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Media and Justice in Cameroon or the Dynamics of a Dual Interaction

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Abstract

Information on justice in Cameroon examines the balance of power between justice and the media in an environment characterised by an interaction highlighting tension between the objectives of the field of journalism confronted with constrains and the rigours of a judicial environment that preserves its tenets. Referring to the TOURAINE approach which associates the sociology of action with the theory of conflicts, prompts strategies of actors vacillating between conflict and collaboration, in a dynamics with well-defined requirements: if legal matters easily become media events, the contrary, namely the influence of justice by the press is hardly recognised by the judge, confronted with the norms governing his socio-professional group. Influence, if necessary, emerges from two narrow channels: speedy proceedings and exemplary sentence.

Keywords

Legal Matters, Right to Information, Investigation, Public Opinion, Presumption of Innocence, Fair Trial

1. Introduction

The media are realities which, by meandering through human existence and espousing its complexity, succeed to direct, structure, and even determine, to a certain extent, social behaviours. No aspect of human life is devoid of the influence of these "soothsayers and prophets" of present day (Rieffel, 2005). In the relation of the continuum of facts which develop in our daily life, they seek and nourish sensations, while also stoking passions. To be retained, current events must, in addition to being worthy of interest, be stimulating and extraordinary: an event which becomes part of everyday life is of no interest to the journalist (Agnes, 2008). On the other hand, because the judicial institution is at the heart of affairs that trigger emotions and passions, the media find therein an ideal

source of inspiration[1]. As Guillaume Mouralis (2002) rightfully points out, "*a trial is an event that produces the event*". Legal matters are thus part of an array of facts that polarize the attention of the media, due to the impact they create in society. This sometimes encourages journalists to "romanticise" facts in their reports to give them a more psychological and socio-political impact (Charon, 2007).

Press and justice are sociological tools that converge on two basic points. On the one hand, they are autonomous counter-powers vis-à-vis the State (Ksikes, 2012) and, on the other, they are the only powers which grasp directly and immediately the true state of society. Thus, they are both compelled to give pride of place to truth and freedom in their respective approaches (Ksikes, 2012). Media and justice are therefore axiological partners with similar attributes, with no formal boundaries between them (Nguegan & Essono, 2015). However, in this interaction each group is governed by specific rules and standards (Oberle, 2004). The respective "laws" of justice and the press put them at odds: if the publicity on judgements or pending cases is the fertile ground for journalists, early or even inaccurate reports or revelations on an on-going investigation are likely, either to expose the accused persons to an unfair judgement of the society or to make the quest of the truth by the judge more complex.

Granted, media-justice relationship has produced a prolific scientific literature[2]. But in the specific context of Cameroon, this field of research is still almost unexplored, especially with regard to a possible mutual influence (Nguegan & Essono, 2015). Even in the French speaking field of research, the interest on topics relating to the influence of media on judicial decisions, with the objective to assess the influence the information provided by the press may have during the trial on the members of jury dates back to some twenty years (Coppola, 2007). Researchers in the field of experimental social psychology have in effect embarked on throwing light on legal professionals about the fragile and fallible nature of their institution (Bertone, 2007). However, this topic has been of concern over more than fifty years for the Anglo-saxons, particularly Americans to the extent that on the one hand, the Supreme Court has cancelled many legal decisions, arguing that the pre-trial media campaign has jeopardised the possibility of fair trials and, on the other hand, that the American Bar Association has established the categories of information whose publication before or during trial is deemed extremely detrimental to the accused person[3]. Experimental-based studies of "pretrial publicity" on judicial decisions have notably shown that pre-trial publicity contribute to the making of *prior judgement*, making almost unrealistic the right of the accused to a fair and equitable trial, which best de-

[1]Especially as the journalist is always looking for what will "surprise the reader" (Agnes, 2008).

[2]Especially since the 1960s in North American countries and the 1990s in Europe. On this topic refer to the study by Vincent Coppola (2007).

[3]The criminal record of the defendant; the character or the reputation of the defendant, the existence of confession or any statement by the defendant (or the refusal to provide one; the performance in various examinations or tests (or the refusal to take them); the possibility of negotiation with the State Prosecutor to mitigate the seriousness of charges (to plead guilty); any opinion on the guilt or the innocence of the defendant or the acceptability of testimonies.

termines the pre-trial verdict (Coppola, 2007).

Taking a different stand, Coppola shifts the paradigm by focussing, not on the information reported in the press, but rather on processes by which some representations of the accused persons are exposed; he purports that they are not alien to the idea of the reader, likely juror, could have on the guilt of the accused person. Since the jury system is not admitted in the Cameroon judicial system, American studies and even all those referring to this category of stakeholders of the judicial system, could not justify a valid conclusion on the influence of media on justice in Cameroon. It is precisely on this distinction that our study is relevant. Consequently, judges in Cameroon, made sacred by the dogma of absolute neutrality and the denial of any outside interference in proceedings—but as human beings sensitive as members of jury and working in permanent interaction with other stakeholders in the society—could they not be open to the influence of media, given that they are supposed to rely on the law and their conscience to rule on matters[4]? Even as this intimate conviction is also a construct based on a variety of factors, just as the information published by the press (Truche, 1995).

This questioning is based on the observation of highly-publicised judicial cases in Cameroon (Eba'a, 2010). Judicial procedures, from the level of the judicial police to the court decision, since the 1990s, have become topical media issues in a particular socio-political context on a background of superposition of the political and judicial authorities: the return and consolidation of democracy, where accountability is more and more prominent in politics or in the interest of citizens who require that the behaviours of their leaders are beyond reproach. In this regard, the pronouncement of the President of the Republic is weighty in particular and symbolizes the setting in motion of the so-called "clean hands" campaign, when he declared, on July 21, 2006, during the Congress of his party that: "*white colar thieves must be held accountable*". A determination reiterated in his address to the nation on 31 December 2009.

It is from this moment that the political and judicial operation to sanitize public management embarked on a few years earlier takes a particular twist with the highly publicised arrests of many personalities[5]. In fact, judicial cases are becoming more and more recurrent, as judicial decisions fall in line with the political and media agenda, as if justice has been taken over by the media. This is why we have chosen to examine the relationship between the media and justice, which is responsible for settling legal disputes. We shall thus lay special emphasis on the areas that are sources of conflictuality between the two professions. This conflictual situation diametrically opposes the work of the journalist to that of the judge where their respective concerns and objectives diverge.

