

FREEDOM OF EXPRESSION: THE TENSION BETWEEN THE PRESS, THE CITIZEN AND NATIONAL SECURITY

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Abstract— *Journalists are accorded several privileges and rights under the laws of many countries, as well as under international law. The limits and boundaries to journalist privileges and rights are increasingly obfuscated and raises the question whether these freedoms are shielded from the operation of National Security? On the other hand, the impact of emergent digital technologies, the internet and social media which have empowered the average person to perform the functions of a journalist coupled with the resultant rise of fake news is potentially incredibly dangerous. The internet has challenged many of the definitions of a journalist and thus who should be protected. This study interrogates the concepts of Journalists' freedoms and national security in Nigeria and attempts to address the relationship between the claim to privileged communications by journalists and the government's right to ensure safety of the citizens. This research adopts a non-doctrinal, multi-disciplinary methods.*

Keywords— “National Security,” “Privileged Communications,” “Social Responsibility,” “Journalist,” “Fake News,” “Freedom of Expression.”

I. INTRODUCTION

National security is the protection of the lives and property of people from various forms of threat, be it internal or external. It is the decision making process concerned with the identification of potential and actual threats, and the mobilization of resources in a way that promptly ensures the safety and stability of the nation state, while simultaneously enhancing the promotion of national development.¹ What obtains in most African states, which attained perfection during the dark days of military rule, is a distorted version of the traditional model, whereby those in power substitute their individual security for national security and, consider any challenge to their tenacious grip on power as a “threat” to national security. Since national security should occupy the “highest priority”² it is “non-negotiable and does not permit undue compromise”³. Any individual or group which poses the slightest threat to the selfish interest of those in power, is visited with the full might of state coercion. Incidentally, it is the media and those who use them to vent dissenting views that are always at the receiving end of this

¹ Mohammed Gambo, *Mass Media and National Security* (Unimedia Publications Ltd 1988); 102 in AkinfeleyeIbelema (2003) (4) (4) ‘The Nigerian Press and June 12: Pressure and Performance During a Political Crisis’, *Journalism Communication Monographs*,5

²*Ibid*

³*Ibid*

coercion⁴. The history of Nigeria from the dawn of colonialism to date but especially in the military era is replete with instances of such rifts between the media and government over national security.⁵

At the epicentre of any discourse on national security is the issue of classified information. Classified information is sensitive information to which access is restricted by law or regulation to particular groups of persons⁶. Every government operates a hierarchical system of secrecy that engenders classification of documents based on their level of sensitivity i.e. top secret, state secret, confidential, restricted etc. The inference however to Okon⁷ is that “the unwarranted disclosure of such information may create bedlam, cause damage and endanger national security”. The foregoing however forms a hotbed of manifold tension between the role of the press to inform and the responsibility of the government to ensure the well-being and security of its citizenry. This tension is what the research concerns itself with.

The Centre Point of this study therefore is the impact of national security on journalists’ privilege and the meeting point of the concepts mentioned above in light of the Nigerian situation. How have National Security actions been encouraged by the abuses and misuse of media power, the convergence of mass media tools like television and Internet. Can the weakening extant legal guarantees of Privilege be mitigated by journalists’ social responsibility, self-restraint, high professional standards established through Code of Ethics and Professional Conduct, empower journalists to operate as trustees of the public, seek the truth, report it fairly, with integrity and independence, and stand accountable for their actions?

II. JOURNALISTS’ PRIVILEGE

Journalist’s privilege⁸ is the protection afforded a reporter under constitutional or statutory law, which prevents the reporter from being compelled to testify about confidential information or sources. The importance of a source to a journalist is part of the reasoning behind the need to protect and ensure their anonymity, as Aidan White noted, “Journalists may take pride in the eloquence of their storytelling, but even the best reporters know they are only as good as their sources. Good sources are the lifeblood of journalism. If there were no people willing to talk to us or answer our questions, journalism could not survive.”⁹ Throughout the history of journalism, from the big stories of the past such as Watergate Scandal to today’s headlines over FIFA and revelations of global snooping by prying governments, it has been all about news stories shaped by courageous voices inside the structures of power.¹⁰ Very often sources can be

