

## MAIN-STREAM BROADCAST REGULATION IN NIGERIA AND THE NEED TO REGULATE SOCIAL MEDIA CONTENTS FOR NATIONAL GROWTH AND DEVELOPMENT

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### ABSTRACT

*No society anywhere in the world can grow and develop in the state of anarchy, this underscores the place of regulation in the broadcast eco-system. The media have a sole responsibility in ensuring that the society is at peace if it must exist, while the society through the instrumentality of government regulates the activities of broadcast media for the good of all. The new media (social media) came with a lot of platforms for information dissemination around the globe such as the Facebook, WhatsApp, Instagram, YouTube, X, TikTok and lot more. One cardinal feature of these platforms is that information travels very fast in the speed of light within splits of seconds, other than the conventional media. The extent to which information dissemination on these platforms has affected the growth and development of the society is what this work seeks to unravel. The objectives of the study include to find out if social media can be regulated like the conventional media of radio and tv, ascertain if the National Broadcasting Commission can be assigned to regulate the social media, find out if contents on social media platforms are censored before publication, determine if contents on social media platforms promote growth and national development, etc. The gatekeeping theory was used in the work to emphasize the need to restrict certain contents that are capable of causing disharmony, hate, and instigating violence amongst members of the society. Having, looked at the operations of the conventional media over the years, and how they are regulated by the National Broadcasting Commission (NBC). The study concludes that an unregulated broadcast medium is a time bomb waiting to explode, hence the need to urgently regulate the social media platforms content is a criterion for national growth and development. The study recommends that a regulatory body be set up to oversee the flow of content from this stream of communication to the public. Also, the NBC can be assigned such functions, having seen how it has performed in regulating the traditional broadcast medium over the years in stemming the tide and promoting professionalism in broadcasting.*

**Keywords:** *Leverage, Media Regulations, National Growth and Development*

### INTRODUCTION

The media are critical component of the society, the society needs the media to survive likewise the media need a peaceful society if they must thrive and make the necessary impact. The media are powerful tool that can make or mar the growth and development of any society, hence their role in nation building cannot be taken for granted. It is also referred to as the fourth estate of the realm, this is because of its ability to make other arm of government accountable to the people by playing the role of the watchdog to ensure that checks and balance are enshrined in the day-to-day activities of government. Nwosu (1993) opines "it's a well-known fact that the mass media and the government have effect on each other; this is because each draws weakness, excesses, anomalies and even successes". This really means that the media do not function for itself alone, but alongside with other institutions for the benefit of the society.

Before 1992, all the means of communication and information dissemination in Nigeria was owned by the government, this has made all media firm to work and operate based on the dictates of the government thereby telling the people what they believe the people ought to know. Oyebola

(2003) states “nearly forty government owned electronic media in the country were virtually government megaphones; and some were barely surviving with serious dearth of infrastructure and even personnel” This was one amongst the numerous challenges government faced in handling the ownership of the media before the deregulation era. The issue of professional competition amongst broadcasters was not encouraged; this is because of how sensitive government saw information as at that time. Okenwa (2000. p. 53) stipulate “the year 1992 marked a critical turning point in the development of broadcast media, government no longer saw them as threat in private individual involvement in the business, neither did it think it was wise that it could still go on with shouldering the burden of running the media all by itself ” This was the period when the broadcast industry was deregulated by the then president Ibarahim Babagida, it could also be referred to as the new era broadcasting development in Nigeria. The deregulation of the broadcast industry made the government to set up a regulatory agency in Nigeria known as the National Broadcasting Commission (NBC) with the mandate to regulate, licensing and monitor broadcast contents in Nigeria to ensure objectivity, fairness and balance in the broadcast industry; also serve as an adviser to the government on mass communication policy of the federal government. Nwafor (2019, p. 232) states “the National Broadcasting Commission (NBC) was empowered to issue licenses for private radio and television broadcasting and regulate all kinds of broadcasting in the country in all its ramifications” Based on the above assertion by Nwafor, the commission began to regulate, license and also monitor compliance to the rules and regulation of broadcasting as encapsulated in the broadcasting code and other extent laws. NB Code (2019, pp. 196a - 197g) opines “the commission shall have the responsibility of advising the federal government generally on the implementation of the National Mass Communication policy with particular reference to broadcasting; upholding the principles of equity and fairness in broadcasting”. Over the years the commission has performed this mandate in ensuring balance, objectivity, and accuracy in the act of broadcasting by ensuring that professionalism is entrenched, stations are made to obey the rules and regulations guiding broadcasting in Nigeria. The Nigeria Broadcasting Code (NB code) serves as a compendium of rules that guides the activities of broadcasters in the country, the place of this document cannot be over emphasized in the broadcast space. The commission uses this document to regulate, broadcast station not minding if its private or government owned. Sequel to this one would say that the society has enjoyed relative peace and development from the regulation of the main – stream media by the NBC. However, man is prone to change, this is because communication evolves over time and one has to adapt to change.