Our study is in line with what Jacques CAMMAILLE calls conflict of power between two institutions[6], emphasizing the impacts of these legal matters on the

[4]Section 1 of the Penal Code.

[5]This is the case of personalities as Emmanuel Gérard Ondo Ndong, Urbain Olanguena Awono or even Gilles Roger Belinga.

[6]Quoted by Galembert & Thomas (2007).

public media environment, as they structure it in the flow of facts reported in the press. It also allows to review the modalities by which this media coverage influences instead of modify, the course of justice and the judicial agenda. In other words, the issue of knowing, on the one hand, what are the connotations of this recursive relationship in the Cameroonian context and, on the other hand, what does this lead to in the relations between the judge and the journalist as social actors engaged in a dynamic asymmetric power[7]? Indeed, we assume that the press is capable of influencing the judicial agenda in Cameroon, through two specific indicators: speedy proceedings and exemplary sentences.

Theoretically, the study draws inspiration from the contribution of TOURAINE, which is part of a sociology of the actor (actionalism) and a sociology of conflict (Montousse & Renouard, 2002), which considers society as a result of conflicts opposing collective actors, each participant (in the interaction) struggling to maximize his advantages. This approach considers individuals as actors contributing to social change, facing obstacles, aiming at objectives, more or less conscious of their responsibilities and their social position. In this perspective, sociology has as object the study of movement ("historicity") by which societies do not stop their construction, to self-transform by actions, conflicts, negotiations and compromises (Akoun & Ansart, 1999).

I posit that an asymmetric relation can be modified from the on-set, the one who is dominated or the least equipped actor in symbolic power (the journalist) striving to, consciously or unconsciously, subvert the dominance of the better-endowed in symbolic resources (the judge). In this confrontation, the journalist seems to be weakened: his identity is not clear and his profession is bereft of social prestige and specific boundaries (Ruellan, 2007). In front of him, the judge has a strong identity and access to the corporation is very well organised by legislative and regulatory instruments. His prestige is well asserted in society. Moreover, he belongs to a corps that acts as repressive tool of the State, who has the monopoly of legitimate violence: by law it has the power to condemn the journalist, including by compelling him to break a professional taboo: revealing his sources[8].

But the latter is able, by mobilizing public opinion, either to give to the judge a celebrity that flatters the narcissism each individual has, or to ruin his career as that of any individual in the social context. The fact that judges depend on the media to make their decisions known, seek their consent, play the game of "peopleisation" and of celebrity, or even fear journalist criticisms, is sign that positions are not established once for all when the rational stakeholders seek to take advantage of resources at their disposal to perpetuate or modify the balance of power in their favour[9]. The conflict underlying this interaction thus opposes, on

[7]The concept of power is understood here to mean "power over", that is, the capacity, within asymmetric social relationships, to have an influence on or to influence individuals. See François CHAZEL (1999).

[8]Section 50 of the Law No 90/052 of 29 December 1990 on the freedom of social communication.

[9]In reference to the sociology of habitus by BOURDIEU. See Montousse & Renouard (2002).

the one hand, the coercive force of the law applied by the judge and, on the other, the approving/reproving force of the opinion mobilized by the journalist. The intervention of this third stakeholder would help to offset the asymmetry of the relationship in favour of the journalist.

At the methodological level, we have given privilege to the qualitative method by using, as a matter of priority for content analysis, scientific literature, texts of laws and decrees and interviews with Cameroonian law and press professionals[10].

For a coherent analysis, it will be necessary to review the historical trend of the media coverage of judicial affairs (I), before examining diverging points between the press and the judiciary (II), to finally study the complex collaborative links which regulate their relations and outline the logics that structures this reciprocal influence (III).

2. Historical Relationships

The registration of court judgements in the media agenda is characterised by a two-phase movement. At the beginning, journalism that was not yet a profession, with confines not defined-was invaded by actors from all the other fields of social activity (Ruellan, 2007) wanted, whether consciously or not to make its ministry legitimate by coming out like the spoke-person of public opinion and transforming the latter into a forum for the administration of justice (1). Thus and though criticized on its foundations, it has given the impression of redoing in its own way and in conformity with its understanding the trials of which the decisions of the judge were nevertheless endowed with the force of res judicata (2).

2.1. From Clear Information to the Transformation of Public Opinion into Courtrooms

It is the duty of pressmen to inform the public of what has taken place, by virtue of its importance or the axiological and political weight the news carries. In Pharaonic Egypt, the steles, the first information media, served as a means to communicate court decisions still held by the Pharaoh (Hamilton, 2006) who, like the kings of England until the feudal period, was "*The fountain of justice*". In the Roman Empire, there were ways to make justice decisions known to the citizens. The authorities have always been concerned with "media reporting", in one way or another, on the decisions taken by persons empowered to judge, in particular for their dissuasive or preventive powers and, *in fine*, their usefulness for the organization of society. Later on, Medieval Italy put in place, despite the prevailing illiteracy, the *avviso* (notice) manuscript system, pasted on walls or

[10]100 journalists were interviewed in 2013 (the partial processing of the data resulting from this collection led to the publication of, on the one hand, an article in 2016, on the three periods of Cameroonian journalism (see below, p. 11) and, on the other hand, a study to be published, on the logics of action of Cameroonian journalists from the perspective of the gap between the practice of their profession and the representation of this practice). 20 magistrates and 12 lawyers interviewed in March 2016 completed this survey population for the purpose of this study.

distributed hand to hand and reflecting justice decisions as well as the opinion of the inhabitants of the city on political issues[11].

This thus explains why, from the birth of the press in early XVII[th] century, some journalists, taking advantage of the impact of justice decisions on society, particularly due to the fact that they at times concerned noblemen and other high profile personalities, rapidly specialised in legal reporting. Their role entailed not only reporting hearing proceedings, popularising a language hermetic to the average citizen, disseminating the little known procedures to the general public, but also giving extraordinary repercussions to cases by playing on the psychological effect of verdict passed[12]. From the period of the French revolution, the press publishing of judicial affairs led to the criticism of despotism and arbitrariness (Wahnich, 2010). A good part of trials indeed took place outside the courts, turning public opinion into an arbitrator of major judicial affairs (Mazeau, 2010). Keith Baker (1993) points out that public opinion, as a concept morphed into a "supreme court" before which the monarchy was compelled to appear. An interference of the public into justice, which will, to a certain extent, favour the birth and development of a form of press, specialized in judicial affairs, such as La Gazette des Tribunaux in 1777.

