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British Colonial Authoritarianism, African Military Dictatorship and the Nigerian Press

by **Chris W. Ogbondah***

Abstract

The history of journalism in Nigeria has been influenced by the two major eras of British colonial rule (1895-1960) and indigenous military governments after independence on October 1, 1960. Both forms of governments enacted press laws at various periods in Nigeria's journalism history. This study compares and contrasts the variables that shaped the laws enacted by both the British colonial and the post-independence military governments, the intended overt and covert objectives of those laws and the reactions of the indigenous people.

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L'Autoritarisme Colonial, La Dictature Militaire Africaine et la Presse au Nigéria

par Chris W. Ogbondah

Résumé

L'histoire du journalisme au Nigéria a été influencée par deux époques principales, l'une, celle du régime colonial britannique (1859-1960) et l'autre, celle du gouvernement militaire indigène après l'accession du pays à l'indépendance, le 1er octobre 1960. Toutes les deux formes de gouvernement ont édicté des lois sur la presse à diverses occasions au cours de l'histoire du journalisme au Nigéria.

Cette étude compare et met en contraste les variables qui ont donné forme aux lois décrétées à la fois par le régime colonial britannique et les gouvernements militaires du Nigéria post-indépendant, les intentions visées aussi bien évidentes que latentes de ces lois et la réaction des populations indigènes.

Introduction

Nigerian journalism history is clearly divisible into two major periods — the colonial, which is the period marked by British imperialism, and the post-independence, the period that followed the dawn of independence essentially characterized by military rule.¹ The former begins from 1859 when the first newspaper, *Iwe Irohin*,² was established and the latter begins from October 1, 1960, the date Nigeria became an independent nation. During these two periods, the governors drafted and enacted laws that limited freedom of the press.

In the colonial period, such laws were imported and forced down on the governed. For example, the Official Secrets Ordinance No. 2 of 1891 was an adaption from the Official Secrets Act of the United Kingdom;³ Governor MacGregor's Newspaper Ordinance of 1903 was a 1894 law for regulating newspaper printing and publishing in Trinidad,⁴ and Governor Egerton's Seditious Offences Ordinance of 1909 amounted to a transplantation, for the most part, of an Indian legislation.⁵ In other words, the colonial period witnessed the introduction of press laws by alien political authorities.

In the post-independence period, press laws were enacted by indigenous political authorities. Some of the laws were enacted by democratically elected officials representing the various constituencies of the governed; others were enacted by military governments which came to power without the mandate of the governed.

There is a similarity between the alien (colonial) government and the military governments of the post-independence period. Both were authoritarian in nature, and ruled without the consent and mandate of the governed. Therefore, the masses did not participate — through elected representatives — in the making of the laws that regulated the press during the administrations of both forms of authoritarian government.

This study examines how the indigenous population reacted to press laws enacted by the alien and indigenous authoritarian governments during the two journalism history periods. Did the governed welcome or oppose the introduction of press laws in which they did not participate in drafting? Did they react differently when the laws were introduced by indigenous political authorities? If they welcomed or resented the laws, in what ways did they express their feelings? This is the primary interest of this study. In addition, this study will attempt to answer the following research questions: (i) Were there any similarities or dissimilarities in the ways the masses supported or resented the press laws? (ii) What factors or variables helped shape the laws? (iii) What rationales accounted for support or

resentment of the laws? (iv) What were the intended overt and covert objectives of the press laws? By overt objective, we mean the objective as stated openly by the government; by covert objective, we mean other intended objectives of the law not publicly or openly stated.

To answer these questions, two press laws — one from the colonial and the other from the post-independence periods — were examined for a case study, using a qualitative research method. These press laws were the Newspapers Ordinance (No. 10) of 1903 and Decree No. 4 of 1984 (Public Officers Protection Against False Accusation Decree). The rationale for selecting the former is that it was the first newspaper law enacted by the colonial government. Decree No. 4 of 1984 was selected because it embodied all previously enacted post-independence press laws and was enacted by a military regime, an authoritarian form of government.