Social media is a cardinal tool of information dissemination that came with a lot of features to make communication easy and efficient. Today, it is ascribed as the new media, because it encapsulates a lot of technology and features that is not found in the conventional media. The world seems blind to one that does not have it, information travels very fast on it irrespective of the content. A large chunk of the society, more especially the youth and the elite make use of this platform to communicate and receive information amongst other things. This channel of information is one source that has not been regulated by the government, shared messages from this unregulated platform has not really done the society any good as some people take advantage of its unregulated nature to spread false information that are malicious and detrimental to the growth and development of the society all in the name to achieve their personal agenda.

### **Statement of the Problem**

Over the years, man has sought for better ways to improve his communication skills, in a manner that would be easy for him and those around him. In Nigeria, we have witnessed different eras of media development that has transformed our system of communication to a more improved form. The advent of the social media platform as a means of information dissemination has improved the way messages and broadcast contents are received by members of the public. Timeliness, portability and proximity amongst others has made many to rely on the social media as a source of information in this digital age. The unregulated nature of this platform has made it vulnerable in

the hands of mischief makers, who see it as an avenue to propagate their selfish aggrandizement, hate speech, and misleading contents not minding the effect it might have on the society at large. This prompted the researchers to look at the "Main-Stream Broadcast Regulation in Nigeria and the Need to Regulate Social Media Contents for National growth and Development. An unregulated media platform in any society may be invitation to anarchy; hence the place of regulations becomes sacrosanct to growth and development in any society.

### **Aim and Objectives of the Study**

The aim of this study is to access the main-stream broadcast regulation in Nigeria and the need to regulate social media contents for national growth and development, while the cardinal objectives of this study include:

- I. to find out if social media can be regulated like the conventional media of radio and TV;
- II. to ascertain if the National Broadcasting Commission can be assigned to regulate the social media;
- III. to find out if contents on social media platforms are censored before publication;
- IV. to determine if contents on social media platforms promote growth and national development;
- V. to find out if content producers are trained on the basic norms of media journalism.

### **Conceptual Review**

#### **Imperative of Broadcast Regulations in Nigeria, Since Deregulation**

The broadcast industry in Nigeria witnessed a dramatic change in 1992 when the broadcast industry was deregulated. This enabled private individuals to own and operate the broadcast media. However, it's imperative to say that before the deregulation of the broadcast industry in 1992 by the then military government, the ownership pattern of broadcast media was on its own a system of regulations as all forms of information dissemination was owned by the government either at the center or at the regional level. Okenwa (2000, p. 51) opines "The ownership pattern was in it-self a check on the operations of the broadcast media; before 1992 it was government policy to restrict ownership to itself alone" One would say that the essence of government restriction to itself was due to the sensitivity of information at that time, however as time began to change government saw the need to deregulate the system to allow private individuals own the media and also take full responsibility of their actions. It is imperative to note that before 1992 the broadcast industry as at that time has an act or body of rules that guide its operations in the country despite being under the military government.

