

THE MEDIA AS THE FOURTH ESTATE OF THE REALM:

Real or Imagined?

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Abstract

Scholars have widely accepted the notion of the media as a fourth estate of the realm; however, there are concerns that the media may no longer be playing their proper democratic role being the fourth estate of the realm. This study aims at examining the argument as to whether the media as the fourth estate of the realm is 'real' or 'imagined'. Theoretical framework analysis and secondary data was mostly used due to the nature of the study. The libertarian theory, authoritarian theory and framing theory were used to clarify the concept of media as the fourth estate of the realm. The study was then hinged on liberal perspective which describes the ideal circumstance where the media is accepted and able to play their role in building the nation and ensuring democratic principles are not selfishly manipulated. The study revealed that the media in Nigeria have come a long way in the struggle against limiting factors such as repression, suppression, corruption, ownership control and partisan, which have made the reality of a fourth estate of the realm a mere mirage and an assumption hoping will emerge into reality in the nearest future when the stipulated laws as slated in the constitution are diligently adhered to.

Keywords: Fourth Estate, Media, Realm, Democracy and Nigeria

Introduction

The term fourth estate of the realm is a descriptive term for the press (media), it is commonly agreed to have been coined by Edmund Burke, a 19th Century British statesman and orator, who advocated many human rights causes and brought attention to them through his persuasive speeches. The fourth estate is perceived as the established news media which encompasses an educated group of professional journalists. It originated from the European concept of the three estates of the realm - the clergy, the nobility and the commoners. The term has come to symbolise the media or press as a segment of society that has an indirect but key role in influencing the political system (Babarinsa, 2003).

The media, without doubt, plays a very important role in most societies, reporting on a wide variety of topics and creating powerful personalities who are relied upon for sources of information and informed commentaries. The importance of the Press was apparently what Thomas Carlyle, another 19th Century British author, had in mind when he wrote that writing gives people “a tongue which others will listen to.” The relevance of the media in any polity is generally drawn from the fact that information is necessary for effective governance and administration. Lack of information or misuse of information, or hoarding of information will be counterproductive in governance and/or administration (Akinfeleye, 2003).

Presently, in modern constitutional democratic system, the three estates of the realm are depicted or given meaning by the three arms of government comprising: the legislature, elected representatives of the people for the purpose of law making; the executive, cabinet of ministers that take decision policies of government; and the judiciary, judges who interpret the laws and uphold the sanctity of the constitution. The fourth of these three arms, however without any constitutional or statutory footing as an arm of government, has been accepted to be the media (press) up till date.

There is no doubt in the minds of communication scholars and politicians as to the power of the media in nation-building. Just as it is in economic theories of development, where the essence of economic development is a result of an increase in the economic productivity of the society, so also it is in the case of the role which the media can play in nation-building.

However, scholars are not so sure of, whether the media has been "real" towards causing change in nation-building or 'figment of imagination'. In as much as nearly all scholars and politicians agree that the media can support rapid national development, they are not so sure as to whether the change or the development has been significantly influenced by the media playing their role as the fourth estate of the realm. But scholars and politicians alike perceive the press as mediating factor and one of the social forces in the nation's march to maturity.

Democracy would however, only remain a mirage until the freedom of the press is guaranteed since the media or press, usually referred to as the fourth estate of the realm, remain one of the most vital channels through which the provisions made for the freedom of expression and access to information, which are seen as fundamental human rights, are guaranteed. The mass media are often seen as fulfilling the vitally important role of fourth estate, the guardians of democracy and defenders of the public interest (Osakue, 2017).

Most modern scholars would agree that the mass media should play a central role in sustaining and developing constitutional democracy: the media should present a full, fair, and accurate account of the news, they should inform and educate the general public, and they should cover a wide range of political opinions and positions (Keane, 1992). However, scholars are concerned that the mass media may no longer be playing their proper democratic role being the fourth estate of the realm.