⁴Nwokegi Sider Nwamah, ‘The Effect Of Media Laws On Nigerian Print Media: A Study Of Three Newspapers In Port Harcourt, Rivers State’ [2009] <<http://www.unn.edu.ng/publications/files/images/NWOKEGI%20SIDER%20NWAMAH.pdf>> accessed 23 September 2019

⁵*Ibid*

⁶ Godwin B. Okon ‘National Security and Journalism Practice-Emerging Considerations for Nigerian Journalists’ (1) (4) (2013) *Global Journal of Arts Humanities and Social Sciences*, 1

⁷*Ibid*

⁸ Also known as reporter's privilege, newsman’s privilege and press privilege

⁹ Aidan White ‘Protecting the People Behind the Stories That Keep Journalism Alive’ [2015] <<https://ethicaljournalismnetwork.org/ethics-at-source-protecting-the-people-behind-the-stories-that-keep-journalism-alive>> accessed 23 September 2019

¹⁰*Ibid*

vulnerable people, the victims of human trafficking for instance and as a result may need protection, support and guidance so that they don't unintentionally put themselves further at risk through hasty or ill-judged disclosure. Also, in reports that border and touch on national security, sources that may double as whistle-blowers need to retain anonymity.

Journalists need to be as transparent as possible in their relations with sources. Journalists have to assess the vulnerability of sources as well as their value as providers of information. They must explain the process of their journalism and why they are covering the story. They should not, except in the most extraordinary circumstances, use subterfuge. Of paramount importance is the need for journalists to reassure sources that their identity will be protected. But often this is easier said than done.

Protection of sources is well recognised in international law as a key principle underpinning press freedom. It has been specifically recognised by the United Nations and the Council of Europe. Article 19 of the Universal Declaration of Human Rights¹¹ recognizes the right to free expression. As far back as 1998, The Commission on Human Rights and the Special Rapporteur on Freedom of Opinion and Expression recognized the importance of protection of sources as an aspect of Article 19 through declarations and findings. The Special Rapporteur noted that the protection of sources has a "primary importance" for journalists to be able to obtain information and that the power to force disclosure should be strictly limited:

In order for journalists to carry out their role as a watchdog in a democratic society, access to information held by public authorities, granted on an equitable and impartial basis, is indispensable. In this connection, the protection of sources assumes primary importance for journalists, as a lack of this guarantee may create obstacles to journalists' right to seek and receive information, as sources will no longer disclose information on matters of public interest. Any compulsion to reveal sources should therefore be limited to exceptional circumstances where a vital public or individual interest is at stake.¹²

Principle 18 of The Johannesburg Principles on National Security, Freedom, Freedom of Expression and Access to Information which is a United Nations document provides that "Protection of national security may not be used as a reason to compel a journalist to reveal a confidential source."¹³

Apart from the UDHR, a number of United Nations treaties protect freedom of expression. Sovereign states known as "States Parties" in international law, sign international treaties that are then deposited with the United Nations. An international human rights treaty signed by a State Party is an agreement that establishes how that country's government will act to respect, protect, monitor, and fulfil the human rights and fundamental freedoms outlined in that treaty.

¹¹ Hereinafter UDHR

¹² Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Abid Hussain, submitted pursuant to Commission resolution 1997/27, Addendum: Report on the mission of the Special Rapporteur to the Republic of Poland. E/CN.4/1998/40/Add.2, 13 January 1998.

¹³ U.N. Doc. E/CN.4/1996/39 (1996)

However, a signature only means that the State Party agrees in principle and has the intent to be bound by the treaty. In order to be binding, a State Party must also ratify the treaty, the process of which varies from State to State.

Ratification is an internal constitutional process; Nigeria operates on a “dualist system,” which means that the content of treaties must be incorporated into the country’s domestic law before they are enforceable. In States that operate a “monist system,” such as South Africa, once treaties are ratified they are immediately enforceable as part of domestic law.

