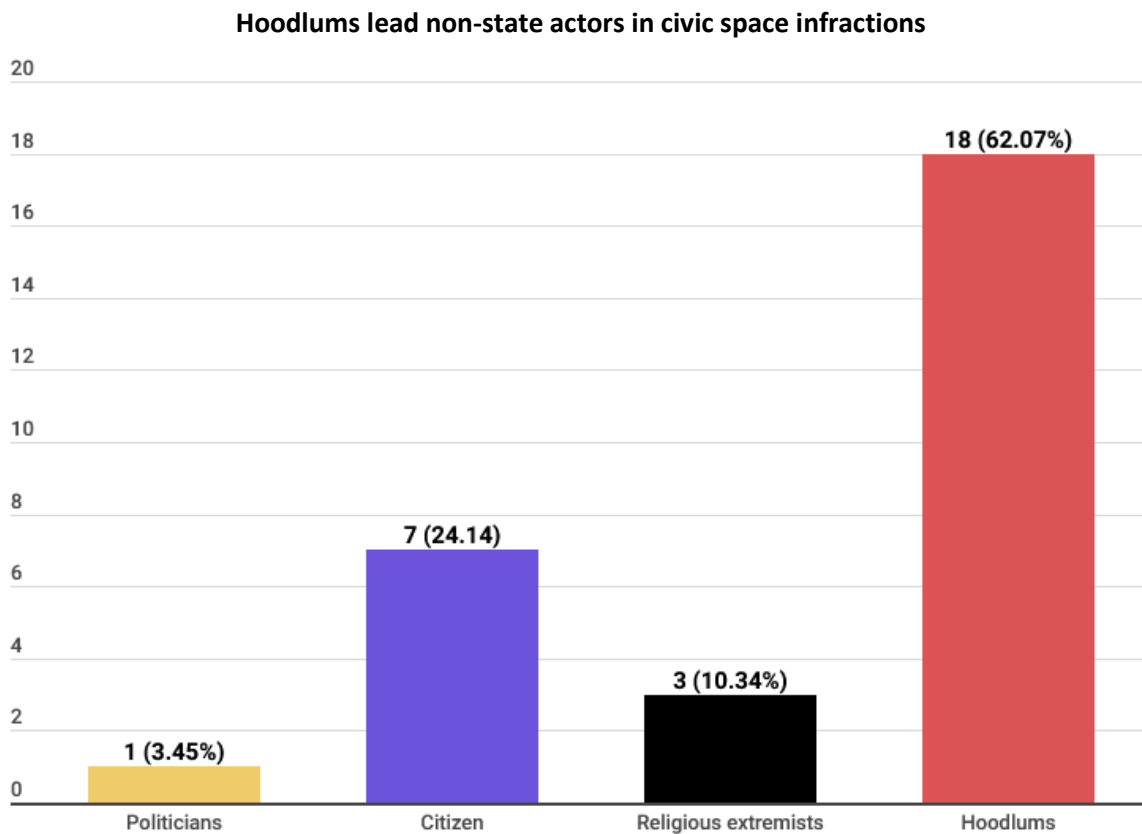


Photo credit: REUTERS/Afolabi Sotunde

Non-state actors are individuals or groups of people such as hoodlums, religious extremists, politicians and citizens who constitute 29 (19.3%) out of the reported 150 incidents of civic space infractions analysed. Hoodlums accounted for 18 out of the 29 incidents, that is, 62.07%; citizens, seven (24.14%);

religious extremists, three (10.34%); and a Nigerian politician, one (3.45%) as shown in figure 12 This suggests that hoodlums top the list of non-state actors in civic space infractions.

Figure 12



On factors responsible for why hoodlums lead non-state actors in civic space infractions, panellists at the participatory stakeholders’ panel discussion noted that this may be traced to the support they enjoy from the political elites or the inability of the police to fish them out and ensure that justice is done. Capturing the views of panellists, Debo Adedayo^{xxix}, said that:

“The primary duty of the Nigeria Police Force is to protect lives and property and prosecute offenders [however, they are failing in their duties] ...Using the #EndSARS incident, I will give you an instance where they failed in that responsibility. There was a particular picture and till now that picture is still on social media...trending. When we were protesting at Alausa, there was this thug (you know a sponsored thug of course) who brought a matchet to the protest ground with some others. We apprehended him and handed him over to the police; till today nothing has been done to that guy”.

Regarding seeking redress, Ibezim-Ohaeri, stated that:

“Many laws contain provisions that you could use to demand legal protection or increase legal protection for yourself or from the government, but many people are not aware of some of those legal provisions”

Journalists are endangered in the civic space

Within the civic space, nobody seemed immune from infractions including its protector, the journalists and media organisations. Of the 150 stories monitored, journalists suffered more civic space infractions with 65 (43.3%) incidents; citizens, 48 (32%); media organisations, 17 (11.3%); activists, eight (5.3%), multiple victims and survivors (stories with more than one victim/survivor comprising of journalists, activists and protesters), seven (4.7%); and three (2%) union members.

There were also two (1.3%) individuals who wrongly used the civic space – one created a parody account using the identity of former President Goodluck Jonathan to comment on governance and other issues while another individual raised a false alarm and disturbed public peace by falsely claiming that she was kidnapped and raped. These findings show that journalists suffered more civic space infractions than individuals/citizens journalist; and may be seen as endangered species.