It is based on the above background that this study aims at examining the argument as to whether the media as the fourth estate of the realm is 'real' or 'imagined'. Theoretical framework analysis and secondary data is mostly used due to the nature of the study,

The Concept of Media

The phrase Media began to be use in the 1920, the notion of mass media was generally restricted to print media up until the post Second World War, when radio, television and video were introduced. Due to development in science and technology, different types of media originated accordingly in different stages of history of the world as; Print media including books, pamphlets, newspapers, magazines, etc. originated from the late 15th century. Recordings including gramophone records, magnetic tapes, cassettes, cartridges, CDs, DVDs etc. originated from the late 19th century and Cinema about 1900. Radio came into existence from about 1910 and Television find its place from about 1950, Internet from about 1990, and Mobile phones from about 2000 (Bastinade, 2008).

Media are the communication outlets or tools used to store and deliver information or data (Livingstone & Lievrouw, 2009). The term refers to components of the mass media communications industry, such as print media, publishing, the news media, photography, cinema, broadcasting (radio and television), and advertising. The news media are forms of media that focus on delivering news to a target public. These include print media (newspapers, newsmagazines), broadcast news (radio and television), and more recently the internet (online newspapers, news blogs, news videos, live news streaming etc.) (Harcup, 2016).

From the perspective of scholars who see the media as situated within the model of a pluralist liberal democracy, the mass media are often seen as fulfilling the vitally important role of fourth estate, the guardians of democracy, defenders of the public interest.

Media in this study is conceived as agents of information communicated to large groups of people through a group of corporate entities, publishers, journalists, reporters, pressmen, newscasters and others who constitute the communications industry and profession. It also includes the ability to inform, educate and entertain the populace (Abubakar & Fadeyi, 2016).

The Concept of Fourth Estate of the Realm

The term Fourth Estate refers to the press and news media both in explicit capacity of advocacy and implicit ability to frame political issues. Though it is not formally recognized as a part of a political system, it wields significant indirect social influence (Schultz, 1998). The fourth estate is seen as the established news media which contains an educated group of professional journalists.

By this description the Press is regarded to be the fourth of the traditional three estates of the Parliament namely: The Lords Spiritual, the Lords Temporal and the Commons. In medieval Europe, the three estates depicted the clergy, the nobility, and the commoners – each of whom sat in designated dais of the Parliament. Representing the Fourth Estate then were the press men/women who sat at the Gallery of the Parliament to cover proceedings. Each estate had a very distinct social role and a certain level of power. Although, society is far more egalitarian today, the idea of the estates of the realm became so entrenched in European society (Misbau, 2013).

The separation of power has become the construct upon which nations have been built throughout the world. Of which the media (press) is the fourth element. The purpose, 'raison d'être', of this fourth element is to act as a counterbalance, a systemically opposite force that is to report, verify and question matters of governance, public matters as well as commercial ones, conducted by the powers, we the people, have entrusted it with and bestowed upon. The fact that it is called the fourth power or estate may prelude to the importance and significance we attribute to it (Ubuntu, 2017).

Profiling the Fourth Estate of the Realm: Media and Democracy in Nigeria

From the colonial period, media operators have adopted the main tenets of the liberalist perspective to campaign against repressive government policies. Those media owners and journalists allocated the writing of the John Miltons and others in their protestations against attempts by the colonial authorities to muzzle the press (Omu: 1978). The early newspapers saw themselves as instruments of public enlightenment and mobilisation for independence.

They championed the course of the colonised and passed judgement on the colonial government as the watchdog of the society. Also they provided the platform for debate and discussion. In the post-colonial period, the media have carried out these functions (Nwosu, 1996).

In general discussion, there is common agreement of private media ownership. With an even general acceptance of the media as the fourth estate of the realm, Nigerians are wont to argue that the government has no business in media ownership. It is argued that government owning media makes it exceptionally impossible for the principle of the fourth estate of the realm to be operationalized. Nwosu (1996) observed that the successes achieved in the performance of the watchdog function by the Nigerian media cannot be shared by the government-owned newspapers, radio and television houses which were more or less government lap-dogs and megaphones. This clearly shows that the media cannot be seen as the fourth estate of the realm, when they are owned and controlled by the government.