Alien Authoritarian Rule

Alien authoritarian (colonial) rule in Nigeria lasted for about a century, starting from 1861, the year that Britain had her first foothold in the country, following the cession of Lagos Island with its environs by the local king, Docemo, to the British Crown.⁶ By 1900, Nigeria had been divided into three separate administrative entities: the Colony and Protectorate of Lagos, the Protectorate of Southern Nigeria, and the Protectorate of Northern Nigeria. In 1906, the Colony and Protectorate of Lagos and the Protectorate of Southern Nigeria were amalgamated to form the Colony and Protectorate of Southern Nigeria. In 1914, the Colony and Protectorate of Southern Nigeria and the Protectorate of Northern Nigeria were amalgamated in a landmark administrative policy that ushered in the birth of modern Nigeria.

Colonial Press Law

When Britain gained control of Nigeria in 1861, and during the second half of the 19th Century, several newspapers existed in Nigeria but no formal measures were taken to regulate newspaper publication. In matters of libel or offences against the government arising from newspaper publications, the laws of the United Kingdom applied to the Colony of Lagos with only slight modifications dictated by circumstances in the colony. However, a few laws were passed by the Colony's Legislative Council that could have affected the press. They included the Criminal Procedure Ordinance, No. 5 of 1876; the Official Secrets Act of the United Kingdom; the Slander of Women Ordinance, No. 12 of 1900 and the Wireless Telegraph Ordinance of 1903.⁷ Some

governors, however, made abortive attempts to introduce special press laws. For example, when Governor H.S. Freeman learned that the *Anglo-African* was about to be established in Lagos in 1862, he made efforts to impose a newspaper tax in the colony.

The first law to regulate newspaper publication was introduced in 1903 with the enactment of the Newspaper Ordinance (No. 10). The law required prospective newspaper proprietors to make, sign and swear an affidavit containing the address and the real and true names and addresses of its proprietors, printers and publishers. It further required them to execute a bond for 250 pounds with one or more sureties.⁸

The law provided that:

From and after the commencement of this Ordinance, no person shall print or publish or cause to be printed or published within this colony any newspaper unless he shall have previously

1. made, signed and sworn before any police, magistrate or District Commissioner or any Commissioner of Oaths or registered in the Office of the Chief Registrar of the Supreme Court an affidavit containing the several matters and things following, that is to say (a) the correct title or name of the newspaper, (b) a true description of the house or building wherein such newspaper is intended to be printed, and (c) the real and true names of abode of the person or persons intended to be the printer or printers, publisher or publishers, proprietor or proprietors of the same; and
2. given and executed and registered in the Office of the Chief Registrar of the Supreme Court a bond in the sum of two hundred and fifty pounds with one or more sureties as may be required and approved by the Attorney General on condition that such printer or printers, publisher or publishers, proprietor or proprietors, shall pay to His Majesty, His Heirs and Successors every penalty which may at any time be imposed upon or adjudged against him or them . . .⁹

Why did the colonial government introduce this law? The overt (official) government objective for introducing the law was made public in the Legislative Council debates. The government explained that the law was a measure to check frequent libels, and denied that it was an attempt to interfere with freedom of the press. In the Legislative Council debates, Governor MacGregor justified the law as a measure to deal with blasphemous, seditious and other forms of libel and added that the law's essence was to make the press responsible.¹⁰

But it must be noted that there were ulterior objectives for the law. The colonial government, lacking the mandate of the governed, sought to remain in power by introducing a measure to regulate and control

the press and, therefore, press criticism of its policies and actions. For the newspaper was the weapon with which the educated Africans of the time, the *literati*, criticized the colonial rule and imperial policies. Omu (1978) made a similar point when he said:

The heightened tone of press criticism which marked political opposition from the last years of the nineteenth century to the eve of the first World War could not but irritate the colonial administration. The policies and persons of the governors were attacked unceasingly . . . Governor Henry McCullum apparently rode out the newspaper storm but his successor, William MacGregor, was less accommodating and must have wished he could control the newspapers (p. 175).¹¹

The Government feared that unchecked press criticism could poison the minds of the illiterate masses and do untold damage to the government. Another covert aim of the law was to prevent the press from being a successful economic enterprise. That was the aim of Governor H.S. Freeman's desire to draft a tax law when he learned that the *Anglo-African* was about to be established in Lagos in 1862. Tamuno (1972) also provides some insight to the law's essence in his examination of the effects of the first newspaper law. He notes that the Newspaper Ordinance of 1903 militated against the financial prosperity of the press, adding: "as this law with the two hundred and fifty pounds bond made the newspaper business in Lagos more expensive, so it checked the previous tendency towards the proliferation of newspapers . . ."¹² The restrictive nature of a similar law in Trinidad was responsible for the death of the *Tobago News* because its proprietor was unable to furnish the amount of two hundred pounds in the form of a bond. The colonial government sought to introduce the law in order to prevent the indigenous press from flowering and prospering.