The history of the 1789 Revolution sufficiently explains the influence of public opinion in the course of judicial affairs by the media. In effect, journalists put pressure on the judge when supposed collusions between the judiciary and certain personalities could lead to their acquittal. The trial of Marquis de Favras, accused of having tried to help the king escape was thus largely influenced by the besieging of Chatelet by nearly ten thousand demonstrators who were threatening to kill the judge and Favras himself (Baker, 1993). It was also the case with the trial of the Baron de Bezenval, accused of conspiracy and State treason, during which the growing influence of public opinion in the course of justice was highlighted by a lawyer at that time:

"*The sitting of Chatelet for the trial of Baron de Bezenval, in which I have just taken part, will be a lasting memorable period in the annals of justice and in those of the revolution itself. This is the first time that the lawyer of a citizen is addressing both the magistrates and the people, appealing to the citizens and judges in turn, and seeking, at the same time, to bring together the opinion of some and the approval of others, because he wanted the judgement by the magistrates to become that of the people…*" (*Journal de Paris*, 1790).

As hearings became public in 1792, journalists who spent several hours gathering facts and data in courts eventually considered their profession as a kind of magistracy (MAZEAU, 2010). Moreover, one can gather from these signs the birth of a concept which, over the years, has built momentum: that of show justice, and even the construction of the paradigm of "show trial" (Descamps, 2005), considering the proliferation of publicised judicial affairs, given that journalists gradually become renown commentators of judicial skirmishes for

[11]In https://fr.wikipedia.org/wiki/Histoire_de_la_presse_écrite_en_France (2017).

[12]Just as the trial of Capitaine Dreyfus. See https://fr.wikipedia.org/wiki/Affaire_Dreyfus (2015).

their audience[13].

2.2. Change from Information to the Comments on Judge's Decision

From the faithful rendering of the decision by the judge, we have moved to comments on court decision. The trial of Dreyfus is testimony to this landmark evolution in France. The objective of the press is to trigger popular support to its position as to the judge's decision[14]. The journalist, while informing, abandons the posture of neutrality (granted, food for thought within the profession) imposed by the reporting of strict information to move towards the expression of an opinion. In so doing, he is part of what Garapon (1994) called the delocalisation of justice into the media.

In this game seemingly conflictual, the journalist seems on the one hand, to challenge the legitimate assumptions of the judge and, on the other, as an actor contributing to making sense, imposing his view on the judge[15]. The latter is less perceived as the representative of an institution or as the exponent of the law, vested with the prestige he draws from it, than as a mere stakeholder diminished by his inability to espouse the inclinations of an opinion deified by the press. In such a context, two forms of legitimacy are competing. On the one hand, that of the media, anxious to establish their legitimacy against a justice considered as failing in its fundamental mission. On the other hand, judges wishing to strengthen their own legitimacy by opposing, as a matter of principle, media coverage and going against public considerations, perceived as a simple *doxa*.

It is at this stage that the complexity is referred to in analyses concerning Cameroon, the environment impacting on the action of journalists and judges. Indeed, it is observed that media coverage of judicial decisions takes place in two phases. The first coincides with the period before the democratization process. The second since the 1990s. Prior to this decade, the monolithism characterizing the Cameroonian political society, the democratic institutions and standards are still to be consolidated. The control over the society by the leaders is absolute. The private press much more polemical cannot really prosper within such a context (Wakata Bolvine, 2016). The 1962 ordinances, banned for two decades, the free expression by prohibiting any content questioning administrative and political authorities. In such a situation, information on judicial decisions is hardly visible, as the field of justice is almost considered as a sanctuary.

The 1990s saw the opening of public space through the liberalization of speech. The justice sector was no exception. The media coverage of court decisions was decisively polemical due to the systematic politicization of everything

[13]These paradigms of spectacle justice or media lynching become concrete, particularly in the context of Operation Sparrowhawk, as narrated by one of its "victims", Mr Olanguena Awono, who denounces the use of justice and the press by political power (Olanguena Awono, 2016).

[14]In his article entitled "*J'accuse…* !", published in the newspaper l'Aurore in 1898, Emile Zola rose up against the acquittal of Commander Esterhazi in the Dreyfus case. The result obtained will seem like the symbol of the power of the press at the service of the defence of a man and truth.

[15]Media being, in the words of Louis Althusser (1970), a State ideological tool.

that happened in society. Claude Abe (2006) in addition, points out in the transition concurrent with the opening of the public space, paradigms of the decomposition and reconstruction of a Cameroonian society faced with crisis. Newspapers with a radical and extremist editorial policy took up the high profile judicial cases. This was the case in April 1990 with Jean Michel Tekam and Yondo Black Mandengue, holders of documents for the creation of a political party[16]. This new trend in the work of a journalist was backed by the wind of press liberalization, which the legislator ratified during the 1990 parliamentary session on freedoms[17].

By this legislative step, the media world renewed its legal frameworks. The prior authorization system, which until then put the creation of a newspaper at the will of administrative and political authorities, was replaced by the declaration system. Press censorship was scrapped in 1996. The absolute protection of information source guaranteed *expressis verbis* in Article 50 of Law No. 90/052 of 19 December 1990 on the freedom of social communication is increasingly claimed by journalists who are also advocating the decriminalization of press offences, trying shrewdly to widen their margin of manoeuvre against the judge who, as per the law, has power to condemn them to prison sentences. Microphones and cameras got into courtrooms not only to relay the court proceedings but also to analyse and even comment on court decisions so as to bring out what they could have as coherence or incoherence, legitimacy or illegitimacy. So much so that one can wonder who, of the judge or the journalist, has the final word. This ability of the actor-journalist to construct a discourse or judgement on the other (the judge) confers on him a symbolic power, because he is able to guide the perception of opinion by calling for the approval or disapproval of the judge's action.

But in addition to the fact that the journalist involved in the judicial trend does not always have the necessary distance to set aside a judgement passed as res judicata, the course of the trial is guided by the principle of the right to fair trial and the presumption of innocence. It is precisely on this issue that many scandals broke out, like the publication in 2005 and in violation of the law, of lists of Cameroonian homosexuals by some newspapers. The trials and the sanctions imposed on slanderers helped to highlight the difference between the journalist and the judge.