The above argument added with the reigning neoliberal orthodoxy, informed the liberalization and commercialization of broadcasting in the country and the predominance of privately owned newspapers. Though broadcasting is still predominantly owned by the government, the liberal ethos informs the discourse about their roles in the democratic process. The constitution provides an over-arching anchor for this liberal discourse (Lai, 2013).

In the course of the argument that took place during the drafting of the 1979 constitution, there was a widespread agreement on the need for a constitutional provision for freedom of the press in line with the American First Amendment. It unanimously accepted then that Nigeria should not continue with the British Westminster parliamentary model for the American President System with all its legal and institutional trappings. Though the framers of that constitution and others that followed refused to provide for such a specific provision guarantying the freedom of the Press as in the American constitution, they nonetheless acknowledged the role of the mass media (Schudson, 2011). Under the section which has now become a constant feature of subsequent constitutions (now in Section 22 of the 1999 Constitution), it is expressly stated that: "The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Chapter and uphold the responsibility and accountability of the Government to the people." (FGN, 1999)

The law is explicit as regard to the fourth estate of the realm in Nigeria. Constitutionally, Section 36 (1) of the Nigerian 1999 Constitution guarantees freedom of the press. It stated that: "(1) every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference". Section 39(2) guarantees that "...every person shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions". It suffices however to state that section 39 is not an absolute right as section 45 of the same Constitution permits its derogation "...by laws reasonably justifiable in a democratic society" (FGN, 1999).

In Section 22, the responsibility of the media to hold the government accountable to the people is defined. It provides thus: "the press, radio, television and other agencies of 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". Section 16 gives the media the right and freedom to ensure that governments uphold good

governance and “control the national economy in such a manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity” (FGN, 1999).

The implication of the law as spelt out in the Constitution is that the media has been empowered to investigate and criticize poor and corrupt leadership and promote political stability, economic prosperity and social justice. There is also the Freedom of Information Act which has been welcomed by all and sundry as a significant development for widening the space for freer flow of information, transparency and accountability in governance.

Given the above scenarios, with the laws empowering the media, ideally the media as the fourth estate of the realm should have been without doubt 'real'. The Nigerian media is constitutionally empowered to be liberal in carrying out their function as regard to safe guiding democracy. This strategically positions the media as fourth estate of the realm. In reality the Media has not been able to live up to the expectation in Nigeria, as governments' suppression using regulatory bodies and law enforcement agencies, politicians and political parties control, financial inducement and related factors have made them more of a branch or an extension of the other estates of the realm.

In the midst of these gloomy pictures on the press freedom it is heartwarming to note that the judiciary, the third estate of the realm, has exhibited courage in upholding the sanctity of the constitution, at least to some commendable extent. An example of such courage was the Nigerian Press Council Act nullified by the Federal High Court. This was a law enacted to repress the press and prevent criticism of the government in power. There is also the courageous judgement handed down in the case of *Nwankwo v. The State* in favour of press freedom where the Court held that sections 50 and 51 of the Criminal Code on seditious are unconstitutional (Misbau, 2013).

Whilst the Nigerian media may not fully be in reality the fourth estate of the realm, especially in terms of press freedom in Nigeria, it is heartwarming and reassuring that all attempts to suppress the media have always ended up in strengthening it to the detriment of the suppressors.

Theoretical Framework

This section comprises the theoretical framework of the study, where relevant theories are used to describe and depict perspectives of scholarly arguments on whether the media is in reality the fourth estate of the realm or just imagined.

Libertarian Theory

The liberal perspective has its origin in the medieval period in European history. It has progressed with the historical development of European societies both intellectually, economically and politically. Historically, the system of press control in Europe was authoritarian reflecting the basic authoritarian structure of society and government with its economic and religious underpinnings (Lai, 2013). However, because of changes at different levels of the society, notably economic, intellectual and the struggle for power between the rising class of commercial bourgeoisie and the declining class of landed aristocracy, and the Reformation, the authoritarian social structure gave way to liberal democracy. In the words of the scholars, Liberalism's stress on the virtues of freedom, liberty and autonomy directly and irrevocably challenged the repressive political, economic, religious and social order on which medieval society was based (Errington & Miragliotta, 2007).

