

INVASION OF PRIVACY IN AN UNREGULATED MEDIA ECHO CHAMBER: HISTORY, TRENDS, INHIBITIONS, CHALLENGES, AND IMPLICATIONS FOR THE NIGERIAN SOCIETY

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Abstract

The emergence of digital platforms has fundamentally altered the landscape of media operations in Nigeria, giving rise to an unregulated echo chamber in which invasion of privacy thrives with little institutional restraint. This paper examines the invasion of privacy within the Nigerian media environment, tracing its historical foundations, documenting evolving trends, identifying structural inhibitions, and analysing the complex challenges facing legal and ethical enforcement. Drawing on existing literature, case analyses, and the Nigerian legal framework, the study argues that the absence of a comprehensive data protection culture, fragmented regulatory architecture, and the viral nature of social media content have created conditions under which individual privacy is routinely violated. The implications of this trend for Nigerian society - ranging from psychological harm to democratic erosion - are explored in depth. The paper concludes by recommending legislative reform, digital literacy campaigns, and strengthened institutional oversight as essential corrective measures.

Keywords: Invasion of privacy, Unregulated Media, History, Inhibition, Trends, Implications, Social media

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INTRODUCTION

Privacy, in both its philosophical and legal dimensions, represents one of the most fundamental human rights prerequisite for personal autonomy, dignity, and freedom. It is the sphere within which individuals exercise control over their personal information, relationships, and narratives. Yet, in contemporary Nigeria, this sphere has become increasingly porous. The proliferation of social media platforms, online news portals, and user-generated content channels has created what scholars now describe as an 'unregulated media echo chamber' a digital environment in which information, including deeply personal data, circulates, amplifies, and persists with little legal accountability or ethical scrutiny.

The Nigerian media landscape has experienced a seismic transformation over the past two decades. Where print and broadcast media once served as the primary gatekeepers of public information subject to editorial controls and legal liabilities — the digital revolution has effectively dismantled many of these safeguards.

Today, a single tweet, Facebook post, or WhatsApp broadcast can expose a private citizen's medical records, sexual life, financial details, or political beliefs to millions of strangers within minutes. Unlike traditional media, this new environment is characterised by anonymity, speed, and cross-border reach, all of which make enforcement of privacy rights extraordinarily difficult.

Nigeria's regulatory response to this challenge has been inconsistent and, in many respects, inadequate. While the Nigerian Data Protection Regulation (NDPR), 2019 and the subsequent Nigeria Data Protection Act (NDPA), 2023 represent significant legislative milestones, their practical implementation remains hampered by weak institutional capacity, low public awareness, and the sheer scale of digital activity. Beyond data protection law, the general body of Nigerian media law including defamation statutes, the Freedom of Information Act (2011), and constitutional provisions addresses privacy only tangentially, leaving significant gaps that media actors, both professional and amateur, routinely exploit.

RESEARCH QUESTIONS

This study is guided by the following research questions, which correspond to the analytical pillars of this paper:

- i. What is the historical trajectory of privacy rights and their interaction with media practice in Nigeria, from the colonial era to the present digital age?
- ii. What are the dominant trends characterising the invasion of privacy in Nigeria's contemporary media echo chamber, and what forms does such invasion take?
- iii. What structural, legal, and cultural inhibitions impede the effective protection of privacy rights in the Nigerian media environment?

LITERATURE REVIEW

Conceptual clarification:

Defining Privacy

Privacy, as Warren and Brandeis (1890) famously articulated in their seminal Harvard Law Review article, is 'the right to be let alone.' This minimalist but powerful formulation has since been elaborated extensively. In contemporary media and communication law, privacy encompasses at least four distinct dimensions: informational privacy (control over personal data), spatial privacy (freedom from surveillance in private spaces), decisional privacy (autonomy in personal choices), and communicational privacy (confidentiality of personal exchanges).

From a Nigerian constitutional standpoint, Section 37 of the 1999 Constitution (as amended) guarantees the privacy of citizens, their homes, correspondence, telephone conversations, and telegraphic communications. However, this provision has historically been interpreted narrowly by Nigerian courts, and its application to digital communications and social media content remains largely untested.