Figure 13

Victims/survivors of civic space infractions

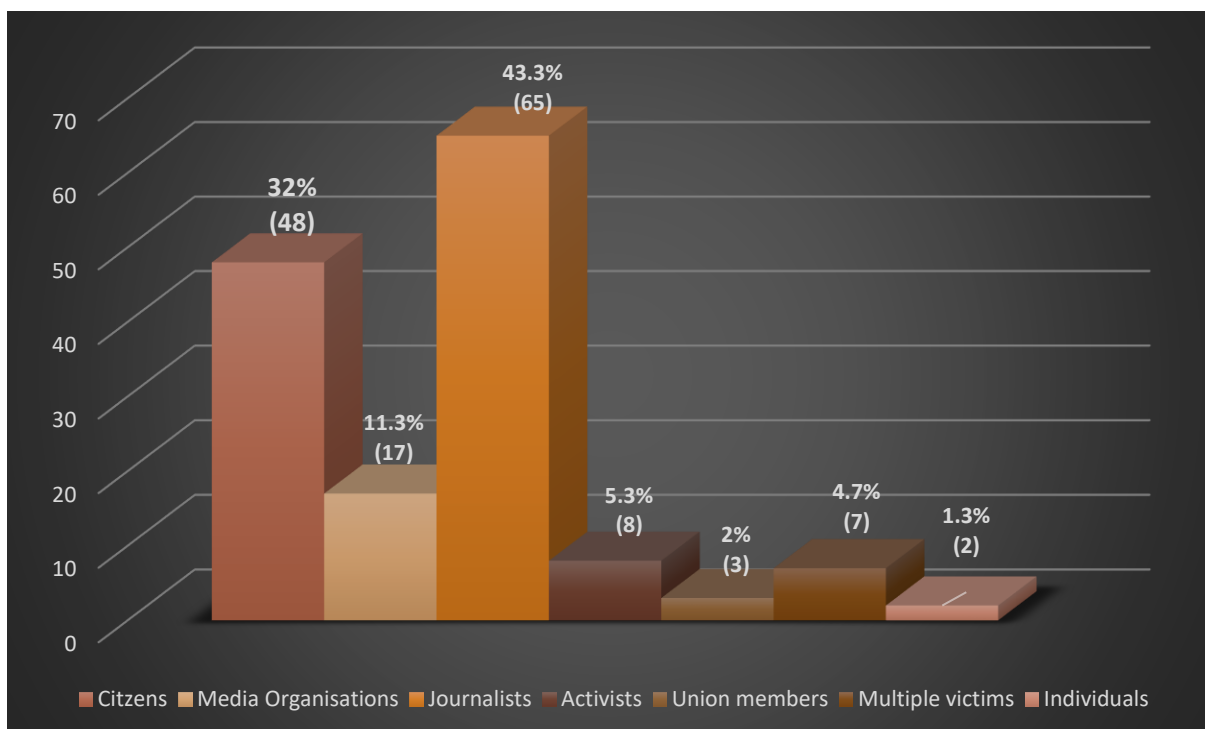


Figure 14



For instance, in 2014, *Media Rights Agenda*^{xxx} reported that the Nasarawa State command of the Nigeria Police charged the State correspondent of *Daily Trust Newspaper*, Hir Joseph (now late), to the Chief Magistrate Court, after he was accused of publishing “injurious falsehood” contrary to section 393(1) of the State’s penal code. He was arrested for reporting the participation of policewomen in the protests to free the teenage schoolgirls of Government Secondary School, Chibok who were abducted by the Islamist terror group, ‘Boko Haram’.

In another report by *Media Rights Agenda*^{xxxi} in 2015, Ahmed Idris and Ali Mustafa, with *Al Jazeera Television* were arrested, questioned and detained in their rooms by the Nigerian military officials after their equipment was seized in Maiduguri, the Borno State capital, for allegedly operating without “protection, accreditation or due clearance.”

According to Akinrinade^{xxxii}, many journalists have been targeted in the past while many are still being targeted by security agencies as well as hoodlums for writing stories that exposed their nefarious activities.

“If I tell you how many times, I have escaped assassination you will not believe it. Journalists risk their lives, and while you are doing it, you sometimes wonder what you are getting from this. Somebody asked me when I did the report that fetched me the Wole Soyinka Award for Investigative Reporting last year. You are turning this thing into a campaign because I think the report was published five times, I ran a series on it. I got all kinds of calls you know even from the military. They reported me to Nigerian Union of Journalists in Abuja. I was accused of running a campaign to incite the public against the military.”

Furthermore, Akinrinade narrated how he reported the case of a 52-year-old man (Quadri) who died in police custody in 2011 after being arrested around Iyana Ipaja area of Lagos. After unearthing the extra-judicial murder, the NPF targeted him and accused him of inciting the public against the police.