Udejah (2004, p. 309) stipulates "that through the amendment of the act of 1961, the federal government gained control of the broadcasting operations". The cardinal imperative of this act was for government to gain total control of the media due to its sensitivity. After the deregulation process, government through the National Broadcasting Commission has continued to regulate the activities of broadcasting in the country for the following reasons:

- Ensure accuracy, objectivity, and fairness
- Promote professionalism and healthy competition amongst broadcasters in the industry
- Protect the minors / vulnerable in the society
- Ensure proper utilization of spectrum
- Promote transparency amongst investors in the broadcast industry.
- Sanction broadcast stations that promote content that are harmful to the society, etc.

#### **Ensure Accuracy, Objectivity and Fairness**

The essence of setting up the National Broadcasting Commission (NBC) by the federal government after the deregulation process in 1992 was to ensure that broadcast contents are accurate, and objectively disseminated to the public. NB Code (2019, p.56) states thus, "the

broadcasters shall ensure that any information given in a programme in whatever form is accurate; ensure that all sides to any public interest are equitably presented for fairness and balance” This really means that there should not be any form of distortion, bias, to any issue that is of public interest.

### **Promote Professionalism and Healthy Competition amongst Broadcasters in the Industry**

Professionalism and healthy competition in any industry is a pointer that growth is encouraged at all cost. One of the cardinal goals of deregulating the broadcast industry was to ensure professionalism and promote healthy competition among one another. NB Code (2019, p. 85) says “the broadcaster shall present news and commentary on crisis or emergency, in accordance with the professional standards”. When professionalism is not entrenched in the day-to-day activities of broadcast industry, national growth and development will be a mere joke.

### **Protection of Minors / Vulnerable in the Society**

The cardinal objective of the regulatory agency is to protect the vulnerable and the minors within the society from harmful substance and contents that might be detrimental to growth of the society. This is because when minors are affected the society is affected; NB Code (2019, p.101), states “a broadcaster shall ensure that an advertisement targeted at children does not contain anything which may result in physical or psychological harm or may exploit their natural credibility”. This really means that not all contents see the light of the day in the broadcast industry, so as to protect our young ones from any harm.

### **Ensure Proper Utilization of Spectrum**

The spectrum is a frequency through which broadcast stations operate, it’s also a channel through which the information is disseminated. This instrument is a scarce resource that needs to be utilized so as to ensure that our broadcast airwaves are not interfered by other countries, and that broadcast station signal don’t interfere among one another. Ukwela (2017), states as “management and allocation of spectrum, ensures cooperative satellite orbit function, develop telecommunication facilities, advance telecommunication education”. So, the commission does the job of managing spectrum and ensuring that there is no form of interference in signal distribution both within and outside the country. NB Code (2019, pp.197.j, & 198, k.) opines “the commission has the responsibility in promoting authenticated radio and television messages and penetration, initiating and harmonizing government policies on trans-border direct transmission and reception in Nigeria”. This really means that it’s the responsibility of the commission to ensure that spectrum which is a scarce resource is properly managed so as to provide the desired impact.

### **Promote Transparency and Inclusion amongst Investors in the Broadcast Industry**

Being an unbiased umpire in the discharge of her functions and ensuring that all players in the broadcast industry are given a level playing ground, the National Broadcasting Commission gets all the key players and stakeholders to review the Nigeria Code from time to time so as to ensure balance and objectivity in the nations broadcast industry. Bolarinwa (2011, p.14), states that “for several months veteran broadcasters, from across the country, professional in the broadcast industries, academic scholars from tertiary institution that offer mass communication and other interested members of the public met and deliberated on the provision of the code especially as it regards aspect of digitization and democratization of the airwaves; the Code review is not done by NBC staff alone but its inclusive of all stakeholders in the broadcast industry”. The commission ensures that no one is hurt and that everyone in respect of status, race, religion and academic background are treated equally. NB Code (2019, p.197) stipulate “that the commission shall uphold the principle of equity and fairness in broadcasting” The place of the Nigeria broadcasting Code cannot be over-emphasized as it helps to shape broadcast content to reflect national values and growth.