The law must also have been introduced in disdain of the fundamental human rights of the inhabitants of the colony, and to reinforce the colonial concept that they were an inferior class of *homo sapiens*. Even though they were British subjects, the government refused to follow British practice over the issue of newspaper bonds and freedom of the press.

Public Reaction

Right from its embryonic stage, the law met with stiff opposition from the Nigerian unofficial members of the Legislative Council, the press and the general public. At the law's proposal stage, the *Lagos Standard* wrote a speculative story that a law to establish press

ensorship was in the pipeline.¹³ And when the law was introduced into the Legislative Council, the *Standard* denounced it as a "vicious" measure aimed at discriminating against "a weak class of citizens in favour of a large minority." In resenting the law, the paper argued that the press was the mouthpiece of the public and the advocate of the inalienable rights of the people as well as the medium through which the governed expressed their grievances and sought redress from the governors. The paper said:

Without universal suffrage, without representation of any kind, without a municipality or other agency by which it may be said that the people have any voice or hand in government, the press is the only means, feeble and ineffective as it often is, still it is the only means there is for restraining or checking abuses . . .¹⁴

In another commentary, the *Standard* appealed to "all lovers of freedom" in England and abroad to assist the indigenous people in their struggle for freedom, including freedom of expression.¹⁵

The other Lagos newspaper at that time, the *Lagos Weekly Record* expressed similar opposition. In an editorial opposing the law, the *Lagos Weekly Record* remarked that the law was being introduced as a result of "official bias and official arrogance," adding:

Susceptibility to criticism on the part of those who govern is always looked upon as a bad sign for the reason that when those in power would presume themselves to be infallible and would brook neither interference nor criticism, the outcome is sure to be maladministration, and it is the consciousness of misdoing which engenders apprehension and develops sensitiveness to inquiry and criticism, the latter growing more acute as the tide of popular sentiment rises in opposition to misgovernment.¹⁶

As far as the majority of the residents of Lagos were concerned, the Newspaper Ordinance was not a welcomed measure. In a petition addressed to Governor MacGregor and members of the Legislative Council, the residents of Lagos demanded that the law should not be introduced. In their opposition to the measure they argued:

That the provisions for prepublications registration and execution of a five hundred pound bond with one or more sureties were unreasonable restraint on public liberty;

That in a British Crown Colony where there was no representation of the people in the administration, the press was the principal instrument which enabled the people to publicly express their opinions and grievances;

That in the long history of the Lagos press there had been only three cases of newspaper libel in which the penal awards were satisfied;

That the proposed ordinance was based on a hypothesis which did not take into account that the interests of the local press were not limited to the

individual owners, publishers and printers but that those interests extended to the public who had always identified its interests with those of the press by its readiness to share in any legal burdens imposed in the course of operation;

That apart from the interests of the people, it was necessary in the interest of the Government that the press should be free and untrammelled;

That the proposed ordinance in requiring security from owners, printers and publishers was an aggression on the liberty of the press and on free expression of opinion.¹⁷

In their petition, the residents of Lagos also claimed that the public would lose more if, in the attempt to protect government officials, press freedom were lost. They argued that press freedom provided "the only available means afforded the people of the colony and hinterland for exposing abuses, and for ventilating their views and opinions and grievances."¹⁸ The petitioners also argued that the press was the instrument for exposing abuses, misconduct and graft by private individuals and government officials stationed in remote parts of the colony, adding that the law was an unnecessary restraint on the press to fulfill that function.