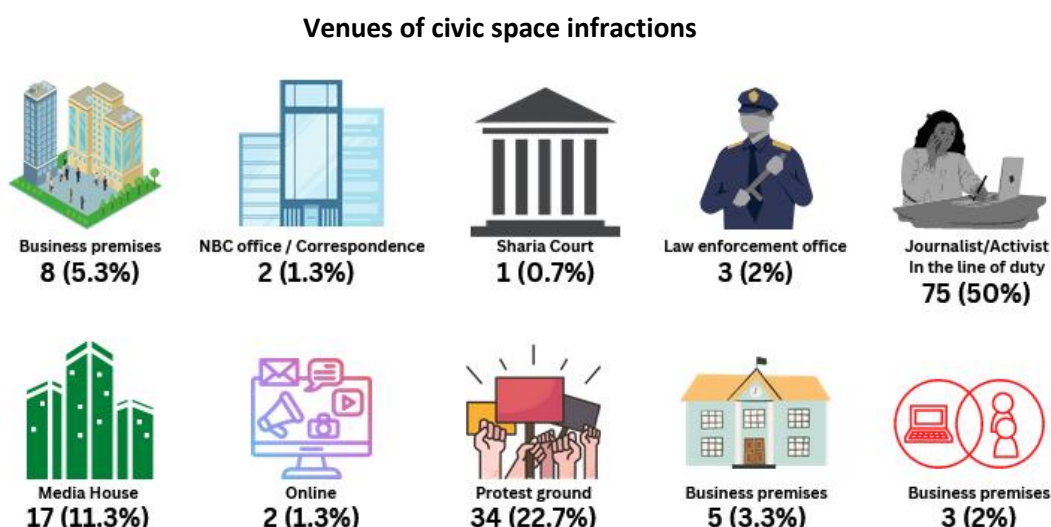
“I approached the Divisional Police Officer whose men were involved but he sent me away. So, I took up the matter with my personal funds. I did not even take any money from the company. I was at Lagos State University Teaching Hospital, I got the doctor's report. I also went to the private hospital where he died and I also got a look [looked] at their logbook, alongside the copy of the forensic report which indicted the police. Before I knew it, they wrote a petition to the Nation Newspapers saying that I was trying to incite the public against the police force.”

In a few cases, citizens abused their right to freedom of expression. A critical incidence analysis of a report in the *Daily Trust* of 14 April 2022,^{xxxiii} showed a citizen who abused the use of the civic space. In the report, the Lagos State Police Command arrested a young lady – ‘Omotoyosi’, who reportedly raised a false kidnap and rape alarm. The perpetrator had earlier posted on her Twitter page, @_misterious, that she was kidnapped, raped and dropped the address and names of her alleged captors. She later deleted the post, recanted her story and tendered an apology. Her action led to a fresh outrage on social media as many people condemned her action for taking advantage of her freedom of speech to spread fake news.

Most civic space infractions happened to journalists in the line of duty

Venues, where the infractions happened threw up some interesting facts. Most of the incidents happened to journalists in the line of duty, citizens on protest grounds across the country and on business premises. Infractions also occurred in courts where rights were expected to be guaranteed. While others happened in law enforcement agent offices, school premises and at the State House (Aso Rock), Abuja (see figure 14 for details).

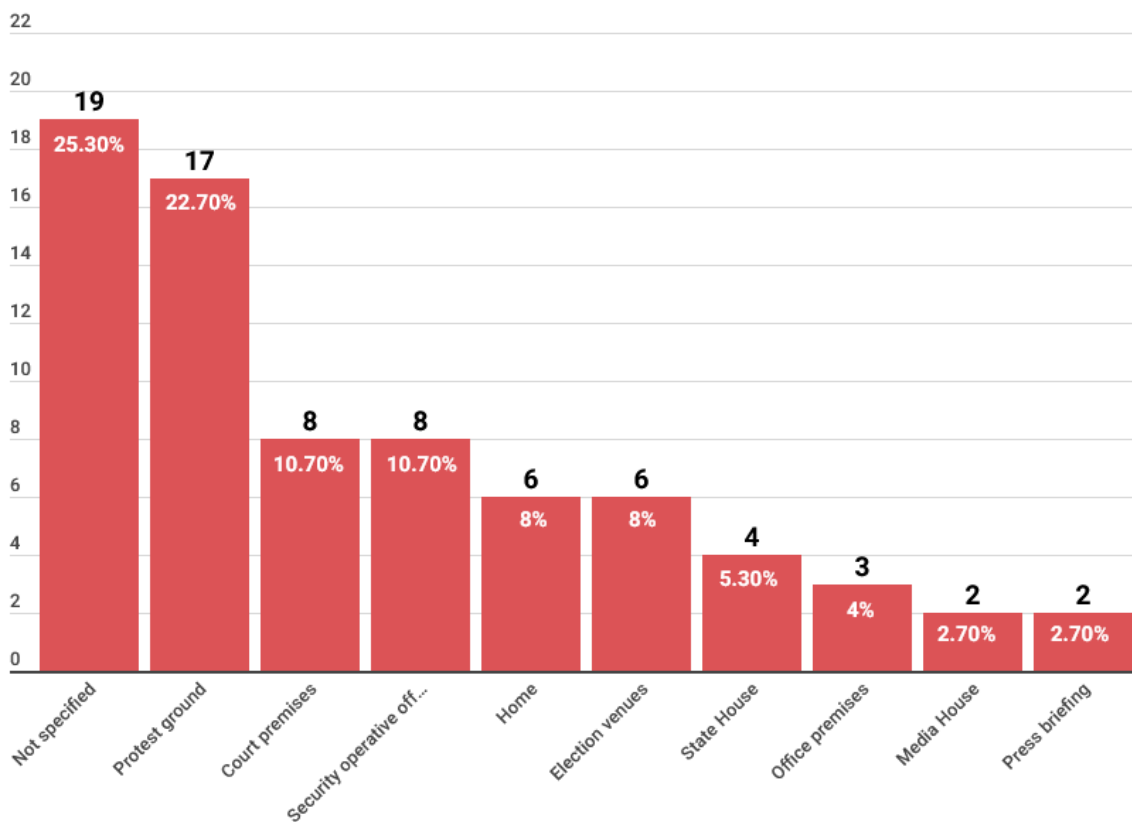
Figure 15



75 (50%) of the 150 incidents monitored, happened to journalists in the line of duty. These are clear evidences of attempts by state and non-state actors to gag the press. To better understand the challenges journalists, face as a gatekeeper of the civic space, WSCIJ disaggregated the 75 incidents of infractions that happened to journalists in the line of duty. 19 (25.3%) incidents occurred in locations that were captured as 'not specified'; while 17 (22.7%) happened on protest grounds. The rest incidents are eight (10.7%) each which occurred at court premises and security operatives' offices; six (8%) were at election venues and homes of journalists; four (5.3%), State Houses; three (4%), office premises; two (2.7%), media house; and two (2.7%), during press briefing (see figure 16).