### **Sanctions on Broadcast Stations that Promote Content that is Harmful.**

Laws are meant to guide our activities and help to keep the society at peace. Where rules and regulations are entrenched, abuse and anarchy become inevitable. So is the broadcast in Nigeria, when it is not guided by rule, regulations and other extent laws of the constitutions abuse becomes the key. The National Broadcasting Commission through its working instrument which is the Nigeria Broadcasting Code encapsulate the rules and regulations that guide the activities of broadcasters within the country, it also encapsulates warning, fines at different levels for broadcasters that fail to adhere to the rules and regulations guiding broadcasting in Nigeria. NB Code (2019, p.9), "the code represents the minimum standard for broadcasting in the Federal Republic of Nigeria; the code shall be applied in accordance with the professional ideals of broadcasting". The essence of these is to ensure that the freedom of speech is not abused at any time, so that the interest of the society won't be jeopardized. Udeze (2004), states "when freedom of information is seen as the prerogative right of a whore, abuse is inevitable". In as much as every member of the society is adjudged to be responsible, reasonable and rational, media regulators ought to be able to set standards, and rules that should guide the activities of broadcasters and broadcasting firms if the airwaves must be sanitized.

These and many more are some of the imperatives of main stream broadcast regulation since the system was deregulated to allow private individuals own the media and contribute their own expertise to the development of the broadcast industry in Nigeria. The National Broadcasting Commission has the mandate to provide Nigeria with quality broadcasting

### **The Effect of the Unregulated Nature of Social Media Platform in Nigeria**

When freedom is backed up by relevant laws abuse and anarchy will not see the light of the day. Some school of thought believe that the very best way to allow truth overcome evil is by allowing both to find their way into the free market place of ideas where they believe that truth will certainly triumph over evil. However, the cardinal question is, will the society remain as one entity when the truth eventually overcome evil? The answer is No. This is because, without the society, the media will not function; just as the media need the society, the society in turns needs the society. The social media platform in Nigeria is indeed a community where you find all manner of people who post, share, create and read various contents either good or bad. This has created a lot of panic amongst the vulnerable in the society. In as much as we appreciate the gains that come with the new media, we must not fail to tame the ugly narrative it comes with. Udeze (2004), opines "when freedom of information is seen as the prerogative right of a whore, abuse is inevitable". This is a clear pointer to the unregulated nature of the social media platforms in Nigeria; and why it needs to be regulated despite the fact that some believe that regulating the system would translate to caging the freedom of speech and not giving way for divergent views. Disu (2016), believes "you cannot have a free for all society; as spoken words are ten times worse than the written words". He further states that "regulation should not be translated as muffling free speech, as without regulation of the broadcast media, hate speech will abound; which is likely to cause serious problems in the society". This buttress the need to train content creators and producers who can disseminate contents and values that are in consonance with our growth and development as a Nation.

### **Curb Fake, Unverified and Illicit Content**

The free mode of the social media has turned many into armature reporters who come online to post and share certain contents that are not true. Iyorza (2019,p.1) opines "regulation of the media became great with the rise of the internet, the growth of the internet and social media platforms therefore ushered in a new wave of journalistic practice where practitioners are categorized into professional trained and untrained" This really shows that the space of the social media is not regulated as anyone is allowed to freelance and say his opinion

on certain matters without restriction; which has led to many fake news that has created lot of panic due to the unverified content and undesirable sexual contents that pops into people's timeline or page without their permission. Sanders (2013) states "the increased use of the of electronic communication devices and social media has transformed the challenges of regulations in the United States into everyday concern as employer, parents and communicators battled to limit the exchange and receipt of undesirable sexual photos, text messages and other contents characterized by indecent and obscene images" When total absolute freedom becomes the order of the day, abuse and neglect becomes the standard in the society. Hence, regulation is key for any society that wishes to grow and succeed.

