

Go and sin no more - court orders media houses

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Criminal Court 'A' Judge James W. Zotaa, has strongly warned proprietors of three local media houses recently shutdown by government for allegedly broadcasting hate messages and misinformation not to repeat such act.

Judge Zotaa gave the warning Tuesday [15 November 2011] at the Temple of Justice in Monrovia when he ordered the reopening of Power FM/TV, Love FM/TV and King's FM and Clar Television, respectively following a weeklong closure.

The judge instructed the Ministry of Information, Culture and Tourism to revoke permits and licenses of the three media houses in case of a repeat of such act.

During the 7 November 2011 deadly clashes between opposition rioters of the Congress for Democratic Change (CDC) and officers of the Liberia National Police (LNP), including personnel of the United Nations Security Force, the stations allegedly broadcasted incendiary messages that could inflame the situation.

Judge Zotaa ruled against the respondents, following a series of conference hearings with them and state prosecutors at the Temple of Justice in open court, but reserved punishment for the sake of free press and information.

The judge said he was convinced having thoroughly viewed the state's evidence, and concluded that the respondents did use their media outlets/stations to disrupt public security, safety, general welfare among others.

According to him, while listening to the clips and other recordings on the CD's presented by the prosecutors, he clearly heard messages calling for the general disarmament of the national security forces and the UN forces. He said the clips contained that Liberia should be made ungovernable, among others.

The use of the media in such way, the judge ruled, amounted to spreading hate messages of violence, noting that the call to disrupt public security, welfare, moral, orderly governance and the peace and security of the state is not contemplated by the constitution as freedom of speech and free press.

Judge Zotaa therefore ruled that the conduct of the media houses is criminal under the Liberian Penal Code of 1972, which is an indictable offense. He told the respondents on Tuesday that Chapter 3 of the 1986 Constitution provides the fundamental rights of every citizen and resident.

Those rights, he said, must be enjoyed without hindrance, noted that the constitution states also that the enjoyment of the fundamental rights, public safety, moral, security and orderly government should never be disrupted.

"The court says that the action of the respondents warranted the closure of their media institutions as was done by this court to preserve the peace and security of the state....," the judge said.

He furthered that the under the laws of Liberia, the respondents' action was punishable, but the court did not proceed to impose the appropriate penalty based on its commitment to free press. Judge Zotaa then ordered the court clerk to prepare necessary documents, validating the reopening of the media institutions.

Source: allAfrica.com

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