Echoes of public criticism of the law were also heard in the Legislative Council where the three Nigerian unofficial members of the council — Christopher A. Sapara Williams, Dr. Obadiah Johnson and C. J. George — relayed how the public felt about the press law. They opposed the law as a measure drafted by alien authorities to protect young and inexperienced British officers in Lagos from exposure. In his opposition to the law, Dr. Obadiah Johnson argued that press criticism was in the interest of the public because it would expose the incompetence of young inexperienced British officers. On the requirement that prospective publishers should post a bond, Dr. Johnson contended that the bond would not only hang as the "sword of Damocles over publishers" but would also act as a bait for frequent litigation for libel even on flimsy grounds. He said:

. . . the ordinance will be productive of ill to the community. It will effectually prevent the publication of newspapers locally, and cause a reversion to the methods of former days, when matters of local interests were ventilated in the *African Times* published in London. A retrogressive step. And if any is published at all, subjects of public interest can never be freely discussed, because of possible misunderstandings and vexatious prosecutions.¹⁹

In his opposition to the Newspaper Ordinance, C. J. George remarked that the law was intended to place some difficulty in the way of the press and warned that: "any obstacle in the way of publication of

newspapers in this colony means throwing Lagos back to its position forty or fifty years ago."²⁰

Christopher A. Sapara Williams also argued that the principle that newspapers could not be published without the proprietor or publisher posting a bond was certainly repugnant to all sense of justice. Invoking the right of the indigenous population as British subjects, by virtue of the British annexation of Lagos in 1861, Sapara Williams said:

I know we are in the minority, and no doubt we are fighting a hopeless battle, but this does not alter the fact. And I hold that the principle that newspapers cannot be published without the proprietor or publisher giving a bond is certainly repugnant to all senses of justice and an outrage upon the established principles of English liberty which we as subjects of his Majesty the King have an undoubted right to.²¹

Rationale for Public Resentment

Why did the indigenous population resent the law? The law after all could have been welcomed because it required intending newspaper proprietors to deposit caution money that would be used to compensate members of the public in the event of libelous publications. Furthermore, the law could have been welcomed in the sense that it was to set a desirable precedent, giving the indigenous people freedom to own and enjoy their property undisturbed.

The indigenous population did not see the law in the above light; rather it was perceived as a misnomer. The people opposed it because they saw it as another in the chain of British imperial actions to subjugate the indigenous population. This rationale explains why the press in other parts of West Africa,²² joined the residents of Lagos in criticizing the law.

The wave of public opposition to virtually any British colonial action that was sweeping through the colony at that period also helped fuel public opposition to the press law. For example, when the idea of a colonial church — a church for whites only — was mooted in 1875, it was vehemently opposed and the government for a moment abandoned the idea.²³ Other government actions, including the policy on land also met with opposition from the public.²⁴ The point being made here is that opposition to the 1903 Newspaper Ordinance was fuelled by the spirit and wave of public criticism of government actions during the first half of the 19th century.

For the educated Africans, the rationale for opposing the law was different. Heroism was an incentive to oppose colonial government policy. During this period, the barometer for measuring the political stature and image of the educated African was the intensity and

hostility in his criticism of imperial policies. Hence, most of those who championed public criticism of the press law did so not on purely altruistic nationalism, but for personal aggrandizement.

The very nature of the Crown Colony System of government which excluded the inhabitants of the colony from participating in the decision-making process of the affairs that affected them, was another factor that explains why the indigenous population opposed the press law. Having been excluded from participating in the government, the people looked up to an unregulated and free press as the only avenue through which they could check abuses of alien political authority and ventilate their views and opinions on issues that affected them. This rationale was well stated in the petition to Governor MacGregor that was signed by 300 residents of Lagos, and also stated by the *Lagos Standard* as a rationale for resenting the press law. The tradition of press freedom, dating back to 1859, which the inhabitants of the colony had hitherto enjoyed, further explains why they resented the introduction of a law to regulate the press.

Post-Independence Authoritarian Rule

Nigeria became independent on October 1, 1960. But the second half of that decade and the next were marked by authoritarian military rule. The military made its debut in the political arena on January 15, 1966, and exited from the scene in October 1979. After a few years of experimenting with democracy, the military re-entered the nation's political platform on December 31, 1983, when Maj. Gen. Muhammadu Buhari led another *coup d'état*; since then, the country has been under military dictatorship.²⁵

Throughout the years of military autocracy, a number of laws have been promulgated to control the press.²⁶ Among those laws was Decree No. 4 of 1984 also Known as Public Officers (Protection Against False Accusation) Decree, which is the press law selected for study for the post-independence period.