States Parties can also issue “reservations.” Reservations are unilateral statements made by States Parties when becoming a party to a treaty. It is a declaration that the State Party will ratify the treaty on the condition that it excludes or modifies certain provisions in the treaty’s application to their State.

The right to freedom of expression is expressed in Article 19 of the International Covenant on Civil and Political Rights¹⁴ under the same broad terms as in the UDHR. Article 19 of the ICCPR includes the right not only to express opinions and ideas, but also to receive information.

Article 19 states:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (*order public*), or of public health or morals.

The ICCPR though ratified by Nigeria in 1993 is not domesticated in Nigeria in accordance with Section 12 of the 1999 Constitution of the Federal Republic of Nigeria (as amended). However, the provisions of the Covenant form a major part of the country’s domestic laws. Examples include Chapter four of the Constitution which deals with the protection of civil and political rights. Other domestic laws which protect civil liberties and fundamental freedoms include Violence Against Persons (Prohibition) (VAP) Act, 2017; Administration of Criminal Justice Act, (ACJA) 2015; Anti Torture Act, 2017; Freedom of Information Act, (FOIA) 2011, Terrorism (Prevention) (TPA) Act, 2011 as amended; National Human Rights Commission (NHRC) Act, 1995 as amended; Legal Aid Council of Nigeria (Amendment) (LACN) Act, 2012; The African Charter on Human and Peoples Rights (Ratification and Enforcement) Act

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¹⁴ Hereinafter ICCPR

¹⁵ CAP A9, Laws of the Federation of Nigeria (LFN)2004.

The National Human Rights Commission Act,(as amended), has direct reference to the ICCPR as one of the international human rights instruments to benchmark the mandate of the Commission in the promotion and protection of human rights in Nigeria

Despite the fact that the provisions of the Covenant cannot be invoked directly before the courts, any international human rights treaty ratified by Nigeria enjoys the force of persuasion before domestic courts. There are a plethora of cases in Nigerian courts where the courts were persuaded by the provisions of international human rights treaties. Also, the Chief Justice of Nigeria has put in place robust Fundamental Human Rights Enforcement Procedure (FHREP) rules which have simplified enforcement of the provisions of the fundamental human rights sections in the Constitution. The overriding objectives of the FHREP rules include respect for the Universal Declaration of Human Rights and other instruments in the United Nations Human Rights System.

The press in Nigeria draws its power to source for information from Section 39 of the Constitution of the Federal Republic of Nigeria Constitution 1999 (as amended)which guarantees freedom of expression for all citizens¹⁶, and Section 22 of The Constitution which provides for the duties of the mass media to the Nigerian society thus: “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”. It must however be noted that Section 22 of The Constitution does not contain the required legal framework for the journalism profession, and by extension, freedom of information and journalistic privilege. Interestingly Chapter II of the Constitution of Federal Republic of Nigeria 1999 (as amended), wherein, Section 22is contained is not justice able¹⁷. It is important to point out here that Section 39 of the Constitution of the Federal Republic of Nigeria Constitution 1999 (as amended)which guarantees freedom of expression makes the right enjoyable for all citizens. The reality is that these rights are available to all members of the public but these rights are exercised through the medium of the press, after all Section 39(2) provides that “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:”

With press freedom facing an unprecedented threat in Nigeria and across the world¹⁸, the need to uphold Journalistic Privilege has never been more important. There are hundreds of journalistic codes of ethics, with a common feature among them being the call for journalists to maintain the anonymity of confidential sources. The Code of Ethics for Journalists issued by the Nigerian Press Council¹⁹ provides in Section 4 that;

¹⁶CFRN 1999, Section 39(1)

¹⁷ Section 6 (6) (c) CFRN 1999 (as amended)

¹⁸In February 2017, US President Donald Trump took aim at journalists for using anonymous sources after a series of leaks from within his administration. In the United Kingdom, in March 2017 police were granted permission to raid the home of a Scottish journalist after he took pictures of an argument. Saxon Norgard ‘Protecting Journalists’ Sources is Vital for Press Freedom: Goodwin v UK’ [2017]<<https://rightsinfo.org/protecting-journalists-sources-vital-press-freedom-goodwin-v-uk/>> accessed 8 October 2019.