Media Echo Chamber

The concept of an echo chamber, originally drawn from political communication theory, refers to a closed informational environment in which messages are amplified and reinforced among like-minded participants, producing distorted representations of reality (Sunstein, 2017). In the context of media regulation, an 'unregulated echo chamber' denotes a media ecosystem in which content - including privacy-violating content - circulates freely, without the corrective friction of editorial oversight, legal accountability, or institutional intervention. In Nigeria, the convergence of social media, digital tabloids, and

informal messaging platforms has produced precisely this kind environment.

Historical overview of Privacy and Media in Nigeria:

Colonial and Post-Independence Era

The history of media and privacy in Nigeria cannot be properly understood without situating it within the colonial context. British colonial administration established the first formal media regulatory frameworks in Nigeria, primarily as instruments of censorship rather than as protections for individual rights. The Newspaper Ordinance of 1903 and subsequent press laws were designed to suppress anti-colonial sentiment, not to guard citizens' privacy. This foundational orientation - media law as a tool of power rather than a shield of rights left a lasting imprint on post-independence regulatory culture.

After independence in 1960, the Nigerian media landscape was dominated by government-owned broadcast stations and a small but vibrant private press. During this period, privacy violations by the media were largely confined to exposé journalism targeting political figures and celebrities. The absence of a specific privacy statute meant that aggrieved individuals relied on the law of defamation, breach of confidence, and, in some instances, trespass, to seek redress. These common law remedies, inherited from the British legal tradition, were cumbersome, expensive, and inaccessible to ordinary Nigerians.

Military Rule and Media Suppression

The successive military regimes that governed Nigeria between 1966 and 1999 imposed severe restrictions on press freedom while simultaneously using state media as instruments of propaganda and harassment. Decree No. 4 of 1984, promulgated under the Buhari military government, made it a criminal offence to publish any information that could embarrass the government, regardless of its truth. While this decree was ostensibly about national security, its chilling effect on investigative journalism paradoxically meant that certain privacy-violating stories were suppressed - but only when they implicated the powerful. Ordinary citizens enjoyed no such protection; state surveillance, arbitrary arrest, and public exposure of perceived dissidents were commonplace.

The period also saw the emergence of a robust underground press - including newspapers like *The NEWS*, *PM News*, and *Tempo* - that operated outside legal frameworks and often published without regard for privacy considerations. This tradition of press bravado, while commendable in its democratic resistance, also normalised a culture of publication without accountability that would

later intensify in the digital era.

Trends in Privacy Invasion within Nigerian Media Spaces

Non-Consensual Sharing of Intimate Images

One of the most alarming trends in contemporary Nigerian digital media is the non-consensual sharing of intimate images - colloquially referred to as 'revenge porn.' This practice, in which private sexual images or videos are shared online without the consent of the individuals depicted, typically targets women and girls, often as acts of intimate partner violence or cyber-bullying. The viral spread of such content across WhatsApp groups, Telegram channels, and other platforms like Nairaland has destroyed reputations, triggered severe psychological trauma, and in documented cases, led to suicide attempts. The Legal Aid Council of Nigeria and various civil society organisations have reported a sharp increase in such cases since 2015, yet prosecution remains rare due to evidential and jurisdictional difficulties (Akintoye, 2021).

Doxxing and Online Harassment

Doxxing - the deliberate publication of an individual's private information (home address, phone number, workplace, or family details) with the intent to facilitate harassment — has become a disturbing feature of Nigerian social media discourse. Political activists, journalists, and critics of powerful individuals are particularly vulnerable. During the #EndSARS protests of October 2020, several protest organisers had their personal details published online by pro-government actors, leading to targeted threats and, in some cases, physical attacks. This weaponisation of private information represents a direct instrumentalisation of the media echo chamber for the suppression of civic participation.

Irresponsible Journalism and Media Sensationalism

Beyond user-generated content, mainstream Nigerian media outlets have also been implicated in privacy violations. The practice of publishing identifiable details of rape victims, naming suspected criminals before trial, broadcasting images of corpses or accident victims, and revealing the HIV status or psychiatric history of public figures without consent are all well-documented in the Nigerian press. These practices violate established ethical codes, including the Nigerian Press Council's Code of Ethics and the Broadcasting Code of the National Broadcasting Commission (NBC), yet enforcement of these codes remains sporadic and largely ineffective.

