

## NAUKI O KOMUNIKACJI SPOŁECZNEJ I MEDIACH / COMMUNICATION AND MEDIA STUDIES

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## FROM SOCIAL MEDIA OPINION TO LEGAL CONFLICT: FREEDOM OF SPEECH, DEFAMATION, AND CORPORATE IMAGE IN NIGERIA – A CRISIS COMMUNICATION CASE STUDY

**Abstract:** This study examines the controversy between Chioma Okoli and Erisco Foods in Nigeria to explore how digital expression, legal frameworks, and corporate reputation intersect within a contested media environment. The conflict began when Chioma Okoli posted on Facebook that a tomato product was too sweet and later commented that it was killing people, prompting Erisco Foods to file a ₦5 billion defamation lawsuit under the Cybercrimes Act 2015. Using a qualitative case study and directed content analysis, the research shows how online speech can attract legal consequences through statutory interpretation. The findings reveal that culturally rooted expressions can be interpreted as defamatory when removed from their cultural context. It concludes that litigation being a primary response could worsen reputational damage and public distrust. It recommends culturally informed crisis management approaches that balance corporate protection with citizens' freedom of expression, particularly in societies with weak institutional trust and complex legal systems.

**Keywords:** freedom of expression, defamation, crisis communication, corporate reputation, SLAPP, Nigeria

## 1. Introduction

Social media has become a central space for communication and consumer voice in Nigeria, especially among younger populations who rely on mobile access for news and everyday interaction<sup>1</sup>. The interactive nature of these platforms enables rapid, unregulated circulation of opinion, which can amplify both legitimate critique and harmful content such as misinformation or defamatory speech<sup>2</sup>. Besides normal users, internet celebrities often propagate selective narratives – sometimes with mixed motives of political or business interests<sup>3</sup>. These dynamics bring vibrancy to cyberspaces; yet they also increase the risks of conflict as such expression is seen as disinformation, defamation, or cyberbullying.

Within Nigeria, these conflicts arise in an uneven and contested regulatory environment. The literature highlights loopholes that constantly punctuate state policy on digital technologies, especially regarding ethical and security concerns<sup>4</sup>. The Cybercrimes (Prohibition, Prevention, Etc. Act of 2015, which encompasses offenses ranging from cyberbullying to online defamation, has become a key legal instrument. Under the Act, provisions 24(1) and 27(1) address the transmission of false or offensive messages online<sup>5</sup>. However, Nigerian legal scholars argue that these clauses, though intended to prevent harm, contain vague language that risks being used to suppress legitimate expression<sup>6</sup>.

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<sup>1</sup> F.P. Olise, *Level of Acceptance of News Stories on Social Media Platforms among Youth in Nigeria*, „Jurnal Komunikasi Malaysian Journal of Communication” 37(2021), no. 2, pp. 1–16; N.A. Obi-Ani, C. Anikwenze, M.C. Isiani, *Social Media and the Covid-19 Pandemic: Observations from Nigeria*, „Cogent Arts and Humanities” 7(2020), no. 1, pp. 1–15.

<sup>2</sup> T. Kayode-Adedeji, I. Nwakerendu, *Dissemination of Fake News on Social Media: A Demographic Analysis of Audience Involvement*, „European Conference on Social Media” 9(2022), no. 1, pp. 289–297; P.N. Vasist, D. Chatterjee, S. Krishnan, *The Polarizing Impact of Political Disinformation and Hate Speech: A Cross-Country Configural Narrative*, „Information Systems Frontiers” 26(2023), pp. 663–688.

<sup>3</sup> S. Rothut, *Promoting Politics: Political Social Media Influencers, Their Online Engagement, and Implications for Democracy*, „American Behavioral Scientist” 2025, pp. 1–22; T. Uwalaka, F. Amadi, S.C. Enyindah, *Social Media Influencers and Political Influence Operations: The Data Boys Example in Nigeria*, „Public Relations Inquiry” 14(2024), no. 1, pp. 89–115; O.D. Apuke, B. Omar, E.A. Tunca, C.V. Gevers, *Does Misinformation Thrive with Social Networking Site (SNS) Dependency and Perceived Online Social Impact among Social Media Users in Nigeria? Testing a Structural Equation Model*, „Journal of Asian and African Studies” 59(2022), no. 1, pp. 307–322; A.K.M.N. Islam, S. Laato, S. Talukder, E. Sutinen, *Misinformation Sharing and Social Media Fatigue during COVID-19: An Affordance and Cognitive Load Perspective*, „Technological Forecasting and Social Change” 159(2020).

<sup>4</sup> M. Alakitan, E. Makinde, *Where Are the Ethical Guidelines? Examining the Governance of Digital Technologies and AI in Nigeria*, „Policy & Internet” 17(2024), pp. 1–17.

<sup>5</sup> Cybercrimes (Prohibition, Prevention, ETC) Act, 2015 (Nigeria), [www.nfiu.gov.ng/images/Downloads/downloads/cybercrime.pdf](http://www.nfiu.gov.ng/images/Downloads/downloads/cybercrime.pdf)

<sup>6</sup> A. Ashiru, *Cyberstalking law and the right to freedom of expression in Nigeria: a dead ringer or a constitutional snag?*, „SSRN Electronic Journal” 6(2021).

Such issues demand interdisciplinary scrutiny, since digital harms are frequently defined in broad and overlapping ways<sup>7</sup>.