¹⁹The Nigeria Press Council is an agency created by the Nigerian Press Council Act No 85 of 1992 (as amended). Its aim is to promote high professional standards for the Nigeria Press. The Council is tasked with the responsibility ensuring ethical and professional conduct of the press in the country.

- i. A journalist should observe the universally accepted principle of confidentiality and should not disclose the source of information obtained in confidence.
- ii. A journalist should not breach an agreement with a source of information obtained as “off- the-record” or as “back ground information”.

In addition to the above, Section 16 (c) of the Freedom of Information Act, 2011 is to the effect that a public institution may deny an application for information that is subject to journalism confidently privilege.

The question has been asked on whether right to maintain the anonymity of a source of information, is because there is a public interest in protecting investigations by the media and also if such privilege attach to communications to a journalist where that communication may not be in the public interest but, instead, where the source is perhaps solely motivated by detraction or calumny²⁰. Another interesting query is if such privilege will apply in situations where the media is used as a tool of “naked deceit”.²¹

The European Court of Human Rights has ruled²²in the case of a British journalist, Bill Goodwin that protection of confidential sources is an essential means of enabling the press and indeed the citizenry to perform its important function of public watchdog and should not be interfered with unless in exceptional circumstances where vital public or individual interests are at stake. In Nigeria, a Lagos State High Court held in the case of *Oyegbemi v. Attorney General of the Federation and Others*²³ that

When a newspaper has investigated a matter of general public interest or concern (such as it ought to the public), the publication of an article upon the matter is so much in the public interest that the newspaper ought not to be restrained or “interfered” with by any person or authority, solely on the ground that the information in the article originated in confidence...nor should a newspaper be compelled (except in grave and exceptional circumstances...) to disclose the source of the information.

Journalists have tended to view the above type of rulings as vindication of source protection, usually forgetting the qualifying clauses in such judgment, “unless in exceptional circumstances where vital public or individual interests are at stake”, and “except in grave and exceptional circumstances”. Presumably governments view it as a “vital public or individual interest” or “exceptional circumstances” when it asks a journalist to reveal a source.

Nigeria being a democratic society should recognize that an informed and educated citizenry is important to engagement, transparency and accountability. An informed citizenry with the support of the press have the capacity to hold the state accountable through the power of information gathering and dissemination. Section 22 and Section 39 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) provides the agencies of mass media and the

²⁰Micheal Foley, ‘Should journalists always protect their sources?’[2017]
<<https://www.irishtimes.com/opinion/should-journalists-always-protect-their-sources-1.3005430>>accessed 23September 2019

²¹*Ibid*

²²*Goodwin v. United Kingdom*, (1996) 22 HER 123

²³ (1982) FNLR, 192

citizens with the freedom of expression in order to ‘uphold the responsibility, accountability of the government to the people’. At the regional level Article 9(1) of the African Charter on Human and Peoples Rights which is part of Nigeria’s domestic law²⁴ guarantees the right of every individual to receive information. The 2002 Declaration of Principles on Freedom of Expression in Africa released by the African Commission on Human and People’s Rights provides detailed guidelines for member states of the AU on protection of sources. Principle XV on the Protection of Sources and other journalistic material provides thus:

Media practitioners shall not be required to reveal confidential sources of information or to disclose other material held for journalistic purposes except in accordance with the following principles:

- i. the identity of the source is necessary for the investigation or prosecution of a serious crime, or the defence of a person accused of a criminal offence;
- ii. the information or similar information leading to the same result cannot be obtained elsewhere;
- iii. the public interest in disclosure outweighs the harm to freedom of expression; and
- iv. disclosure has been ordered by a court, after a full hearing²⁵.