Enacted by a military order on March 29, 1984 and published on April 4, 1984 in the official Federal Government Gazette, the law criminalized false press reports, written statements or rumour that exposed an officer of the military government, a state or the federal government to ridicule. The most formidable section of the law provided that:

Any person who publishes in any form, whether written or otherwise, any message, rumour, report or statement, being a message, rumour, statement or report which is false in any material particular or which brings or is calculated to bring the Federal Military Government or the Government of a state or public officer to ridicule or disrepute, shall be guilty of an offence under this Decree.²⁷

The law empowered the head of the military junta to prohibit the circulation of any newspaper that might be detrimental to national security. It provided for the trial of alleged offenders by a specially constituted military tribunal made up of members of the armed forces and a high court judge.

The objective of Decree No. 4, according to the military government, was to check the "excesses" of the press. This objective was publicly stated by Maj. Gen. Muhammadu Buhari during his first interview as head of the military junta. In that interview, he told three senior editors of the *National Concord* that a law to check the "excesses" of the press to make it responsible was being drafted.²⁸ This was the official government statement of the law's essence. However, the reasons for the promulgation of the law are far more than the military leader publicly admitted.

One of the covert reasons for introducing the law was to gag the press and muzzle public opinion from questioning the source of the military government's power to rule, its policies and actions. As soon as the military government came to power following the *coup d'état* that toppled the civilian government of Shehu Shagari, the *Nigerian Tribune* published a piece from a social commentator and critic, Dr. Tai Solarin, calling on the military to step down from political power and hand over the government to a civilian — Obafemi Awolowo, leader of the proscribed Unity Party of Nigeria. It was in order to stave off such press comments that the military government promulgated Decree No. 4. In this respect, the covert reasons for drafting the Newspaper Ordinance (No. 10) of 1903 and Decree No. 4 of 1984 are similar.

The Buhari regime particularly drafted Decree No. 4 to stave off criticism that the regime was corrupt. During the military regime that immediately preceded Buhari's, a press editorial insinuated that the head of that regime, Gen. Murtala Mohammed, was corrupt. The editorial said:

We of this paper appeal to Brigadier Murtala Mohammed to let charity begin at home. If he should take the initiative by declaring his own assets and passing the ones he cannot account for to the state, then the war against corruption is half won.

The present nation-wide whispering campaign being waged against him about his own alleged property in Kano and his fleet of vehicles must have been crushed before damage is done to his image and regime. After him, all his associates must follow suit; then none of us can hide under the slogan 'physician, heal thyself.'²⁹

Just like his predecessor, Maj. Gen. Buhari launched a campaign against corruption in the country. But no sooner had he embarked on the campaign than rumour began to spread that Buhari himself was corrupt.

Public Reaction

The introduction and enforcement of the press law triggered off nationwide resentment that was reminiscent of that which characterized the introduction of the Newspaper Ordinance of 1903. Nigerians from all walks of life — journalists, students, workers, politicians and the ordinary citizen — resented the law.

The Technical Workers' Union of Nigeria, for example, believed that the press law would not serve the national interest. At the end of its 12th plenary session in Enugu in mid-July 1984, the union called on the head of the federal military junta to abrogate the decree "in the interest of natural justice."³⁰ On July 9, 1984, the staff of the Union Bank at Isolo, Lagos, sent a two-person delegation to the office of the *Guardian* newspaper to protest against the law.

In their opposition to the law, members of the Nigeria Union of Journalists (NUJ) called on the Federal Military Government (FMG) to repeal the institutional control measure. And when the FMG refused to give in to the workers' demand, the NUJ instituted a court action against the Federal Military Government, challenging the constitutionality of the press law. The NUJ sought a perpetual injunction to restrain the Federal Attorney-General as "the chief law officer to the Federal Military Government together with all public officers from implementing the provisions and sections of the entire decree."³¹ And although the NUJ lost the case, its resentment of the press law was clearly made known to the FMG.