3. Activity of Journalist *vs* the Office of the Judge

Both the judge and the journalist claim to be at the service of truth and democracy. This is what, according to citizens, make their respective professional activities legitimate. However, in the quest for the truth, their methods and ultimate goals are divergent.

[16]The first was forced into exile and Yondo Black, jailed with Henriette EKWE and Anicet Ekane.
[17]It was during the December 1990 parliamentary session that most of the laws that recognized public freedoms in Cameroon were adopted.

3.1. Antagonistic Modus Operandi

It is established that in their position as support to public speech, the media play a remarkable role in the creation and expression of "public debate" (Rieffel, 2005), thanks to their ability to structure common language in the place of reception and clash of ideas, that is the public place[18]. On the strength of this advantage, the journalist wants to raise awareness and, if not to reverse the opinion, tries to mobilize it, to give the impression that he is the witness of facts he reports on. As interpreter of collective emotion, he aspires to report facts "live", contrary to the judge's approach where "everything is written in the indirect form" (Garapon, 1994). In this environment where rational men, at odds with inherited or obliged thoughts (Kant, 1784) develop their system of perception and conception of public policies, the journalist strives to guide or to tilt towards a position he favours *ab initio*, considering the editorial policy of his newspaper (Pailliart, 1995). Obsessed by the scoop race, based on an increasingly demanding commercial logic according to which the media are economic enterprises in their own right, he seeks to be the first to report on a fact, from its occurrence, thus giving to his organ an edge over others, in a pitiless race to an audience that is now monetized.

On the flip side, the partial capture of events is often source of misinterpretation. The case of the journalist Bruno Tagne is one of the most recent which, after the statements made on the Cameroon football star Samuel Eto'o, had to publicly apologize to the accused, revealing that his remarks were unfounded. In effect, on 30 June 2014, in an article titled "*Débâcle des Lions Indomptables*: *Samuel Eto'o entendu à la DGSN*", this journalist claimed that the footballer's passport was seized by the court. After investigation, Christine Kelly'S call for the "journalistic responsibility" (Kelly, 2013) is all the more resounding. In this profession, she advocates that speed should match caution, information should match suspicion.

For victims of such abuses, it is difficult to obtain redress or to see one's honour restored once one has been "sentenced" by public opinion. Media time is in no haste-except in such extremely rare cases like the "*Panama Papers*" investigation which lasted 4 years before being made public-neither in-depth investigation nor duration. Events unfold continuously, some coming in the heels of others at the speed of the daily time cycle. In this mix up of space-time, information is a perishable commodity. Hardly has it been published than it becomes obsolete. For the journalist, "historian of the moment", grasping all the limits of a report is an insurmountable challenge. Consequently, media have often behaved vis-à-vis persons in pre-trial detention as if their guilt had been established, thus breaching the principle of presumption of innocence. One of the accused in "Operation Sparrowhawk" in Cameroon has thus denounced the media coverage of the arrest of certain personalities suspected of embezzlement but portrayed to the public as already sentenced before being tried:

[18]Habermas (1988), holds that the public is a forum for discussion different from the court and the people.

"[…] *Their arrests, announced and prepared with the press, broadcast all over the world on* 31 *March* 2008 *for ABAH ABAH and Urbain OLANGUENA AWONO, were orchestrated to trigger maximum emotional shock by presenting the poor unfortunates as undoutedly guilty of the odious crime of embezzling several billions CFA francs* […]" (Olanguena Awono, 2016).

But justice takes time. The judge needs time to go through the file and think over it (Gip-Recherche, 2014). Based on norms prevailing in his profession, he does not care about the moment, nor newspaper headlines. Time is on his side, which is not the case with the journalist. Moreover, the judicial process starts at the judicial police which goes from the arrest to the appearance at the public prosecutor's office. Then comes the investigation phase, which may be accompanied by pre-trial detention. Establishing the truth before passing judgement can take years until all evidence is gathered[19]. In addition, the judge is bound by the principle of reserve and can not communicate the facts of his file. However, public opinion just as the media themselves pay little attention to this difference. In Cameroon, the time for pre-trial detention is construed with a lot leeway, since the judge regularly departs from the requirements of the related law, which sets the maximum pre-trial detention period at six months. Nevertheless, the Criminal Procedure Code provides the investigating judge with the discretion to extend it to twelve months for felonies and six months for less serious crimes[20].

Once these deadlines have been exhausted, the accused must be released. The jurisprudence Aboubakar Sidiki is an example. The judge had stated in the present case that: "Whereas the warrant of detention of 30 May 2014 was issued for a period of six (6) months, which therefore expired on 30 November 2014; and consequently, both on 4 February 2015, the date on which the Court sat, the application for release filed in consideration of this detention became null and void"[21]. In many other cases, the judge ordered the immediate release of the accused because of the time limit for pre-trial detention[22]. The preliminary stage in the judicial process which is investigation may take a considerable amount of time for the judge, resorted in some cases to judicial expertise. The appointed expert must also be allowed a period of time to efficiently make his research, period which may be extended for the purposes of the case. It should be noted, however, that the time-limits for judicial expertise are not sufficiently regulated in relation to time, since it is not clear whether this period runs from notification of the appointment to the expert or from the issuing of the designation order (Kitio, 2016). A structural flaw or a lacuna in the system that the journalist does

[19]The Cameroon Criminal Procedure Code, in section 168 (al. 1 & 2), punishes the suppression of evidence.

[20]See section 221(2) of the Criminal Procedure Code.

[21]See C.S. ruling n 104/P of 20 August 2015, Aff. Aboubakar Sidiki c/MP et Soufiyanou Mamadou.

[22]The same applies to the Diboundou Ndoko Thomas Geraldin v Public Prosecutor case, where the habeas corpus judge ordered the accused to be released for prolonged detention without an extension order (Kitio, 2016). Ms. Mboul Kem Victorine (Cf. TGI du Mfoundi, Ordonnance N˚ 47/HC du 17 décembre 2009) or Mbambou Claude (Cf. TGI du Mfoundi, Ordonnance N˚ 47/HC du 17 décembre 2009) were also released by the judge who had received their claims, the deadline for pre-trial detention having seemed particularly long.

not fail to use to his advantage.