Exceptions to Journalist’s Privilege are not new. However, the boundaries to these exceptions are unsettled, particularly in connection with National Security and the social responsibility of the press. The legal contours in this field are more crucial than ever in light of the current standoff between the executive branch and the press, the escalating war against terrorism, the advent of citizen or mobile journalists occasioned by introduction of new digital technologies.

On the contrary, the freedom to receive and share information is not absolute and national security places the responsibility to protect the lives, property as well as the concomitant rights of individual citizens from various forms of threat, be it internal or external. It is concerned with the identification of potential and actual threats, and the mobilization of resources to promptly ensure the safety and stability of the nation state.

Though much of the debate surrounding a potential journalist’s privilege revolves on the conception of “freedom of the press” and “freedom of speech”, both phrases simply ensure protection of all types of expression, both written and oral. Ordinary citizens are required to give testimony, and journalists cannot hide behind their profession to shirk their responsibility. On the contrary, if “freedom of the press” means freedom of newspapers, and broadcasters, then journalists should arguably be afforded at least some protection in court proceedings and the question of who is a journalist would become pertinent. To aid understanding, the dissertation will use privileged communication as an umbrella term to refer to press freedoms

²⁴African Charter on Human and People’s Right (Ratification and Enforcement) Act, 2004

²⁵African Union, Declaration of Principles on Free Expression. Adopted by The African Commission on Human and Peoples’ Rights, meeting at its 32nd Ordinary Session, in Banjul, The Gambia, from 17th to 23rd October 2002.

in general, likewise the dissertation will use National Security as an umbrella term to refer to all instances usually invoked to derogate upon press freedoms.

III. NATIONAL SECURITY

Modern concepts of national security arose in the 17th century during the Thirty Years War in Europe and the Civil War in England. In 1648, the Peace of Westphalia²⁶ established the idea that the nation-state had sovereign control not only of domestic affairs, but also of external security.

Before analyzing different definitions of national security, it is important to understand some of the concepts the term incorporates. The first is the concept of power. It can best be defined as a nation's possession of control of its sovereignty and destiny. It implies some degree of control of the extent to which outside forces can harm the country. Hard, or largely military, power is about control, while soft power is mainly about influence trying to persuade others, using methods short of war, to do something.

Instruments of power exist along a spectrum, from using force on one end to diplomatic means of persuasion on the other. Such instruments include the armed forces; law enforcement and intelligence agencies; and various governmental agencies dedicated to bilateral and public diplomacy, foreign aid, and international financial controls. Variables of power include military strength, economic capacity, the will of the government and people to use power, and the degree to which legitimacy either in the eyes of the people or in the eyes of other nations or international organizations affects how power is wielded. The measure of power depends not only on hard facts, but also on perceptions of will and reputation.

For most of the 20th century, national security was focused on military security, but as a concept, it expanded over time beyond what armed forces could do (or not do as the case may be). Since then, national security has come to mean different things to different people. The problem of defining national security springs from the fact that the meaning of security itself is ambiguous. More importantly, if one uses the state as the referent, as the term national security suggests, he will then encounter the problem of who defines national interests or set the national security agenda of the state. Historian and diplomat George Kennan defined national security as "the protection and enhancement of values that the authoritative decision makers deem vital for the survival and well-being of the community".²⁷ However, this definition of security carries with it the problems that were discussed in chapter 1. Although it is true that the regime aggregates the interests of the people, to define security or national security along this line or define security from perspective of the regime is unwarranted. If one agrees that the regime is both a source of threats and a producer of insecurity, then the concept must not be defined only from this perspective. The values that the authoritative decision makers seek to protect and enhance, which are deemed necessary for the well-being of the

²⁶ International Relations Oxford Bibliographies, Oxfordbibliographies.com. 'Peace of Westphalia(1648)' [2017] <<http://www.oxfordbibliographies.com/view/document/obo-9780199743292/obo-9780199743292-0073.xml>> accessed 10th January 2019

²⁷ George F. Kennan , 'Morality and Foreign Policy' *Foreign Affairs*, (1985) (64) (2) pp. 205-218

community, often do not constitute the national security or interests of the state. Hence, they are better labelled as the national security agenda.