The NUJ also expressed its resentment by establishing an endowment fund in honour of the journalists who were jailed under the provisions of the law. In addition, the Union submitted the names of the two journalists jailed under the decree to the Prague-based

International Union of Journalists (IOJ) and the Cairo-based Union of African of Journalists (UAJ) to be included for honour among the victims "in defence of democratic journalism."³²

Nigerian university students also protested against the institutional control measure. The National Association of Nigerian Students (NANS), for example, called on the military government to rescind the press law. The students of the University of Science and Technology, Port Harcourt, decried the press law, and expressed sympathy for the law's victims. The Students' Press Club of the Polytechnic, Ibadan, opposed the press law in an April 1984 press release.³³ Students from other Nigerian universities, including University of Lagos, Yaba College of Technology and Obafemi Awolowo University, also opposed the introduction and the enforcement of Decree No. 4.

Faculty members on the campuses also joined in the public criticism of the press law and the imprisonment of two journalists under the law's provisions. On April 25, 1984, for example, 10 lectures at the University of Lagos called on the military dictatorship to repeal the press law. In a letter protesting the enforcement of the law, the lecturers said:

We are particularly worried about this detention on which no official statement has been made to our knowledge. We feel that the law has its due process and if any or both of these two gentlemen have committed any breach of the law, they should be properly tried.

In our view, their continuing (sic) detention cannot but hide the smooth flow of communication between journalists and the authorities who normally should be partners in the ongoing process of rebuilding a better Nigeria. It is on these scores that we fervently appeal for their release.³⁴

And in a letter to the editor of the *Nigerian Tribune*, the University of Ibadan issued a press statement condemning the enforcement of the law. The statement said:

It is ironic that it is in these days when the nation is asking the people to discharge their duties honestly that Messrs Nduka Irabor and Tunde Thompson have to go to prison for an honest day's job . . . We are calling on the Federal Military Government not to confirm the sentence handed down to these men as a sign of goodwill toward the freedom of the judiciary and the press under their reign.³⁵

The press also resented the introduction of the law and some editorials, mostly from privately-owned newspapers, called on the military government to repeal it. Others regularly reported news events at which members of the public expressed their resentment of the law. In an editorial, the *Punch*, for example, described Decree No. 4 as a "needless decree" and said:

The *Punch* feels very strongly that the Federal Military Government cannot unilaterally determine the yardsticks to measure what is deprecatory and what brings someone into disrepute.

The press should be allowed to operate unfettered if it should live up to its image as the people's parliament in a military era. If the people suddenly woke one morning to find all avenues through which they could unburden their feeling shut, it would amount to driving them from the arena of freedom to the silos of revolt. For a nation that has come so far in almost twenty-four years, Decree No. 4 is a needless decree.³⁶

The *Daily Times* reacted to the press law in an editorial entitled "Decree No. 4 Needs Review." The paper argued that the law was unnecessary, and questioned its draftsmanship. It said:

We, however, feel that the excesses of the press can still be checked without drafting the decree in such a tight manner where the press cannot effectively assist the government in its cleansing job in the war against corruption, indiscipline and licentiousness.

It is our candid opinion, therefore, that the government should have a second look at the draftsmanship of Decree No. 4 for a possible review.³⁷

It is of interest to point out that even the *Daily Times*, a newspaper in which the Federal Military Government has 60% equity shares, joined the privately-owned press to criticize the decree. That indicates how seriously the public resented the press law.

The ordinary citizen used the letter-to-the-editor column of the newspapers to criticize the press law. One letter-to-the-editor which represented the general tone of public resentment of the decree was entitled "Decree No. 4 is superfluous;" the letter said:

We (the masses) . . . decry this very decree which is not, in the least, in our interest . . . How can we believe that Buhari's corrective regime is now denying us a right (free flow of information) which we even enjoyed during Shagari's oppressive government? Has the Federal Military Government (FMG) forgotten that the press it is now prosecuting was the same that initiated and fought the war against the Shagari/Dikko greedy and corrupt government? . . .