### **Promotion of Inciteful Contents**

Most wars would have been averted if the social media was rid of some inciteful statement. Countries, religion across borders of different quarters have become enemies due to certain messages shared on the social media platform. The Arab Spring and Malian attacks, Boko Haram, Youth restiveness in the Southern parts of Nigeria, and ISIS has made the social media platform a channel through which they reach their members and also recruit new members. The activities of this group have indeed affected economic activities in various quarters, the platform has also created an illegal way through which the people confront the day-to-day activities of government. Ekoh and George (2021.p.1) opines "that the sharing of video of Anti-Robbery Squared (known as SARS) officials killing a man on social media platform such as instagram, and twitter has led to wide spread of protest across Nigeria" This is pointer to the fact that people just post things not minding the consequence it might attract to the larger society.

Having looked at the effect of the unregulated nature of the social media platform, it becomes imperative to regulate this platform like every other electronic media so that the interest of the society can be protected from every harmful effect.

### **Heralding the Need to Regulate Social Media Contents, As a Panacea to National Growth and Development**

Having looked at the various effects of an unregulated social media platform, it becomes imperative to find out, how to ameliorate the situation so as to serve the overall interest of the public. This is because when the process is not regulated abuse is inevitable and the society would suffer for that. Udeze (2004), states "when freedom of information is seen as the prerogative right of a whore, abuse is inevitable". Freedom is good, but when the actors fail to act on the tripod of responsibility, rationality, and being reasonable at all time, it really means that abuse will follow and this is the current state of the social media platforms in Nigeria. The need to herald the regulation of the new media is a clarion call that all stakeholders must have to get involved. This is because, it would do the society much good than the way it is today. To herald the need to regulate the social media, the following steps must be put in place.

#### **Raise Awareness.**

People get attracted to the social media platform due to some of its features as this include sharing of messages, picture, voice note and lots more. Some see the platform as an arm of the media where they can speak out their mind without restrictions from any law or government agencies; while some see it as a space through which they can carry out their commercial activities. The need to raise awareness on professional conduct is important. Negative tendencies travel very fast on this platform, the need to raise awareness on the effects of this act is so empirical. Some do this to make money from monetization of content, some do it with total ignorance. Until we raise the awareness that the society is supreme, chances are that we won't prosper as a nation. In all we do, we can only live and prosper in a society that is peaceful and progressive minded. This can

only be possible if we begin to raise awareness on the effect of the unregulated nature of the society.

### **Regulatory Agencies should be set up**

One of reasons that led to the establishment of the Hutchison commission is the constant abuse of the freedom of information at that time when the libertarians had the day, with a view that truth will override evil over time despite the challenge. However, the commission believes that the press should be free, but governments through her agents must act as an unbiased umpire in matters relating to information dissemination. Okenwa (2002, p.17) opines "that government should act as an unbiased umpire to oversee the effective and efficient running of the media, agreed that the individual is rational, responsible and reasonable, but there should be checks and balances to check abuses, etc. Therefore, for the social media to contribute its best to the society the need to regulate the process cannot be over emphasized.

### **Promote Professionalism and Healthy Competition**

When there are rules and regulations that guides the activities of a group of people; professionalism and healthy competition becomes the hallmark of the day. If the former is not entrenched, anarchy and abuse will flourish. The National Broadcasting Commission (NBC) through the Nigeria Broadcasting Code promote professionalism in the day to day activities of the main-stream broadcast industry, NB code (2019,p.24) state " the standard given hereunder stipulate the global best practices of broadcasting, the regulations and procedures for developing and upholding professionalism in Nigeria Broadcasting" such can be replicated in the social media platform so that the issue of unprofessionalism and armature practice of journalism will be a thing of the past.