Figure 16

Venues of civic space infractions 'In the line of duty'



Critical incident analysis is at convergence with the quantitative data as *the Daily Post*^{xxxiv} report of 30 October 2019, stated that two journalists were arrested by detectives from the Kwara State Police Command for a report that indicted a company allegedly owned by Sarah Alade – a former Central Bank of Nigeria (CBN) Acting Governor. The arrest was due to a published investigative story, *'Inside Kwara factory where Indian hemp smoking is 'legalised.'* Apart from the Police, *Media Rights Agenda*^{xxxv} on 19 June 2021 revealed that youth from Bonny Island in Rivers State also attacked journalists invited by the Nigerian Liquefied Natural Gas Limited office to report the flag-off ceremony of the \$10 billion Train 7 project. The youth who had gathered at the gate of the company protesting an alleged unjust distribution of N3 billion annual community development grants from the company to the host communities swooped on the journalists. Also, *Media Rights Agenda*^{xxxvi} of 12 May 2015 reported how Ubale Musa with *Deutsche Welle* was thrown out of the Presidential Villa in Abuja for allegedly asking visiting Chadian President, Idriss Derby, an embarrassing question.

Furthermore, on June 24, 2016, the invasion of Rhythm FM Radio/Silverbird Television stations in Yenagoa, Bayelsa state by some armed Ijaw Youth Council (IYC) Worldwide members. They interrupted a live show, humiliated two executive members of the IYC who were guests, and robbed members of staff of their valuables. This is a case of hoodlums' infraction of the civic space.

Again, 34 (22.7%) out of the total 150 incidents occurred on various **protest grounds** across Nigeria (see figure 16). Qualitative findings from the media reports monitored show that on 13 February 2021, Nigerian comedian Debo Adebayo, popularly known as 'Mr. Macaroni', was arrested by officers of the Nigeria Police Force during the #OccupyLekkitollgate protest in Lagos. The story published by *The Guardian*^{xxxvii} (Nigeria) gave an insight into how protesters were harassed, molested, and arrested for exercising their fundamental human rights at the Lekki toll gate in Lagos. Similarly, the Police arrested students protesting the non-payment of their bursary allowance by the Ondo State Oil Producing Development Commission (OSOPADEC) in Oba Ile area of Akure, Ondo state. This case was reported by *Daily Post*^{xxxviii} on 8 January 2015.

Media houses

Still on the media, 17 (11.3%) incidents of civic infractions happened to journalists within the perceived safe space(s) of their various media houses across Nigeria (see figure 15). The qualitative data on civic infractions that took place in media houses are in tandem with the quantitative analysis (as in figure 4). For example, in a statement issued by NBC Director-General, Armstrong Idachaba, the body ordered all broadcasting stations to suspend their Twitter usage after the Federal Government announced the infamous Twitter ban. *Premium Times*^{xxxix} published this story on 7 June 2021 and it points to an attempt to close the arena of contestation.

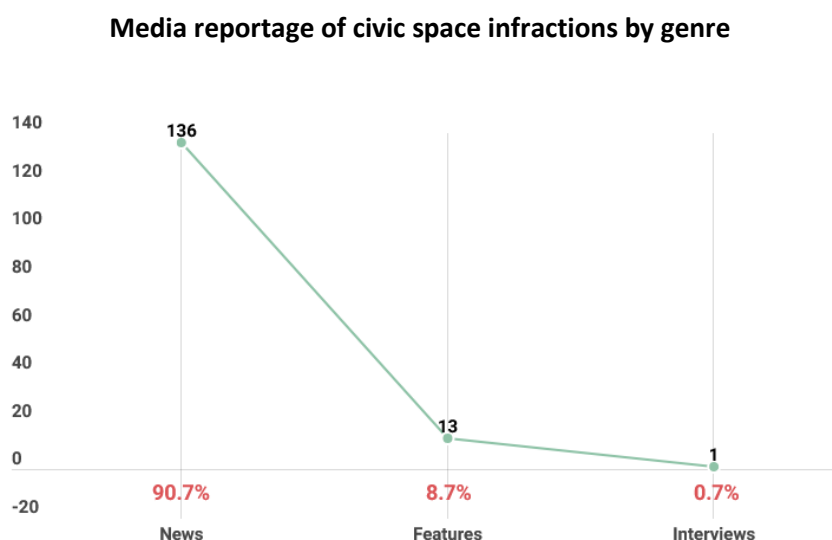
Other venues of civic space infractions

Other venues of incidents of civic space infractions include eight (5.3%) incidents that happened on business premises; five (3.3%), on school premises; three (2%), law enforcement offices; three (2%), unspecified locations; two (1.3%), online; two (1.3%), letters of sanction from NBC; and one (0.7%), Sharia court where nine people were sentenced to death for blaspheming the prophet, which may be seen as an attempt to deny them their freedom of expression.