Data Harvesting by Digital Platforms and Corporate Actors

The growth of e-commerce, fintech, and digital services in Nigeria has brought with it a new dimension of privacy invasion the systematic collection, processing, and often unauthorised sale of personal data by corporations. Nigerian fintech applications, social media platforms, and even government agencies have been found to collect far more personal data than is necessary for their stated purposes, often without meaningful informed consent from users. The NDPC (Nigeria Data Protection Commission), established under the NDPA 2023, has begun to address these violations, but the scale of non-compliance remains vast.

Government Surveillance and Digital Authoritarianism

A less visible but equally significant trend is the use of digital surveillance technologies by Nigerian government agencies to monitor citizens' online activities. Reports by civil society organisations, including Paradigm Initiative and the Collaboration on International ICT Policy for East and Southern Africa (CIPESA), have documented the deployment of social media monitoring tools and internet shutdowns, particularly in conflict-affected regions such as the Southeast. The Twitter ban of 2021 - which lasted seven months - was a stark illustration of the Nigerian government's willingness to curtail digital expression, and by extension, to subordinate individual privacy to state interests.

Inhibitions to Privacy Protection in Nigeria Legal and Institutional Inhibitions

The most significant inhibition to privacy protection in Nigeria is the fragmented and incomplete nature of the legal framework. While the Nigeria Data Protection Act, 2023 (NDPA 2023) is a positive development, its effectiveness is constrained by inadequate funding for the Nigeria Data Protection Commission (NDPC), limited technical capacity among law enforcement agencies, amongst others. The Cybercrimes (Prohibition, Prevention, Etc.) Act, 2015, which criminalises certain forms of online privacy violation, has been criticised for its overly broad provisions that can be weaponised against journalists and civil society rather than genuine privacy violators. Particularly, sections 5, 10, 24, and 38 of the Act, which scholars agreed were responsible for the surge in attacks by government officials on press freedom; and warns that the Cybercrime Act is being misused to muzzle free speech, targeting critics and journalists.

Cultural Inhibitions

Cultural attitudes towards privacy in Nigeria are complex and, in some respects, inhibit the development of a strong privacy protection culture. In many Nigerian communities, the notion of radical individual privacy conflicts with communal values that place collective interests above personal ones. This cultural orientation, while not inherently problematic, has been misused to justify gossip, community shaming, and the public exposure of individuals who deviate from social norms - whether in terms of sexual orientation, religious practice, or political affiliation. The stigma associated with being identified as a victim of privacy invasion - particularly in cases involving sexual content - also prevents many victims from seeking legal redress.

Economic Inhibitions

Privacy litigation in Nigeria is prohibitively expensive for the majority of citizens. Court fees, legal representation costs, and the time demands of the judicial process place formal legal redress beyond the reach of most privacy violation victims. Legal aid services are underfunded and insufficiently focused on digital rights. This economic barrier means that, in practice, only wealthy or well-connected individuals can effectively use the law to protect their privacy, leaving ordinary.

Technological Inhibitions

The technical architecture of social media platforms poses particular challenges for privacy enforcement. The end-to-end encryption of messaging applications like WhatsApp, while beneficial for user privacy, also shields privacy violators from detection. The use of virtual private networks (VPNs) and anonymous accounts makes it difficult to identify perpetrators of doxxing, non-consensual image sharing, and harassment.

Challenges of Regulating Privacy in the Digital Age

The Speed and Virality of Information

One of the most formidable challenges in regulating digital privacy in Nigeria is the sheer speed at which information travels. By the time a regulatory or legal intervention is initiated, privacy-violating content may have been shared millions of times, downloaded, screenshotted, and redistributed across multiple platforms. The proverbial 'genie is out of the bottle' problem is acutely felt in Nigerian digital spaces, where platform algorithms actively promote sensational or emotionally charged content - including privacy-violating material

Jurisdictional Complexity

The cross-border nature of internet communications creates profound jurisdictional challenges for Nigerian regulators. When a Nigerian citizen's privacy is violated by an account operating from a server in the United States or Europe, Nigerian courts and regulatory agencies have limited effective reach. Mutual legal assistance treaties (MLATs) and international cooperation frameworks exist in principle, but their practical utility in everyday privacy cases is negligible.