### **Legislative Enactment Should be Made**

It becomes a law that can be implemented if it is having a legislative enactment and signed into practice by the president more especially in a democratic environment as ours. To regulate the social media, a bill must be sent to the National Assembly for enactment, so as to provide a legal framework to it regulations. This also creates some sense of responsibility on anyone or group of persons that wish to see the platform as an avenue for everyone to say his mind. The Code of practice becomes an instrument of check and balance due to legislative endorsement it would receive. Like the Nigeria Broadcasting Code is an instrument of practice over the years for broadcasters, yet it's built around legislative framework that ensures compliance. NB code (2019, p.196) states "there is hereby established a commission to be known as the National Broadcasting Commission (in this act referred to as the Commission) which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name". Therefore, any agency that would be saddled with the responsibility of regulating the social media must receive legislative backing so as to carry out such functions within the ambits of the laws.

### **Censorship Mechanism Should be Developed by the Medium**

This is where self-regulations come to play, when one is not sure of certain information there is no need to publish. This act has caused lots of harm to individuals, society and cooperate agencies. Therefore, an internal mechanism should be set up within various organizations so as to ensure that it conforms to the rules and regulations guiding broadcasting. This helps to tame the issue of libel, sedition and impersonation that may tarnish the image of that organization and plunge the society in a state of anarchy. NB code (2019, p. 57a/e) states "the broadcaster shall ensure that every programme is accurate and credible; all programmes comply with the laws relating to piracy, copyright, privacy, sedition and libel. This can only be avoided through constant internal censorship of contents before it sees the light of the day.

### **Society is Supreme**

The saying that no society no media is one that should be at the heart if everyone that makes use of the media as a means to disseminate information. If by the contents of the media the society slips into a state of war then the media and her actors will have no base to function. It becomes imperative if these actions benefit the society, or plunge it into war or disharmony, not writing or sharing such contents might be way for us to preserve the society. Udeze (2012, p.59) opines "in taking decision, we need to put the society first, profession second and self-last". If the society is peaceful, the society will grow, but when it's filled with personal interest anarchy and disharmony prevails.

### **Theoretical Framework.**

The gatekeeping theory according to Aneto, Onabanjo, Osifeso (2008, p.91) was developed by Kurt Lewin in 1947. The proponents of the theory believe that media organizations as well as key professionals act as gates to the flood of information coming in from the larger society; the gates can either be opened to let some kind of information through for processing and publication or shut - to deny other kind of information the opportunity for processing and publications.

Just as the gatekeeper prevents some people from gaining access into particular areas due to the instruction given to him by his host. In the same vein media practitioners and regulatory agencies must place the interest of the society first in all that they do. Udeze (2012, p.59) opines "in taking decision, we need to put the society first, profession second and self-last". This really means that anyone in the society irrespective of your status must be conscious of what he/ she posts or share online considering the fact that the society should be paramount in all her actions. In relation to this work, the theory helps us to know that not all contents or message should find its way into the society, more especially if it's the one that would plunge the society into anarchy.

### **CONCLUSION AND SUMMARY**

Based on the above discussion the researchers believe that only a healthy society can grow and develop. Therefore, the need to regulate the social media platform cannot be over emphasized especially in a digital age, where most of our youth and elites in the society has made the platform their source of information. It's imperative to state that an unregulated broadcast medium is a time bomb waiting to explode, hence the need to urgently regulate the social media platforms content is a criterion for national growth and development. The NBC and other relevant agencies should come up with a bill and a working document on which the social media ought to be regulated professionally to reflects international standard and not to be seen as trampling on the rights of Nigerians.

### **RECOMMENDATIONS**

Based on the conclusion and summary of the study the researchers believe that for growth and development to be attained, the following were recommended:

- Social media platforms can be regulated. Therefore, government needs to get the relevant stakeholders and agencies involved, so that the needful can be done.
- The responsibility of regulating the social media, should be assigned to the NBC, considering the fact social media deals with broadcast content.
- Internal mechanism/Censorship should be entrenched before any content is published, as most contents are not in line with our national values.
- Content creators should be encouraged to create content that promotes national growth and development.
- Adequate journalism training should be made available to all content creators and producers on the ethics of journalism practice.

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