In times past and even today, national interest and security has been excused for concealing information from the public. On this issue, Nnoli²⁸ has this to say:

In Africa, even the boundless attribution of the African leader to remain in office is projected as national interest. Such a leader is often determined to survive, even at all cost. In such circumstances, the leader's arbitrariness in the exercise of power replaces respect for the nation's laws, values, norms and procedure. Still he justifies his actions in the name of national security.

In the name of the same national security, governments have built up enormous official bureaucracy devoted to secrecy, intelligence gathering, including spying, surveillance, repression and behind the scene operation. The influence of this bureaucracy on other aspects of government and the lives of the population has been tremendous. Because of it national security has acquired a cloak and dagger image...

National security is a condition open to the assessment and evaluation of both the regime and the people. Whether or not the national security agenda represents the state's national interests is another case in point. The definition of national security interest as defined by Kennan is relative to the one defining it. On the other hand, the national security agenda can be defined objectively and easily inferred from the national security policies of the government. Thus, a better definition of National Security is that contained in the National Security Policy Handbook of the Philippines²⁹ where National Security is defined as "the condition wherein the people's way of life and institutions, their territorial integrity and sovereignty including their well-being are protected and enhanced". It has been put forward that this definition captures the essence of the "state" as composed of the people and the regime³⁰. It talks about two concerns, that of the people's interest (well being) and that of the regime (sovereignty).³¹

In relation to press freedoms, supporters of freedom for the press believe that with a free press, the society would get to know about those things governments consider official secrets and therefore hidden from public view in the name of national security. As events have shown, these in some African nations are avenues of looting public office. Maxwell and Ebenezer³²

²⁸ Okwudiba Nnoli, *National security in Africa: A radical new perspective*. (2006, PACREP Book Services) pp 10

²⁹ National Security Council 'National Security Policy For The Change And Well Being Of The Filipino People 2017-2022 [2017] <<http://www.nsc.gov.ph/attachments/article/NSP/NSP-2017-2022.pdf>> accessed 10th January 2020

³⁰ UK Essays, 'The Meaning Of National Security Politics Essay'. [2018] <<https://www.ukessays.com/essays/politics/the-meaning-of-national-security-politics-essay.php?vref=1>> accessed 10th January 2020

³¹ *Ibid*

³² Ngene M. Maxwell and Onyike Ifeanyi Ebenezer 'The State and Press Freedom in Nigeria: Concepts, Precepts, and Prospects' [2015] <<http://oer.wellspringuniversity.edu.ng/oer/The%20State%20and%20Press%20Freedom%20in%20Nigeria.pdf>> accessed 10th January 2020

posit that Nigeria provides a clear case scenario for this as public servants and the government at large tend to label every piece of information within their purview 'secret' thereby shutting off enquiries pertaining to such documents. Ironically, the information they hoard are the same information journalists' are trained to uncover. The implication is a cataclysmic relationship between the two³³.

IV. CONCLUSIONS

The study is undertaken through the multi-focal lens of journalism and law with the aim of aggregating the conflicting and perennial tensions between law enforcement interests and journalism's interests and looking for those areas of divergence and convergence.

Also, as the tension between the laws, national security and source confidentiality continues to escalate, researchers and extant literature have barely turned their searchlight on the contribution of journalists to this scenario. This author, in drawing attention to the claim that the pen is mightier than the gun yet the journalists are continually at the receiving end in this tension, through twin lens of a journalist and a lawyer in one advocates an improvement of law in Nigeria as it relates to the intersection between freedom of the press, national security and the society at large. The abuses and misuse of freedom to source and publish information in Nigeria by the journalists themselves is a call to the legislatures to strengthen the existing laws towards the improvement of press freedom and to clearly define national security priorities without undue compromise by any individual or group. This should curb the instances of such rifts between the media and government over national security.