Thus, on the strength of the legitimacy conferred on them by the service of opinion, journalists take upon themselves the right to report on police investigations in progress, well before criminal charges are laid, effectively affecting the principle of secrecy of investigation. They report all that is said the day before in the office of the investigating judge and justice is found, unnaturally, operating in the limelight (Charon, 2000). In doing so, journalists may jeopardize the success of some difficult investigations (Viau, 2003). The primacy of "real time", characteristic of the journalistic approach tends to present the press as a solution to the shortcomings of the law and its lengthy procedures. The idea is prevalent that justice is neither commensurate to the tragedy being reported nor to the suffering experienced by the victims. The journalist automatically undertakes to occupy the place of the judge and invades his sphere of competence: he conducts his investigations and infiltrates criminal circles. In this respect, the media appear as the "true place of democratic truth" (Garapon, 1994), overtaking justice in the quest for truth. As media trial is sometimes not bound by the same rules and constraints as the judicial process, the journalist seems sometimes more independent than the judge (Leblanc, 1995). This paradoxical situation finds its meaning in the contradictory objectives of the two professions.

3.2. Antagonistic Objectives and Interests

From at least two perspectives, the press and justice have fundamentally divergent objectives, thus increasing the risk of conflict between the two groups of actors. The first is the economic perspective. Whereas justice is a public service based on the principle that it is free of charge and neutral, when administered on behalf of the people by magistrates paid by the State budget, the press, *on the contrary*, needs to be sold. The newspaper organ is primarily an enterprise that is under the obligation to generate revenues necessary for its optimal functioning. Hence, the race for scoop that is so characteristic of the media approach which at times makes journalists not to respect the basic rules of their profession. A flaw the justice system takes to punish media professionals whenever peer supervision is no more enough to dissuade them.

The case of the list of homosexuals is a telling example. Many journalists were sentenced in 2006 for having published the "Top 50" of alleged homosexuals in Cameroon. A minister, Grégoire Owona, mentioned in this list sued L'Anecdote and Nouvelle Afrique newspapers on grounds such as: propagating false news, libel and insult. This case had as direct consequence a remarkable increase in the sale of newspapers recounting these disputed stories. In effect, whittle-blowing had obviously commercial objectives, journalists having given privilege to the economic logic instead of the respect of law[23]. The divide between justice and media also feeds on the mention of another type of trial. That of the struggle

[23]Then after, the number of journalists convicted will increase, as the case of Dieudonné Mveng, publisher of the newspaper La Météo or the *free lancer* Georges G. Baongla, who made many statements and untrue allegations over Sky One Radio (Eba'a, 2010).

which started some ten years ago against cases of misappropriation of public funds. Many journalists, engaged in the economic front, stepped in without taking the standard precautions as required by the law and the journalistic ethics. Hearings and investigating reports were thus found in the hands of journalists and presented, after personalities like Zaccheus Forjindam, Jean Marie Atangana Mebara or Yves Michel Fotso[24] were arrested. Where it is noticed that, like in the French press:

"*Legal reporting is full of caricature and sweeping qualifiers of headlines which frequently undermines the presumption of innocence. Trials like that of Outreau have shown that media, far from challenging the authority, are ready to forego all objectivity when the story they are presented helps to sell the newspaper*" (*Groupe-SOS*, 2012)[25].

Evidence announced by journalists in these various trials were neither convincing nor coherent in court. The Procureur Général to the appeal court for the Centre, in charge of these trials, probably in a bit to stem the weakening of the administration of justice, felt the need to recall that the judicial police investigation is secret and the breach of which is liable to sanctions up to two years in prison and fines of up to CFA F five millions (5,000,000)[26] at most. For, as Louise Viau (2003) rightly points out,

"*There are more frictions between the media and courts when limits are imposed to ensure the respect of the right to presumption of innocence of the accused or the right to respect the privacy of some participants to the penal process*".

The second aspect relates to objectivity and neutrality on which justice and the media are radically opposed in practice. Whereas arguments and evidence guide the judge in the wording of the decision, the report of judicial cases by the press is at times characterised by collusions between political or economic stakeholders wishing to defend or protect individual interests. The Bibi Ngota case clearly demonstrates this. Following the death in prison of this journalist, there was a general outrage in the press in Cameroon, challenging both the true reasons of his arrest and that of his death; this finally led to the opening of a State case between two top officials of the Republic[27], on an issue of commissions received for the purchase, by the State of Cameroon, of a ship called Rio del Rey. On 5th May 2010, Le Messager ran as headline: "*Rio del Rey: le bateau qui a coulé Bibi Ngota*". On 7th May 2010, Le Jour also announced: "*Antoine Alo'o Bikoro et*

[24]Section 169 of the Cameroon Penal Code is quite clear: "Whoever refers publicly to any judicial proceeding not yet terminated by final judgement in a manner liable to influence, whether intentionally or not, the opinion of any person for or against any party, shall be punished with imprisonment for from 15 (fifteen) days to 3 (tree) months and with fine of from CFA F 10,000 (ten thousand) to CFA F 100,000 (one hundred),… Where the offence is committed through print media, radio or television the imprisonment shall be from three months to two years and the fine from one hundred thousand to five million francs".

[25]Groupe-SOS, "justice et médias: De Zola à DSK", in http://www.groupe-sos.org/actus/1838/.

[26]Section 310 of the Penal Code.

[27]Laurent Esso, minister and Emmanuel Etoundi Oyono, former director general of a State company.

Dayas Mounoume parlent du Rio Del Rey". On 1st July 2010, the daily newspaper Le Jour questioned: "*Où sont les conclusions de l'enquête sur le décès de Bibi Ngota*"? Le Messager again ran as headline on 15th July 2010, "*Interrogations sur les Commissions distribuées*"… On 26th July 2013, the headline of Le Messager read: "*Quand l'affaire Bibi Ngota devient celle d'Etoundi Oyono*".

It is hard to deny the fact that the media coverage of the death of Bibi Ngota in these perturbed circumstances in pre-trial detention was at the origin of the start of the Rio Del Rey case, in which senior officials of the Republic have confronted each other in justice, in the spotlight of the press. The verbal skirmishes of the lawyers of the two litigants left the courthouse to continue in the media, reinforcing their grip on the judicial institution and was the base of the pertinent question by Antoine Garapon (1994) on the tendency to transfer justice to the media.

However, in an interaction to envisage the relations between actors only under the look of confrontation would be a source of bias. In fact, both fields cooperate much more than it seems, with consequences on the life of citizens and the socio-political environment.