Media reportage of civic space infractions by genre

Findings reveal that most incidents of civic space infractions reported in the media were breaking news or news stories. Out of the 150 stories monitored, 136 (90.7%) were news, which suggest the absence of investigative and in-depth reporting; while feature stories account for 13 (8.7%) incidents; and interview, one (0.7%) as shown in figure 17.

Figure 17



Most media reportage of civic space infractions was not followed-up

Vanguard Newspaper^{xi} reported a news story that five union officials and 11 striking workers of Mouka Foam were arrested by Police operatives from Area F, Lagos, as unspecified numbers of workers also sustained various degrees of injuries. Rather than the organisation dialoguing with their staff to address issues raised bothering on ‘alleged management’s attempt to cripple the branch union, poor wages, casualisation, victimisation among others’, Mouka Foam management decided to invite the police to deal with the erring workers. However, this story was not followed-up! Therefore, news reports made up the bulk of the elements analysed, but detailed attention to incidents of civic space violations were missing in media reports. Most were breezy, fleeting with immediacy. It was difficult to follow up on what happened to victims of civic space infractions because most times, the initial reports were reported as breaking news. What happened after the initial reports were published were left unreported and it was difficult to track the justice status. The reports lacked detailed information and follow-ups to stories earlier reported.

Some feature stories were more detailed with strong narrative lines. For instance, *The UK Guardian*^{xii} of 9 January 2012 published ‘*Nigeria fuel protests: two killed and dozens wounded as police open fire*’. The story was about how officers of the Nigerian Police used live ammunition and teargas to disperse and killed fuel subsidy protesters. The report gave a detailed account of how people were wounded and killed across Nigeria by security agents as police used live ammunition and teargas to disperse the crowd. Similarly, a feature story by the *Foundation of Investigative Journalism (FIJ)*^{xiii} detailed how some youth under the aegis of Concerned Northern Nigerian Groups demanded an immediate end to terrorism and banditry in the North through protests. Readers were regaled with details about how the protest was planned, executed and how DSS countered their plans in the piece titled ‘DSS Silences Northern Youths Protesting Insecurity, Bad Governance’.

Out of the 150 stories analysed, there was only one interview by the *Daily Trust Newspaper*^{xiii} published on Wednesday, 26 August 2020. In the interview, Eyo Charles – a *Daily Trust* reporter, gave an account of what led to his verbal assault by Femi Fani-Kayode – former aviation minister at a press conference, and the outcome. After days of media backlash, Fani-Kayode apologised to the journalist

for his behaviours. This was the only case followed-up till the Charles Eyo received an apology. A possible explanation why he got the apology, may be traced to a combination of the mainstream media follow-up of the incident, and the amplification by the social media, that is, the court of public opinion.

Summary, recommendations and conclusion

Summary

The media, especially investigative reporters, as guards of the civic space, formed the entry point for assessing the state of the civic space in Nigeria. Thus, we monitored Nigerian media coverage of civic infractions to: ascertain incidents of civic space infractions by year; determine the occurrence of civic space infractions (by gender and place); identify forms of civic space infractions (violent and non-violent); classify civic space infractions perpetrators (state and non-state actors); ascertain the victims/survivors of civic space infractions; determine the venues of civic space infractions; and examine media reportage of civic space infractions (by genre).

Key findings indicate that majority of civic space infractions were during protest against bad governance and human rights abuses. Out of the 150 incidents of civic infractions across the 36 states and Federal Capital Territory, 45 (30%) incidents occurred in 2021 and were on protests against unpopular government policies, police brutality and journalists harassed in the line of duty by state actors (security agents) and non-state actors (thugs and hoodlums). Abuja and Lagos were famous for civic space infractions with 37 (24.7%) and 29 (19.3%), respectively. Men faced the highest rate of intimidation and harassment within the civic space because out of the 133 (88.7%) incidents on persons, 72 (48%) were perpetrated against men.

Violent forms of civic space infractions are the highest with 125 (83.3%) incidents. While state actors which accounted for 121 (80.7%) incidents were the highest infractors, security agencies were the highest perpetrators with 104 (85.25%) infractions. The Nigeria Police Force was mostly responsible for the state infractions.