This author is of the view that National Security laws are in existence to justifiably curb the excesses that may occur from journalists exercising journalists' privilege. He also postulates that journalists' right to have privileged communication operates within the larger framework of press freedoms including the right to source for and disseminate information hence infringing upon journalists' privilege is tantamount to infringing upon the other press freedoms. While the study used privileged communication as an umbrella term for press freedoms in general, it used National Security as an umbrella term to refer to all instances usually invoked to derogate upon press freedoms.

Freedom of expression and the right to disseminate information are not absolute rights. They are rights which may be subject to some restrictions of which National Security is the most profound. Socially irresponsible coverage of the news and display of partisan bias will rob the press of the goodwill of the people and will necessitate control by the government.

³³ *Ibid*

REFERENCES

- [1] National Security Council 'National Security Policy For The Change And Well Being Of The Filipino People 2017-2022 [2017]
<<http://www.nsc.gov.ph/attachments/article/NSP/NSP-2017-2022.pdf>> accessed 10th January 2020
- [2] African Charter on Human and People's Right (Ratification and Enforcement) Act, 2004
- [3] African Union, Declaration of Principles on Free Expression. Adopted by The African Commission on Human and Peoples' Rights, meeting at its 32nd Ordinary Session, in Banjul, The Gambia, from 17th to 23rd October 2002.
- [4] Aidan White 'Protecting the People Behind the Stories That Keep Journalism Alive' [2015]<<https://ethicaljournalismnetwork.org/ethics-at-source-protecting-the-people-behind-the-stories-that-keep-journalism-alive>>accessed 23 September 2019
- [5] George F. Kennan , 'Morality and Foreign Policy' *Foreign Affairs*, (1985) (64) (2) pp. 205-218
- [6] Godwin B. Okon 'National Security and Journalism Practice-Emerging Considerations for Nigerian Journalists'(1) (4) (2013) *Global Journal of Arts Humanities and Social Sciences*,1
- [7] International Relations Oxford Bibliographies, Oxfordbibliographies.com. 'Peace of Westphalia(1648)' [2017] <<http://www.oxfordbibliographies.com/view/document/obo-9780199743292/obo-9780199743292-0073.xml> > accessed 10th January 2019
- [8] Micheal Foley, 'Should journalists always protect their sources?'[2017]
<<https://www.irishtimes.com/opinion/should-journalists-always-protect-their-sources-1.3005430>>accessed 23September 2019
- [9] Mohammed Gambo, *Mass Media and National Security* (Unimedia Publications Ltd 1988); 102 in AkinfeleyeIbelema (2003) (4) (4) 'The Nigerian Press and June 12: Pressure and Performance During a Political Crisis', *Journalism Communication Monographs*,5
- [10] Ngene M. Marxwell and Onyike Ifeanyi Ebenezer 'The State and Press Freedom in Nigeria: Concepts, Precepts, and Prospects'
[2015]<<http://oer.wellspringuniversity.edu.ng/oer/The%20State%20and%20Press%20Freedom%20in%20Nigeria.pdf>> accessed 10th January 2020
- [11] Nwokegi Sider Nwamah, 'The Effect Of Media Laws On Nigerian Print Media: A Study Of Three Newspapers In Port Harcourt, Rivers State'[2009]
<<http://www.unn.edu.ng/publications/files/images/NWOKEGI%20SIDER%20NWAMAH.pdf>> accessed 23September 2019
- [12] Okwudiba Nnoli, *National security in Africa: A radical new perspective*. (2006, PACREP Book Services) pp 10
- [13] Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Abid Hussain, submitted pursuant to Commission resolution 1997/27, Addendum: Report on the mission of the Special Rapporteur to the Republic of Poland. E/CN.4/1998/40/Add.2, 13 January 1998.

[14] Saxon Norgard ‘Protecting Journalists’ Sources is Vital for Press Freedom: Goodwin v UK’ [2017]<<https://rightsinfo.org/protecting-journalists-sources-vital-press-freedom-goodwin-v-uk/>> accessed 8 October 2019.

[15] UK Essays, ‘The Meaning Of National Security Politics Essay’. [2018] <<https://www.ukessays.com/essays/politics/the-meaning-of-national-security-politics-essay.php?vref=1>> accessed 10th January 2020