4. Justice-Media Interdependence

Observing and analysing the media coverage of court decisions are both complex and varied. But this interaction is first of all an interdependence, each actor taking advantage of the activity of the other or both fields cross-pollinating each other. Indeed, there are reciprocal influences in this relationship, the media exposing the judge's professional world to the public (1), as it is observed that debates on judicial decisions ultimately impact the pace of justice (2).

4.1. The Work of the Judge in the Spotlight

The reporter's work in charge of legal reporting is fed, willingly or unwillingly, by the stages and the pace of the judicial proceedings to which it indirectly turns the eyes of the public. In Canada for instance,

"*The presence of journalists* (*in the courts*) *is considered an essential aspect of the public nature of the trial since it is through them that the public is generally informed of judicial proceedings*" (Viau, 2003).

In this perspective, media "refer" to justice, the journalist having the tendency of becoming a "new lord", due to the edge he now has over the judge in the eyes of the public. His position at the centre of the social system for producing meaning or building the image of actors gives him a certain pre-eminence over the other actors, including the judges. The magistrate, for his part, initially cloistered in his cabinet or between the walls of the courthouse, increasingly tends to seek the approval of the journalist[28]. The case of Nafissatou Diallo vs. Dominique Strauss Kahn helped to confirm that a judge may be tempted to play his profes-

[28]See for instance the notice N° 252 of 18 December 2014, "Etude de législation compare", in http://www.senat.fr/.

sional career through the media. The prosecutor in charge of the case, Cyrus Vance Jr., had the file of his career, trying to take advantage of the acquired popularity and the consequent political gain to be elected New York Attorney[29].

It is the interpenetration of the two fields which makes that in Cameroon as elsewhere, justice now works under the eyes or the control of the media, which transform the facts of justice into current events. The focus on the principles of accountability, the respect of which has become an essential aspect of democracy and social justice, is largely due to the media. This overexposure is however not without risk for the judicial profession, since excessive media coverage of judges underpinned by the quest for popular consent, may result in populist overacting for the judge (Ouedraogo, 2013).

One of the forms in which the power of the press is exercised is that of a source of information for justice. On the one hand, justice depends on the press for the publication of images or sketches of people wanted by the police and, on the other hand, the journalist, through his investigations and revelations, is a renowned "whistle-blower". The so-called "Panama Papers" revelations are a telling example, justice of most of the countries whose nationals were mentioned in this case of transfer of money to tax havens having opened a judicial inquiry to establish the responsibilities of the accused and punish them, if necessary.

The public campaign for the improvement of morals in the management of the public funds mentioned above provides a further analysis of this hypothesis. Initially essentially political and relayed by the press which created an expectation among the public, the campaign has finally impacted the judiciary. A body such as the National Anti-Corruption Commission is working partly, on the basis of denunciations published in the media especially. Indeed, it can be seen as an action by the press on the judge or the prosecutor who, on the basis of the information published by the media, are able to open an investigation into an individual or a manager of the public wealth. Following several denunciations by press organs in 2006 and mentioning cases of financial mismanagement in a public administrative institution, Mr. Maxime X, the administrative director of this company was arrested. The investigation initiated led to him being arraigned before the Public Prosecutor's office. Remanded in custody, a judicial investigation into the embezzlement of public funds was conducted, but the case was dismissed six months later[30].

The impact of the media on justice also extends to the functioning of the Ministry in charge of Supreme State Audit in the start of investigation procedures that could lead to the appearing before the Special Criminal Court (TCS) or before the Audit Bench. TCS can indeed, following a simple denunciation by the press in particular, initiate an investigation procedure against any individual[31]. It

[29]Barrister Arthur DETHOMAS, quoted by Flora Genoux (2011).

[30]Following this dismissal, these newspapers were sued by the accused for libel, propagating false news, slander.

[31]On 16 September 2014, Joseph Olinga journalist with the daily newspaper Le Messager reported that following denunciations published by the press, Ms. Françoise Foning, business woman and former important political figure of the party in power had been summoned by the Special Criminal Tribunal.

is also in this category that open letters published in the press by some detainees of the "Operation Sparrowhawk" like Marafa Hamidou Yaya, Atangana Mebara, Olanguena Awono, Abah Abah etc… can be classified. Once the judicial machinery is set in motion, the media become the daily followers of justice. Debates and stages of judgement are reported sequentially to the public. In plain words, the justice-media relationship has an instrumental objective as mentioned above: not only does the media accompany the judiciary, but it also needs it whenever necessary to support its cause in the case of calls for witnesses, for example, or as it has been observed in a country like Canada, where:

"*Police officers make extensive use of the media to publicize the results of their investigations, and in some cases to gather new evidence following the publication of an article mentioning more their suspicions than evidence that are legally admissible in court*" (Viau, 2003).

The journalist thus works to throw more light on the work of the judge, who is himself not reluctant to make use of the media source as base for his decisions. In rendering his verdict, the latter consciously or not expresses the effects the media pressure had on him. Certainly, out of respect for ethical principles governing his profession, the judge is reluctant to acknowledge that he can act under the pressure of the public, as reported by the press. But there is a big gap between the professional dogma—a limiting factor—and reality. Like the journalist, the judge is a human being made of flesh and blood. He interacts, consciously or not, with the environment in which he lives. He has values which, in some cases, are likely to influence his decision in one way or the other and which he must relinquish in a professional situation in order like the sociologist, to avoid any axiological bias.

Seemingly, this analysis cannot be challenged. But the importance of norms and social control exercised by the peer community and the fear of being disapproved, discourages them from publicly acknowledging such an alternative[32]. Almost all of the surveyed population in this study, although willing to admit this influence, refuses to accept it considering the rigorous nature of the law, which requires magistrates to only pass judgement based on the law on the one hand, and their strong conviction on the other. This, however, is accompanied by an important constraint: it can not be based on factors external to the case under investigation. Judges thus, place themselves under the effect of a dual constraint. Either they acknowledge the influence of the media and are guilty of professional misconduct or they deny it and state falsehoods. Hence the researcher's inability to access documented examples of such influence. Nevertheless, the study has helped to reveal that the speed of the proceedings and the exemplary nature needed in the severity of the sanctions meted out are two modalities through which media pressure is observed in the justice system in Cameroon.

[32]For example in 1974, Neumann (E.N.) established that the fear of being isolated guides individuals in modern societies. Quoted by Eric Maigret (2007).