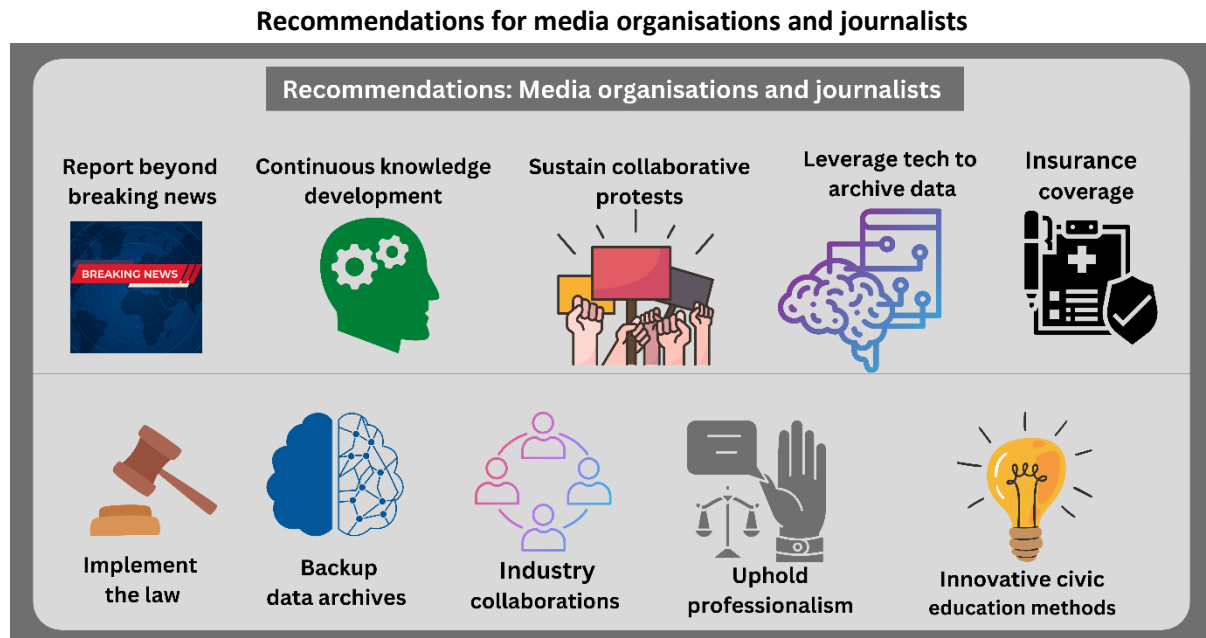
The media organisations that reported and amplified the protests were often penalised. On the other hand, journalists are endangered with 65 (43.3%) incidents most of which happened in the line of duty. However, most media reportage of civic space infractions were neither followed-up nor investigated as most incidents of civic space infractions reported in the media were breaking news or news stories which accounted 136 (90.7%).

These findings show that the civic space in Nigeria is threatened and shrinking. There are state-led attempts to hush voices and close the civic arena of contestation against the civil society organisations (CSOs) such as the media, NGOs and citizens, for expressing their views and discontent on the state of the nation; and for trying to bring state actors to account on poor governance and human rights abuses.

Recommendations

To halt the shrinking of the civic space and reinforce the role of key actors, and to better position the media, journalists and investigative reporters, as protectors of the civic space, this section presents a toolbox that can be creatively used to expand the declining civic space with recommendations for the media and journalists, government agencies generally, the police in particular, CSOs, and citizens.

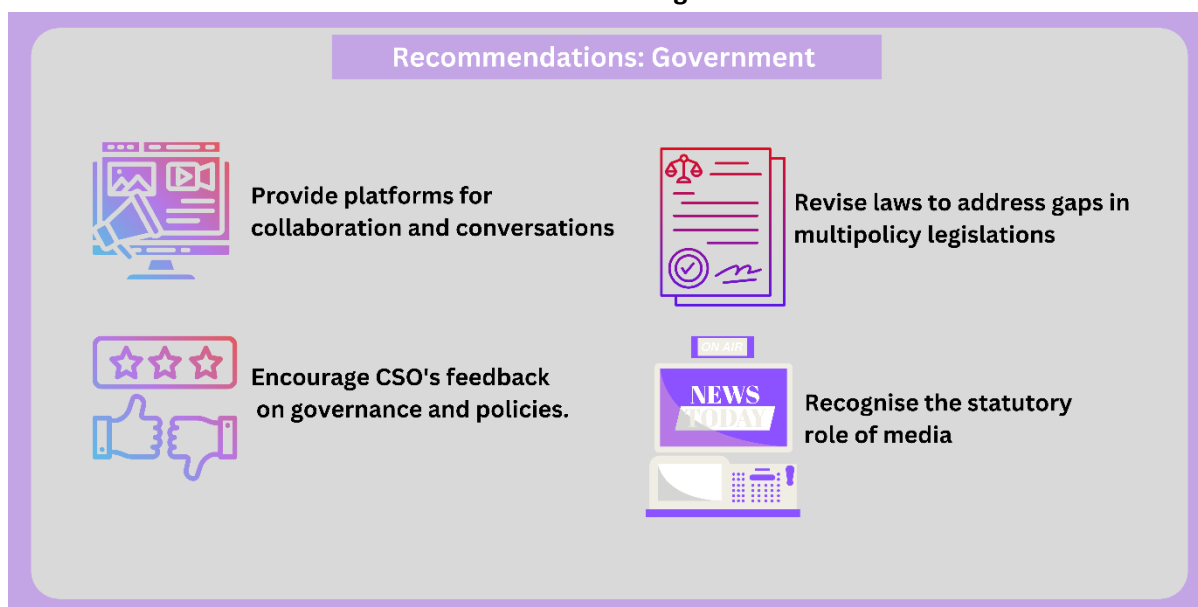
Figure 18



- Pay detailed attention to incidents of civic space infractions. Stories on breaches should go beyond breaking news to follow-up, feature and investigative stories; and to a logical conclusion for people to know their justice status. Reporting the initial case is not enough.
- File suits in the court whenever an infraction has been committed against it and the journalists in its employ, because there are many existing laws and judicial precedence protecting the media from harassment or intimidation.
- Update knowledge on media rights and civil rights continuously for members of staff.
- Create backups for website and other online platforms so that when domestic arenas of contestation such as websites are closed off, an organisation may move its content to web servers abroad.
- Collaborate with other media organisations to reduce risk exposure while publishing sensitive stories.
- Sustain collaborative protests against incursions into the independence of the media like was done with the front page of most national newspapers titled – ‘Information blackout’ on Monday 12 July 2021. Such protests are clear statements on the confidence of the media in its constitutional role and its intention to defend that role.
- Improve professionalism and conduct due legal diligence on stories before publishing
- Adopt the use of fixers and technology for data gathering
- Provide insurance for journalists their staff and equipment
- Use explainers and other methods to improve citizens knowledge of their civil rights and obligations in a democracy.