Low Digital Literacy and Privacy Awareness

A substantial proportion of Nigerian internet users lack the digital literacy necessary to understand the privacy implications of their online behaviours - including the permissions they grant to applications, the personal information they share publicly, and the legal remedies available to them when their privacy is violated. This literacy gap is not merely a matter of individual vulnerability; it also means that there is insufficient public pressure on platforms, media organisations, and government to improve privacy standards. Digital literacy education, currently absent from most Nigerian school curricula, is an essential prerequisite for a functioning privacy protection culture.

Inadequate Institutional Capacity

The NDPC (Nigeria Data Protection Commission), despite its mandate and recent establishment, currently operates with limited staff, budget, and technical infrastructure. Processing privacy complaints, conducting audits of data controllers, and enforcing penalties requires a level of institutional capacity that the Commission is still developing. Similarly, the Nigerian Police Force's cybercrime units, while operationally active, often lack the specialised forensic expertise required to investigate complex digital privacy violations. These capacity gaps mean that even where the law is clear and violations are evident, enforcement outcomes remain uncertain.

The 'Public Interest' Defence and Press Freedom Tensions

A recurring challenge in Nigerian media law is the tension between privacy rights and the press freedom values that underpin investigative journalism. The 'public interest' defence - which permits the publication of otherwise private information when it serves a legitimate democratic purpose - is frequently invoked, and sometimes abused, by Nigerian media actors. The absence of a clear, judicially interpreted test for 'public interest' in Nigerian privacy law means that this defence is applied inconsistently, creating uncertainty for

both journalists and privacy claimants.

Discussion of Findings

The foregoing analysis yields a number of significant findings that warrant detailed discussion. These findings are grounded in the scholarly literature, legal analysis, and documented case evidence presented in preceding sections.

The Structural Roots of Privacy Vulnerability

A central finding of this study is that the invasion of privacy in Nigeria's media echo chamber is not primarily a product of individual moral failure, but of structural conditions that incentivise and enable privacy violations while failing to deter or punish them.

The historical analysis reveals that Nigeria's current regulatory inadequacies are not accidental; they reflect the path dependency of a legal tradition shaped by colonial instrumentalism and military authoritarianism, neither of which prioritised individual rights. The post-1999 democratic dispensation has produced significant legal reforms, but institutional culture and judicial interpretive practices have not kept pace with legislative change. This gap between law on the books and law in action is a persistent feature of Nigerian jurisprudence, particularly in the area of digital rights (Nwosu, 2020).

The Gendered Dimension of Privacy Invasion

The trends documented above make clear that privacy invasion in Nigerian digital media is a deeply gendered phenomenon. Women and girls bear a disproportionate burden of non-consensual image sharing, online sexual harassment, and the social stigma that attaches to being publicly exposed. This finding aligns with global research on technology-facilitated gender-based violence (Henry and Powell, 2018) and has specific implications for Nigerian policy. Gender-sensitive privacy laws, victim support services, and targeted public education campaigns are needed to address this dimension of the problem.

The Complicity of the Echo Chamber Architecture

A critical finding that emerges from the trends analysis is that social media platforms themselves are not neutral conduits but active participants in the amplification of privacy-violating content. The algorithmic logic of platforms like Facebook, TikTok, and YouTube rewards engagement above all else, and privacy-violating content - by virtue of its sensational and emotionally provocative nature - generates high engagement. This means that the platforms' commercial incentives are structurally misaligned

with privacy protection values. This observation supports the argument advanced by Zuboff (2019) in her concept of 'surveillance capitalism,' which describes a system in which personal data, including data extracted through privacy violations, is the primary commodity of the digital economy.