The first approach which is dominant in mass communication discourse in Nigeria is derived from the liberal democratic view of the press as a “fourth estate of the realm”. This has its root in a pluralist/functionalist conception of the society with analysis centering on freedom of speech and the press, media autonomy particularly from the state, among others (Curan, 2005).

This theory's perspective supports the reality of the media as the fourth estate of the realm. It shows a true distinction of the media being a 'fourth estate of the realm' rather than a 'fourth branch' of the arm of government.

Authoritarian Theory

Authoritarian theory describes that all forms of communications are under the control of the governing elite or authorities or influential bureaucrats. Authoritarians are necessary to control the media to protect and prevent the people from the national threats through any form communication (information or news). The press is an instrument to enhance the ruler's power in the country rather than any threats. The authorities have all rights to permit any media and control it by providing license to the media and make certain censorship.

If any media violate the government policies against license, then the authority has all right to cancel the license and revoke it. The governments have all right to restrict any sensitive issues from press to maintain peace and security in the nation. This perspective portrays the media as an element used by the government, thereby seen as a 'fourth branch' rather than the 'fourth estate of the realm'

Framing Theory

Framing theory was developed by a sociologist, Erving Goffman in 1974 to provide a systematic account of how expectation is used to make sense of everyday life situation and the people in them. He argued that as humans, we constantly and often radically change the way we define or typify situations, actions and other people as we move through time and space (Baran & Davis 2010).

The media framing theory is based on the study of understanding, especially through systematic interpretation of actions and texts. This theory provides a rather “intriguing” way of assessing how media can elaborate and reinforce a dominant public culture, thereby revealing whether it is 'real' or 'imagined' as a fourth estate of the realm.

One of the most important areas of framing theory is the media research in journalism and political communication. As the media maintain a fourth estate role in democratic societies, media researchers find framing theory helpful to analyze the imbalances and underlying power structures that mediate political issues. It helps to also detect journalistic bias in political issues (Encyclopedia of Communication Theory, 2009).

Reality of the Fourth Estate of the Realm Limitations in Nigeria

The fourth estate of the realm is not yet a reality in Nigeria, irrespective of the efforts and sacrifices made by media professionals. According to Fakoya (2010), currently, the Nigerian mass media are one “hotbed of corrupt and sharp practices.” He describes the function of Nigerian journalists as centering around “collecting brown envelopes in order to write stories ruining the reputation of otherwise innocent people”. For him, the Nigerian media have always been a corrupt body, with the journalists being a reflection of Nigeria's corrupt

state.

Musa (1996) observed that the media can help in attaching importance or unimportance to an issue by the frequency with which the issue is covered by the media. The media are labeled the watchdog of the society because of the role of the media is to arm citizens with adequate, quality information so that they can make rational choice in exercising their franchise. (Musa, 1996). He adds that the Nigerian mass media are not presently exercising their role as the fourth estate of the realm due to reasons such as: influence of ownership and control, lack of commitment to professional ethics, giving of more priority to their pockets at the expense of the profession. He believes that these reasons have aided in “sedating the dog” of the Press.

Similarly, Akpan, Ering and Olofu-Adeoye (2013) are of the view that the reasons why the media in Nigeria are presently not functioning in their full capacity as the fourth estate of the realm. Such reasons also include: poor remuneration, high level of corruption in the media, lack of trained journalists and decline in professionalism. For them, the media as the fourth estate of the realm are “susceptible to manipulation positively and otherwise, regardless of time and space.”

Ndibe (2011) insists that Nigeria's fourth estate of the realm is bedeviled by the “same pathologies that have afflicted Nigerian politics and other sectors of the nation's life including its law enforcement and academia.” In other words, the problems that can be found in the Nigerian mass media are a reflection of the problems prevalent in the Nigerian society. This view depicts the fall of intellectual discourse among “supposed” media professionals and the catastrophic devaluation of moral currency in the profession have in no small way contributed to the decline in Nigeria performing its role as the fourth estate of the realm. Rather than engaging in falsification in order to claim the cheap money given to them by corrupt politicians, Ndibe believes that Nigerian journalists ought to commit to the service of Nigerian society by exposing the impunity of those who “mis-shape” and malnourish Nigeria as a country.