Figure 19

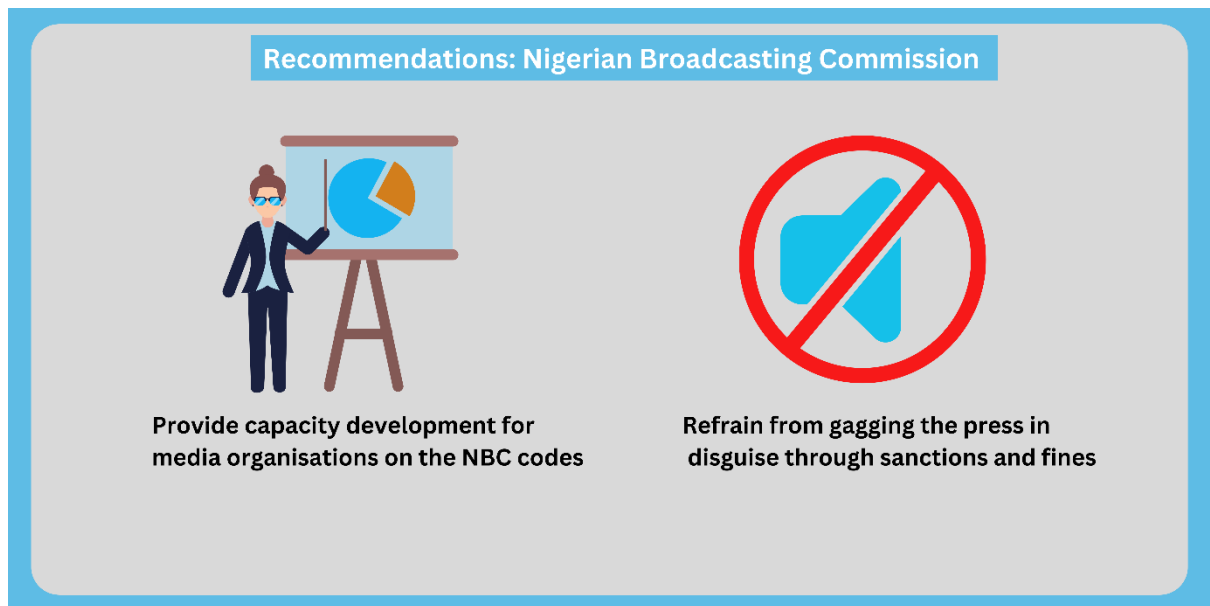
Recommendations for government



- Provide platforms for collaboration and continued conversation of all stakeholders through round tables/colloquium/workshops/seminars and town hall meetings for interactions on how to collectively work in civic space.
- Promote and encourage CSOs to express their views and discontent on the state of the nation. Feedbacks from dissenting views can be used as inputs to address bad governance and human rights abuses because democracy thrives on a free press, divergent views, respect for human rights of citizens and recognition of the statutory roles of journalists as protectors of the civic space.
- Revise existing laws to address current trends of multipolicy of legislations. Rather than pass too many regulations under the guise of curbing libel, slander and defamation just to gag the media and freedom of speech, revise existing laws to address current trends.
- Recognise the statutory roles of journalists as protectors of the civic space and the fourth estate of the realm. The government consistently highlight the important role of media in a democracy and refuse the temptation to gag it. A vibrant media is critical for the deepening of democracy

Figure 20

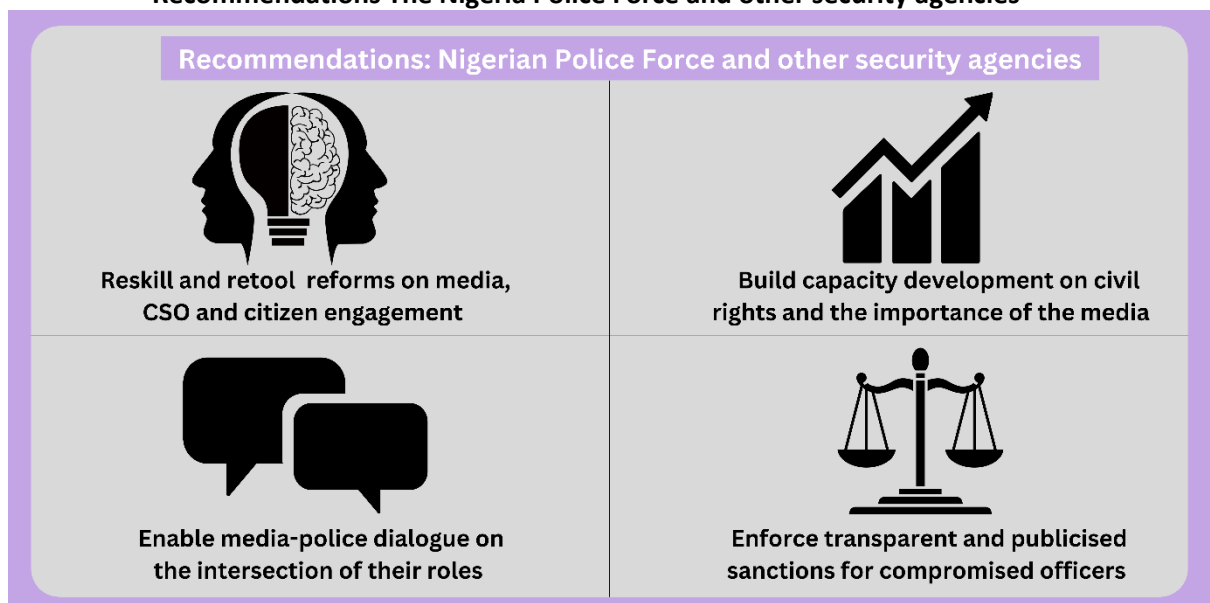
Recommendations for Nigerian Broadcasting Commission



- Provide capacity development for media organisations on the NBC code and its implication for their work.
- Refrain from gagging the press in disguise through sanctions and fines; rather regulate media activities within the NBC codes. Repressed citizens resort to guerrilla tactics as witnessed on social media where people use pseudonyms to air their views.