4.2. Speeding of Proceedings and the Exemplary Nature of Sanctions

The judge can not permanently take refuge behind the principle of secrecy of the investigation to reject the influence which the press has on him. Willingly or unwillingly, the magistrate takes into account what is said in the media to both discover the truth and settle disputes (Gouaze et al., 1979)[33], especially since the institution "justice" is, in this very capacity, established in society as the law it applies.

From the outset, it seems useful to refer to the meaning Gérard Cornu (2007) gives to speed, perceived as a reinforced emergency case that explains a particular swiftness of intervention. Moreover, this concept is not necessarily pejorative as regards procedure. It may even be regarded as a requirement for democracy and the rule of law. Speed is inferred by Article 6 of the European Convention for the Protection of Human Rights (ECHR), which lays down the rule that every person is entitled to a hearing within a reasonable time. It is a requirement of promptness that is set here to guarantee the right to a fair trial (Groupe-SOS, 2012). As a fundamental right, the right to a fair trial requires that sufficient time be given to parties to prepare and state their claims in order to ensure the rights of the defence. From the earliest hearings at the judicial police up to the final decision has been handed down, passing through the judicial investigation phase, the length of the judicial proceedings can give rise to an endless wait in the eyes of a very heated public opinion, excited by media in quest of sensational revelations.

But in his capacity as regulator of society that is often demanding and whose functioning is fuelled by enormous complexities, the judge can not close his eyes and ears at the hubbub of society as conveyed by the media. Through their intense activity and constant pressure, these spokespersons of society are capable of forcing the judge to speed up proceedings for pending cases or impose exemplary sanctions on the accused. The campaign to improve morals in the management of public wealth was accompanied by the urgent quest of credibility for a political power that opinion considered, if not an accomplice but at least lenient in the face of corrupt practices in the management of public property[34]. Thus, in three years TCS helped to reimburse the sum of CFA francs 3,355,409,576 to the Public Treasury as the restitution of prosecution evidence, as shown in the **Table 1** below.

There was then a need for the Government to reassure society. Has justice been made an objective accomplice of this tendency for the Government, thus demonstrating its lack of independence? The fact remains that the accused and their lawyers did not give up denouncing the use of these arrests to serve political

[33]The author in 1972 shows how media pressure led the judge to release the young Marie-Claire from Bobigny court, while the latter was accused of abortion at a time when voluntary termination of pregnancy was still a crime in France.

[34]President Paul Biya has announced during the closing speech of the 3rd extraordinary congress of the CPDM in July 2006: "*Those who have become rich at the expense of the public funds will have to face the law… the white-collar thieves have to watch out*".

Table 1. Sums of money reimbursed to the public treasury.

Year	*Number of cases registered*	*Number of decisions taken*	*Number of accused persons*	*Number of persons tried*	*Amount to be recovered in CFA F*	
					Fines and charges	*Interests*
2013	52	41	199	95	395,334,713	7,925,762,153
2014	57	33	-	-	2,275,961,948	9,178,704,893
2015	55	43	248	96	2,018,200,876.35	**28,088,243,186**

Source: Special criminal court statistics, 2016.

causes. Former Prime Minister Ephraim Inoni was sentenced to 20 years imprisonment, Marafa Hamidou Yaya, former Secretary General of the Presidency and Minister of Territorial Administration and Decentralization to 25 years, Atangana Mebara Jean-Marie, former Secretary General of the Presidency and Minister for External Relations to 15 and then 20 years, Olanguena Awono Urbain, former Minister of Public Health, to 15 and then 20 years. To the point that the latter who is contesting his sentence will state that:

"*The political will which has become active in the Operation Sparrowhawk has, throughout the arrests and travesty of trials, become an enormous hypocrisy aimed at settling scores on the background of political exploitation*". […] *In fact in the beginning, there was the moralization of the management of public affairs, but in practice, the Operation Sparrowhawk has been transformed into a frightful undertaking of great political purge worthy of the Stalinian era*" (OLANGUENA AWONO, 2016).

In the same vein, the lawyer of M. Emmanuel Ondo Ndong, former Director General of the Special Council Support Fund for Mutual Assistance (FEICOM), qualified the trial of his client as an "opinion trial with unknown motives". The court had indeed sentenced the accused to 50 years imprisonment, after the prosecutor had required 75 years on 17 December 2013. Unprecedented fact, Christian Ndanga Dogoua, representative of the public prosecutor's office, probably wishing to show that the judges were sensitive to what was said in the press, had requested that the sentences be published in local radio stations and newspapers, mentioning Cameroon Tribune, Mutations, Nouvelle Expression, l'Anecdote, Cameroon Radio Television, Canal 2, Spectrum TV, Magic FM, Radio Siantou and Sattelite FM. Such emphasis on the publication of the decision clearly reflects the will to appeal to emotions and to give a particular impact to the sanction meted out, thus siding with the press, on the one hand, in the sensational exploitation of a court decision and, on the other, with the executive power in the will to use these sanctions as example. Justice, media and politics are thus serving a common cause.

These multiple decisions strike the minds by the relative promptness with which judges took them. In principle, for such cases, provisional detention should have been six months, renewable once, in accordance with the Criminal Procedure Code. Moreover, this type of trial only ends fairly late. Mr. Jean-Marie Atangana Mebara won in August 2016 by issuing a writ against Cameroon

to the African Court on Human and Peoples' Rights for non-respect of pre-trial detention deadlines and violation of the right to a fair trial. The case of Massango Aaron Peter C/Public Prosecutor in which the accused, who had been placed in pre-trial detention on 14 August 2014, remained in this position until 18 March 2015, without any extension, also testify to a culture of laxity in judicial proceedings. Which, curiously enough, was broken for cases for which political authority seemed to seek an announcement effect and a will to strike minds.

The fight against corruption within a context of poverty is becoming a breeding ground for a coalition of the three powers, brought together around a shared cause, namely the "extraction" from the system of persons who presented rightly or wrongly as the causes of the impoverishment and misery of citizens. Thus, the leading figures become, whether they are believed guilty or innocent, examples or ideal scapegoats whose exemplary sanction in proceedings faster than usual receives media coverage, to serve as catharsis for a public opinion requesting the officials in power to account for their management of public affairs.