There also exist numerous laws that have the capacity of undermining and have indeed undermined the constitutional provisions of the law on the freedom of the media. A number of laws (Official Secrets Act, 1962; Press Registration Act, 1933; Newspaper Act, 1917 etc.) including the unlimited powers of the National Broadcasting Commission (NBC) and the Nigerian Press Council, both of which are Federal Government agencies can, if inappropriately exercised as has often been the case, undermine the establishment and unrestricted operations of the independent media (Lanre, Suleimanu & Oyinkansola, 2014).

Nigeria has had inconsistent degrees of freedom of the press over its tumultuous history. There has generally been a miscellany of voices in the media; however, as the government changed hands often and in different circumstances, the media voices that were in support of a leader would find themselves without a voice as a replacement emerged. At some points, newspapers and magazines were outlawed entirely due to their criticism of government authorities. Unfortunately, since the return of democracy to Nigeria in 1999 and hence the fourth republic, the repression and suppression of the media has not subsided (Misbau,

2013).

Seemingly concerned by the evidently increasing attack on the media by the Goodluck Jonathan administration, the United States told the administration of President Goodluck Jonathan to make certain press freedom. As broadly reported in the media, the U.S made its position at a public forum through its Consular General in Nigeria, Jeffery Hawkins, who was reported to have stated in Lagos this past Wednesday at a programme to celebrate Joe Okei-Odumakin, who was honoured with the International Women of Courage Awards by the U.S. government for her Commitment towards entrenchment of democracy and the respect for human rights, that “The freedom of the press is crucial. Nigerian vibrant media should be allowed to operate freely” (Misbau, 2013).

According to the US Consular General, Mr. Hawkin's proclamation, which came at a time the Nigerian government is intensifying its iron fist approach at silencing media organisations across the country. Four journalists from the Leadership Newspapers were detained for refusing to name the source of a story published in their newspaper which alleges that the President is planning to truncate the merger of opposition political parties in the country. It is disturbing also that under proclaimed constitutional democracy journalists have been charged with criminal sedition for publishing stories in line with their responsibilities (Osakue, 2017).

Also in a manner suggestive of an unfortunate throw back into the military era, media houses have been shut down by our democratic governments on account of publishing news that embarrassed governments. Indeed, the closure of Channels Television and the Insider Magazine in the not so distant past clearly demonstrated the fact that the media is not safe from repression and suppression even under proclaimed democratic government.

While the level of media-political parallelism (Hallin & Mancini, 2004; Seymour-Ure, 1974) has greatly been reduced one can still find evidences of media owners and journalists who are more or less active functionaries and foot soldiers of the main political parties. Some journalists in their writings act as publicists for these parties and individuals. Evidences of external control can also be attained, however covert and surreptitious of media control. Politicians and political parties use the media intervene in the political process e.g. to mobilize support and/or advance some political causes. The point is that there is still some element of instrumentalisation in the relationship between journalism and the state/political structure in Nigeria.

From the foregoing, it is evident that in a country as Nigeria which practice constitutional democracy, ideally the media should be the fourth estate of the realm in order to checkmate indiscriminate, unproductive, unprofessional, unethical and ill-minded actions of the other estates of the realm. In reality, the media is yet to attain the status of the fourth estate of the realm, as various challenges be-devilling it have made it become an extension or branch of the other estates of the realm.

Rethinking Media as the Fourth Estate of the Realm: Opportunity for Nigerian Democracy

Recent years, have witnessed some developments that have led to a transformation in the media industry. These developments are also very significant in the capacity of the media as watchdogs of the society. The media are an indispensable agent of development in any nation given their invaluable contribution to governance as a watchdog and partner in progress with other arms of government. In a developing country like Nigeria, the mass media have been

instrumental to the delivery and consolidation of the current democratic experience.