We believe that our old laws take adequate care of careless and malicious writing.³⁸

Rationale for Public Resentment

Why did members of the public resent a law that was drafted to protect government workers and the government against false and damaging press report? One of the reasons for public opposition to the law was because it was perceived as a measure to protect corrupt public officers of the military government from exposure. Apart from

rumours that Maj. Gen. Buhari himself was corrupt, there were accusations from the politicians that the in-coming soldiers were as corrupt as the civilians they unseated from power. The Promulgation of Decree No. 4 amidst these rumours and accusations of corruption account for its perception by the public as an institutional measure to cover up corruption in the government. In this respect, the rationale for resenting the colonial press law was the same as the rationale for public opposition to the post-independence law: in both instances, the public perceived the laws as measures drafted to protect incompetent and corrupt officials.

A second rationale for public resentment of the law is that, in the absence of democratically elected government, the press was the most effective avenue by which the governed could express their views about the government. The introduction of Decree No. 4 was perceived as a measure aimed at closing that avenue of expression. *The Punch* made a similar point in an editorial when it said: "The press should be allowed to operate unfettered if it should live up to its image as the people's parliament in a military era . . ." ³⁹

Further, the public opposed the law because it was perceived as a deprivation of the fundamental right of expression which was enjoyed and relished under past democratically elected governments and even under the less authoritarian military regimes of the past. It is worth noting that the rationales for public resentment of the two laws in both periods of Nigerian journalism history are similar.

Summary and Conclusion

Any student of Nigerian history may identify two forms of authoritarian regimes that have governed the country. One was alien (British colonial government) and the other is indigenous (military government). Both forms of authoritarian governments enacted press laws at various periods of Nigerian journalism history. This study primarily set out to investigate how the governed reacted to the press laws enacted by the alien and indigenous authoritarian governments.

The study has shown that the introduction of the first press law by an alien political authority met with public resentment that was reminiscent of public opposition of the press law enacted by the Muhammadu Buhari military regime. The objectives of the press laws were found to be about the same, and the reasons for public resentment of the laws were congruent.

During the colonial period, the residents of Lagos colony protested against the Newspaper Ordinance of 1903, and sent a petition to the Secretary of State to make their opposition known. Similarly, members

of the public at the latter period made their opposition of Decree No. 4 of 1984 known to the government by calling for the repeal of the law. However, while the petition in the first period was signed collectively by residents of Lagos, public petition to Decree No. 4 of the post-independence period, was done individually. Further, whereas public petition of the 1903 law was addressed and sent directly to the government, petitions of the 1984 law were sent to newspaper editors or were made orally at public gatherings. It should also be said that there were more criticisms of the 1984 press law than there were of the 1903 law. This, however, does not mean that the public of the colonial period was less resentful of press laws. The levels of literacy and the population of the society in both periods may explain why more people opposed the post-independence law than the colonial ordinance.

Another dissimilarity in the manner of public opposition of the laws is that during the colonial period, Nigerians took their criticisms of the colonial press law directly to the Legislative Council but opposition to Decree No. 4 was never made in the Supreme Military Council, the ruling body. The existence of Decree No. 2 of 1984, under which anyone could be arrested and detained in the interest of national security, may have restrained members of the public from going further than they did in opposing Decree No. 4.

Notes

1. In the 28 years of the post-independence period, the armed forces have ruled for 18 years.
2. Scholars of Nigerian press have credited *Iwe Irohin* as the first newspaper in Nigeria. However, two well respected sources tend to indicate that a newspaper or newspapers were published in Nigeria before the *Iwe Irohin* was established. One of them, Esuakema U. Oton, has done pioneer work on Nigerian journalism history. For his argument on the newspapers printed before *Iwe Irohin*, see *Journalism Quarterly* (1958) Vol. 35, p.73. The other is Tekena Tamuno of the University of Ibadan who argued: "It is true that from 1855 the United Free Church of Scotland mission at Old Calabar had published a monthly newspaper *Unwana Efik* (The Light of Calabar) and subsequently the *Obukpon Efik* (The Horn of Efik)." See Tekena N. Tamuno, (1972). *The Evolution of the Nigerian State: The Southern Phase, 1898-1914*. New York: Humanities Press, Inc., p.55.
3. Increase, H.E. Coker. (1968). *Landmarks of the Nigerian Press*. Lagos: Nigerian National Press Ltd.
4. Omu, Fred. *Press and Politics in Nigeria 1880-1937*. London: Longmar Group Ltd.
5. H. C. Deb. 5s. 15, March 22, 1909, 929. Cited in Tekena N. Tamuno. *The Evolution of the Nigerian State, op. cit.*, p.106.