5. Conclusions

The use of TOURAINE's approach to sociology highlights the areas of friction that arise between these two powers and reflecting the confrontation of two forms of legitimacy with distinct processes and objectives. Indeed, judicial inquiry is long-term process, given the complexity of procedures to be set in motion. The service of society on whose behalf the judge renders justice compels him to respect with due diligence, in all serenity and without publicity, the standard stages of the judicial procedure. He must gather all evidence before pronouncing his verdict, no matter how long it takes. His decisions are aimed riding society, for a longer or shorter period of time, of those who would have been found guilty of not respecting the rules and who, therefore, are a threat to its equilibrium and survival. However, ostracising is a serious decision that requires acting in total responsibility to avoid tragedies. What would a society look like if it were to banish its members without proof? Could it receive the qualifier libellous in a society where arbitrariness prevails without serious risks?

Yet, this methodological precaution is criticized by the media, which consider that justice has failed in its social mission by not deciding on the time and the direction public opinion would have wished. The journalist blames the judge of working in a suspicious discretion, constantly taking refuge behind the secret nature of the investigation, which the press hardly accepts, or even by letting the guilty parties "slip away". Hence, a more or less conscious tendency of the journalist to take the place of the judge to carry out his investigations himself and "to do justice" to victims to whom the instituted justice is considered insensitive is the reason why the investigation of journalist tends to reduce time to strict minimum, to answer the ever pressing expectations of a public that is by definition, impatient. He must identify truth as quickly as it appears.

In the negative effects of this mad rush to attract the public, the journalist

does not have time to take his time. Suspicions, statements or half-truths that require a substantive cross-checking sometimes become plain truths and the mere defendants are declared guilty, if not by the law, at least by the media court. Without necessarily the intention to do so, the journalist is guilty of being superficial, hasty and making errors of judgement by accusing and condemning without evidence, violating the principle of the presumption of innocence and exposing the innocent people to mob justice. But does his mission not lead him basically to pointing the finger at lapses and attitudes considered as anti-social, in the name of a social ethics it promotes, cloaked with virtuous banner in the place of democratic truth?

However, collaboration between the two powers is a strong asset. The latter is rooted in very ancient historical basis, highlighting the way in which justice has always used the media to say what it does and make its social mandate legitimate. In this essentially utility-driven objective, the judge uses the press to serve his cause. But this utility-driven objective is not one-sided. One makes use of the other according to his needs. Reports on judicial news is both of paramount importance to the media which fulfil their duty to inform the public, and to the justice system which, through this timely game of alternative, increases the number of citizens who are informed of its decisions. In their absence, the population would be more or less ignorant of the judicial world, where silence, discretion and procedural prudence are the watchwords. The judge, shut away in his cabinet, relies on the press to communicate his decisions to the general public, when he does not simply expect a certain popularity or at least benevolence so as not to see his reputation being undermined.

A shift in meaning that is not without consequences, since it gives de facto to the journalist an edge over the judge. Henceforth, the latter works under the watchful eyes or the control of the media. The power that the press has acquired is well-known in the conscience of the population which is sometimes exasperated by the delays of justice. As another collateral damage, the specialised press has finally "delocalised" the justice in the media. The accused, having perceived the psychological impact of media coverage, tend to resort to public opinion to obtain justice; in other words, to influence the decisions of the courts in their favour, the course of which goes on outside the courts, giving rise to the emergence of the media trial paradigm, where public opinion is transformed into a courtroom.

Consequently, the conflict of power between these two institutions is not unidirectional, the two counter-powers feeding on one another in their quest for truth even if in an ethical reflex justice in Cameroon just recognizes *mezzo voce* that it may be subject to media pressure, whereas in advanced democracies this possibility is obvious. Better still, "media justice" is fundamentally at high risk as, in the absence of a broader view, it tends to condemn by exempting itself from respect for the presumption of innocence.

The media pressure has thus been able to compel the judge to speed up proceedings or to be more severe in the sanction meted out. Such is the case, for

example, where politics and justice are intermingled, as we have been able to point out. A ménage à trois is set up, politics colluding with the media-justice duopoly. Justice being "accomplice" on the one hand, of the press in the sensational exploitation of a fact of justice and, on the other, power wishing to recover politically these sanctions to prove to the people that it keeps its promises and be cleared of being accused of laxity. Justice, media and politics find themselves serving a common cause, especially when politics creates an expectation that turns afterwards, into an absolute urgency, justifying a particular swiftness for the judge, eager to satisfy a public opinion excited by the media. Serving the democratic ideal of the public's right to information on the conduct of the affairs of the city may thus, in some circumstances, make the justice to contradict the democratic requirement to guarantee to every citizen the right to a fair trial, promptness may impede the right of everyone to have his case heard within a reasonable time limit.

The two requirements that could not *apparently* be reconciled in the past are henceforth unavoidable: their co-operation is imposed by the mere fact that it is obvious. Despite the desire of the judiciary to maintain its independence vis-à-vis all other powers, it is undeniable that the work by the "fourth" power is of interest and influences judicial affairs… If justice is rendered in the name of the Cameroonian people, the press on its part, has a duty to report to the people how the affairs of the city are managed. As the democratic requirement is becoming triumphant, the right of the citizens to information can not be limited to judicial questions, since the management of public property is examined therein which, by definition, cannot be held secret. It is acknowledged that justice is rendered not only when it is said, but also when it is known. It is therefore necessary for it to be known to be accepted (Nsanzuwera, 2001). So no press, no justice?

The interaction between justice and the media is in fine a very complex one in which not only do the two institutions influence each other, but also where they act in synergy on society they work on. In this interaction, conflict and cooperation constantly operate, actors taking advantage of the legal/institutional or cyclical resources available to maintain or overturn the asymmetrical power relationship that characterizes them. The judge imposes himself upon the journalist by the force of the law and the regulations which he applies. He has a real power over the latter, which he can condemn or force to do his job/act in a given direction. But the journalist shows proof of resistance, and in turn, by getting support from an inseparable ally, the public opinion, with real capital, increases its margin for manoeuvre and in turn, seeks to impose its ways of seeing things and to re-establish the balance of the relationship to its advantage. A major asset that allows the press in spite of the ban, to comment on justice decisions, by hiding behind public opinion to express its views and to impose a conception of society which gives it esteem in the eyes of the opinion to which it has opportunely allied.

The review of the relationship between justice and the media challenges the

interaction between these two institutions in a permanent duality and broadens the scope of analysis in order to question *in fine* the relationships or representations that underlie the relations between justice and society, considered no longer solely in the restrictive sense of media-based society but of a society of individuals lato sensu, of which the press is reflection.

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