For democracy to thrive and be consolidated, there is a need for the fourth estate of the realm to fully take its place and play its role as the fourth arm in the separation of power. The media as the fourth estate of the realm should be seen as a partner in the process of nation building. Liberal theorists pointed out that the existence of a free and independent media within each nation or political system is essential to the process of democratization as they contribute to the right of freedom of expression, thought and conscience and the strengthening of the responsiveness and accountability of Governments to all citizens bringing about good governance and human development.

The role of giving accurate information to the Nigerian citizenry is one of the major roles of the Nigerian Mass Media. The role of the mass media as the “fourth estate” of the realm implies that the media is also a lawmaker in itself (McQuail, 2010). Assuming the law, leadership and society provides supportive circumstances for the media, there is assurance of positive benefits to the nation, people and leaders.

The major struggle of the media ushered-in the passage of Freedom of Information Act into law. Hence, the idea behind the aforementioned laws are to protect vital government information, but the level of secrecy is so ridiculous that some classified government files contain ordinary information like newspaper cuttings which are already in the public domain. So impenetrable is the veil of secrecy that government departments withhold information from each other under the appearance of official secret legislation. There are also instances where civil servants refuse to give the National Assembly documentation after being asked to do so. Effect of this is that journalists are deprived of access to information that is critical for accurate reporting and unraveling the web of corruption in Nigeria. These issues encouraged Edetaen Ojo along with other relevant Non-Governmental Organizations to initiate the bill that has become Freedom of Information Act (Osakue, 2017).

It will amount to the highest form of naivety to undermine the role of mass media in the revelation of corruption taking place in the government ministry, department, agencies and institutions across the country. It thus exposed the jumbo pay of politicians. The media had captured and analyzed the declaration of the Governor of Central Bank over the quota and earnings of law makers in the National Assembly. So, democratic rule energizes the mass media to exercise their roles. The media has been playing active role in Nigeria democracy. They have through exposure of abuses, forced the resignation of a former Speaker of House of Representatives, Alhaji Salisu Buhari and former President of the Senate, Chief Evans Enwerem (Olukotun, 2000).

Mass media in Nigeria could be described as the most robust media in Africa continent. Today, with the advent of technological development under democratic rule, Nigeria now have media operating twenty-four hours like their counterpart in the developed countries. This is why Olukotun posits that Nigeria has the biggest and most virile press community in Africa followed by South Africa and Kenya (Olukotun, 2000). More so, print media like daily newspapers are available in Nigeria throughout the days of the week including Sunday contrary to what occurs in some other Africa countries. Democracy in Nigeria has inspired the establishment of more privately-owned media houses across the country unlike in the past. The democratic experience had energized broadcasting regulatory authorities like Nigeria Broadcasting Commission and the Nigeria Press Council.

The realization and acceptance of the media as the fourth estate of the realm will go a long way in helping nation building by abating corrupt practices and misconducts from the

other three estates of the realm. It will also better create a balancing element in the separation of power that is totally without control.

Conclusions

The Nigerian media, particularly the newspaper sector remain as highly political as ever. However, this political profile is not directly inherent in the professionalism of the journalists as such but on outcome of the country's political structure and ethnic configuration. The Nigerian media is more or less an instrument of power constituencies in the country in grim struggle for power and privileges. While the main arguments and principles of the liberal narrative on the mass media are still influential and continue to hold sway, there is no doubt they have become inadequate and short through with many holes. It is therefore obvious that the media is the fourth estate of the realm; howbeit it is still struggling with identified circumstances as expatiated in the various discourse that continue to exert suppression, control, manipulation and make it an extension or branch of other estates of the realm.

Based on the above revelation, it is recommended that the government, state and those in authority fully recognize and comply with the laws as stipulated in Section 22, Section 36(1) and Section 39(2) of the Nigerian 1999 Constitution which empowers the media the capacity as the fourth estate of the realm. In addition, the media should fully perform their responsibilities as the fourth estate of the realm as obligated, with professionalism, ethics and selflessness.

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