6. For the details of the vital part of the "Treaty with Lagos" which ceded the Lagos Island and its environs to the Crown and her Heirs, see, e.g. B. O. Nwabueze, (1982). *A Constitutional History of Nigeria*. London: C. Hurst and Company.
7. For details of these laws, see, e.g., Coker,(1968). *Landmarks of the Nigerian Press, op. cit.*
8. Azikiwe, Nnamdi (1970). *My Odyssey: An Autobiography*. New York: Praeger Publishers,
9. *Laws of Southern Nigeria*, (1908) Lagos. Cited in Omu, *Press and Politics in Nigeria, op. cit.*, p.180.
10. CSO. 7/1/4, Legislative Council Debates, June 4, 1905.
11. Omu, *Press and Politics in Nigeria, op. cit.*, p.175.
12. Tamuno, *The Evolution of Nigerian State, op. cit.*, p.113.
13. *Lagos Standard*, Nov. 27, 1901.
14. *Lagos Standard*, April 30, 1902.
15. *Lagos Standard*, June 10, 1903.
16. *Lagos Weekly Record*, June 13, 1903.
17. C.S.O. 1/1/43, MacGregor to Chamberlain, July 5, 1902.
18. C.O. 147/168, C.A. Williams to C.O., June 22, 1903. Cited in Tamuno, *The Evolution of the Nigerian State, op. cit.*, p.111.
19. *Government Gazette*, Colony of Lagos, March 7, 1903, p. 175.
20. *Ibid.*
21. *Government Gazette*, Colony of Lagos, June 13, 1903, p.350. See also C.S.O. 7/1/4, Legislative Council Debates, June 8 1903.
22. The press in the Gold Coast (now Ghana) and Sierra Leone, for example, joined Lagosians in resenting the Newspaper Ordinance. The *Gold Coast Leader*, in a commentary entitled "The People of Lagos Gagged," described the law as "a piece of oppressive, iniquitous and gagging Legislation;" the *Sierra Leone Weekly News* also condemned the law. See Omu, *Press and Politics in Nigeria, op. cit.*, p.179.
23. For details of public opposition to the colonial church scheme, see, e.g., E.A. Ayandele (1979). *Nigerian Historical Studies*. London: Frank Cass and Company Ltd.
24. For some of the criticisms of the policy on land and other actions, see, e.g., G. Padmore (1969). *How Britain Rules Africa*. New York: Negro University Press.
25. The military government now headed by Gen. Ibrahim Babangida has promised to return the country to a democratically elected government in 1993. Local government elections which have been held and other national elections that have been scheduled appear to indicate that the military junta will make good its promise.

26. Some of the laws promulgated to control the press were the following: (i) Decree No. 44 of 1966 (Defamation and Offensive Publications Decree); (ii) Decree No. 17 of 1967, (Newspapers Prohibition of Circulation) Decree; (iii) Decree No. 4 of 1984, Public Officers (Protection Against False Accusation) Decree; and (iv) Decree No. 13, Federal Military Government (Supremacy and Enforcement Powers) Decree of 1984. For the details of the above laws, see also Chris W. Ogbondah (1986). *Nigeria's Decree No. 4: "A Sword Against the Pen."* Ph.D. Dissertation, Southern Illinois University, Carbondale.
27. *Supplement to Official Gazette Extraordinary, Federal Republic of Nigeria*, April 4, 1984, p.A 53.
28. *National Concord*, Feb. 16, 1984, p.1.
29. *African Spark*, October 1975, p.6.
30. *The Punch*, July 17, 1984, p.1.
31. *Daily Sketch*, April 26, 1984.
32. *National Concord*, July 23, 1984, p.7
33. *Daily Sketch*, May 3, 1984.
34. *The Guardian*, April 26, 1984.
35. *Nigerian Tribune*, July 12, 1984, p.2.
36. *The Punch*, May 2, 1984.
37. *Daily Times*, April 23, 1984, p.3.
38. *National Concord*, July 4, 1984, p.2.
39. *The Punch*, May 22, 1984.