Inhibitions as Intersecting Barriers

The inhibitions discussed above do not operate in isolation; they intersect and compound one another in ways that create a formidable barrier to effective privacy protection. The economic barrier to litigation is exacerbated by low digital literacy, which prevents victims from even identifying their legal options. Cultural inhibitions that stigmatise victims interact with institutional inadequacies to produce a culture of silence. Legal fragmentation compounds jurisdictional confusion. Understanding these inhibitions as an interconnected system, rather than discrete problems to be addressed sequentially, is essential for developing effective interventions.

Implications of the #EndSARS Experience

The #EndSARS protests of 2020 deserve particular attention as a case study in the dual nature of the media echo chamber. On one hand, social media served as a crucial organisational tool for a nationwide protest movement, demonstrating the democratic potential of unregulated digital spaces. In agreement, Chukwu (2022) asserts that social media platforms such as WhatsApp, Twitter, blogs and Vlogs sites, Facebook, and Twitter (Now X) were instrumental, and played significant role in mobilizing, organizing, directing and administering the #EndSars Protest. It also helped in stimulating and facilitating public discuss pertaining to police brutality and other sundry issues germane to the protesters. On the other hand, the same platforms were weaponised by state and non-state actors to doxx protest leaders, spread disinformation, and facilitate targeted harassment - a textbook illustration of the privacy risks inherent in the echo chamber. This is despite the beautiful attributions by Chukwu and Ahmed (2025) that social media have revolutionised communication, connecting people across the globe and reshaping how we share information and interact.

Implications for Nigerian Society Psychological and Individual Implications

The most immediate and visible implication of rampant privacy invasion in Nigerian media is psychological harm to individuals. Victims of doxxing, non-consensual image sharing, and public exposure report profound experiences of shame, anxiety, depression, and post-traumatic stress. For

young people - who constitute the majority of Nigerian social media users - the psychological impact of online privacy violations can be lasting and severe, interfering with educational performance, social relationships, and mental health.

Democratic and Political Implications

Privacy invasion in the media echo chamber carries serious implications for democratic governance in Nigeria. When journalists, activists, and ordinary citizens are deterred from public participation by the fear of having their private lives exposed or weaponised, the quality of democratic discourse deteriorates. The chilling effect of online harassment and doxxing on free expression has been documented across multiple Nigerian contexts. A society in which citizens self-censor for fear of privacy violations cannot produce the vibrant, informed, and engaged citizenry that democratic governance requires. Privacy protection is, therefore, not merely a personal right but a democratic necessity.

Economic Implications

The privacy landscape has direct economic consequences for Nigeria's digital economy aspirations. As e-commerce, fintech, and digital services sectors grow, consumer trust in digital platforms is a prerequisite for sustained growth. Privacy violations whether by corporate data harvesters or malicious individual actors erode this trust, potentially driving consumers away from digital services and slowing the development of Nigeria's digital economy.

Social and Cultural Implications

At a broader social level, the normalisation of privacy invasion in Nigerian media culture carries corrosive implications for social trust and community cohesion. When personal misfortunes, medical conditions, sexual behaviours, or financial difficulties become fodder for public entertainment, the boundaries of empathy and social solidarity are eroded. The echo chamber's tendency to amplify outrage and reward the exposure of others' vulnerabilities creates a social environment that is antithetical to the values of dignity and mutual respect that are central to both Nigerian traditional ethics and universal human rights norms.

Conclusion and Recommendations

This paper has examined the invasion of privacy in Nigeria's unregulated media echo chamber across five analytical dimensions: history, trends, inhibitions, challenges, and societal implications. The analysis reveals a crisis that is structural in origin, multidimensional in

impact, and complex in its regulatory solutions. Nigeria possesses the constitutional and legislative foundations for meaningful privacy protection, but the gap between legal text and lived reality remains wide.

Based on the foregoing analysis, I make the following recommendations. First, the Nigeria Data Protection Commission must be adequately resourced - financially, technically, and institutionally - to fulfill its mandate under the Nigeria Data Protection Act (NDPA 2023). This includes recruiting digital forensics specialists, establishing a swift complaint resolution mechanism, and conducting regular audits of major data controllers operating in Nigeria. Second, the National Assembly should enact a comprehensive Privacy and Media Ethics Act that harmonises the fragmented legal framework, clarifies the public interest defence, and establishes specific civil and criminal remedies for digital privacy violations.

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