Figure 21

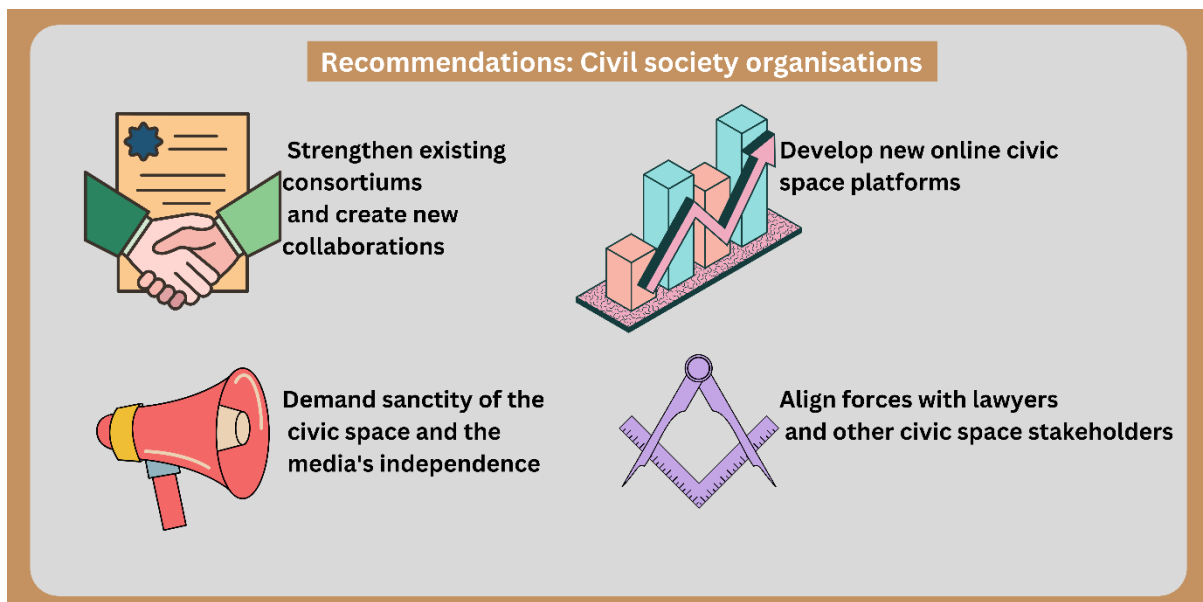
Recommendations The Nigeria Police Force and other security agencies



- Embark on immediate and drastic reforms within its ranks to reskill and retool the police on how to engage with the media, CSOs and citizens in the civic space.
- Invest in capacity development of police officers on the civil rights, importance of the media to this and the need to respect journalists and other citizens in the course of their work.
- Enable platforms for conversations with the media and other stakeholders. Media-police dialogue and platforms for conversation on the intersections and uniqueness of each one's constitutional roles and obligations will go a long way to make things better.
- Provide more transparent and publicised sanctions for erring officers especially those related to show respect to the 1999 constitution (as amended) also guarantee the freedom of expression, freedom of association and peaceful assembly.

Figure 22

Recommendations for CSOs



- Strengthen existing consortiums and create other umbrella platforms of CSOs (collaborate and use the media syndicate stories on civic infractions to help amplify them nationally and internationally)
- Create new online civic spaces could be artillery to efficiently defend offline civic space. Thus, CSOs can creatively reverse the declining civic space by adopting opportunities provided by technology – the internet and social media to organise a more structured mode of information exchange among civic actors.
- Put pressure on government to respect the sanctity of the civic space and the independence of the media.
- Align forces with lawyers and other stakeholders to seek justice in human rights protection systems such as ombudsman, domestic courts, regional courts (e.g. ECOWAS court) and United Nations (UN) bodies. These institutions can serve as avenues to contest or halt the closing of space, both domestically and internationally.

Figure 23

Recommendations for citizens



- Update their knowledge of their civil rights, obligations and duties. Citizens should know their rights under the law. For example, the Police Act of 2020 does not empower the police to arrest by proxy. Under this new act, in the case of any arrest, the police station must initiate a call and inform her family.
- Stay within their fundamental rights provisions.
- Desist from the of spread fake news, causing panic or causing distress to others.

Conclusion

Freedom of expression, participation, association, and peaceful assembly in Nigeria has been seriously dented by incursions into the civic space. Therefore, we concluded that generally, state actors are against CSOs expressing dissent or disagreement on poor governance and human rights abuses in Nigeria. Despite the ‘wrath’ of state actors the voices in defence of the civic space are yet loud. The media and investigative reporters on their part are only “[masked; not silenced](#)”; as they are still the formidable defenders of the civic space.

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