In view of this, the 2023 rift between Chioma Okoli and Erisco Foods thus exemplifies how swift discourse on digital platforms can be drawn to the courts. Chioma Okoli, in her Facebook review of „Nagiko Tomato Mix”, stated that the product was too sweet for her liking. Erisco Foods responded by bringing suit for defamation to the tune of ₦5 billion (\$3,271,138.09). From there, a mere disgruntled consumer morphed into a raging national debate about freedom of expression, corporate accountability, and the limits of digital regulation.

The case is significant for Public Relations and crisis communication studies. While the elements of defamation are well established in principle<sup>8</sup>, their applicability to colloquial, culturally inflected digital expression remains in dispute. Corporations, courts, and publics may have different interpretations of one and the same expression, and platform inaction leaves many of these disputed instances without resolution. Beyond Nigeria, this controversy adds an extra layer to global conversations around the use of defamation law and corporate power to muzzle online criticism.

Theories of crisis communication provide a useful lens for examining these dynamics. William Benoit’s Image Restoration Theory<sup>9</sup> is a descriptive framework developed through the analysis of crisis cases, focusing on message options that, as W. Timothy Coombs<sup>10</sup> notes, draw “speculative conclusions” rather than empirically tested findings. In response, Coombs developed the Situational Crisis Communication Theory as a predictive, evidence-based model designed to anticipate stakeholder reactions and protect organizational reputation. SCCT adds a normative dimension by emphasizing that the first duty in any crisis is to protect stakeholders from harm before addressing reputation repair. While some public relations traditions, including Polish PR practice, regard accommodative

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<sup>7</sup> K. Verma, K.J. Adebayo, J. Wagner, M. Reynolds, R. Umbach, T. Milosevic, B. Davis, *Beyond Binary: Towards Embracing Complexities in Cyberbullying Detection and Intervention – A Position Paper*, in: *Joint International Conference on Computational Linguistics, Language Resources and Evaluation (Torino, Italy)*, 2024, pp. 2264–2284; Y. Xu, P. Trzaskawka, *Towards Descriptive Adequacy of Cyberbullying: Interdisciplinary Studies on Features, Cases and Legislative Concerns of Cyberbullying*, „International Journal for the Semiotics of Law – Revue Internationale De Sémiotique Juridique” 34(2021), no. 4, pp. 929–943.

<sup>8</sup> T.M. Alforova, M.M. Koba, O.V. Lehka, A.M. Kuchuk, *Right to Freedom of Expression v. Reputation Protection (Based on ECtHR Practice Materials)*, „The Age of Human Rights Journal” 18(2022), pp. 311–330; E. Kongres, F. Sugianto, E.H. Setyorini, B.S. Kokpan, S. Zhang, *Protecting Consumers against Defamation Claims: The Role of Common Interest in Product Reviews*, „Khazanah Hukum” 6(2024), no. 3, pp. 294–310.

<sup>9</sup> W.L. Benoit, *Image repair discourse and crisis communication*, „Public Relations Review” 23(1997), no. 2, pp. 177–186.

<sup>10</sup> W.T. Coombs, *Protecting organization reputations during a Crisis: The development and Application of Situational Crisis Communication Theory*, „Corporate Reputation Review” 10(2007), no. 3, pp. 163–176. On this topic – see: M. Kaczmarek-Słowińska, *The Specificity of Crisis Management in Social Media from the Perspective of W.T. Coombs’ Situational Crisis Communication Theory*, „Studia Medioznawcze” (20)2019, no. 4(79), pp. 318–332; eadem, *Hejt jako źródło sytuacji kryzysowych podmiotów w przestrzeni społecznej*, „Zarządzanie Mediami” 8(2)2020, p. 79.

responses such as apologies as the most ethical, Coombs argues that such approaches are suitable only when the organization bears clear responsibility. This view aligns with Polish studies and perspectives on crisis communication, which stresses that effective crisis management requires balancing ethical accountability with situational awareness in the dynamic environment of social media<sup>11</sup>.

Furthermore, Strategic Lawsuits Against Public Participation (SLAPP) concept is relevant to this study. SLAPPs are lawsuits without merit, often wild defamation claims, used by corporations or other powerful parties against ordinary citizens voicing some public criticism. Scholars believe these suits are intended to create silencing effects against these critics and would-be witnesses. Informs us that Pring and Canan considered SLAPPs<sup>12</sup> to be efforts to “sue citizens into silence,” thus showing how these lawsuits really function more as intimidation than as true aims to restore reputation. At the same time, however, Beatty warns that the evidence for such claims was slender and that, by labeling the suit a SLAPP, a legitimate plaintiff could be prejudiced. The debate itself underscores the challenge between protecting freedom of expression and allowing corporations to protect their reputations.

By examining the Chioma Okoli–Erisco conflict through these frameworks, this study explores how corporate legal strategies, consumer expression, and regulatory ambiguity converge in a culturally diverse environment. It argues that while litigation may temporarily protect corporate reputation, it can also intensify reputational harm when publics view such actions as too repressive.

The following objectives (research questions) guided the study:

1. How do corporate strategies, digital publics, and regulatory frameworks interact when consumer opinion is reframed as defamation?
2. How does cultural and linguistic context shape the interpretation of online speech in Nigeria’s legal and corporate settings?
3. How do crisis communication theories explain the reputational effects of using litigation as a response to digital criticism?

By answering these questions, it is possible to explain how digital communication disputes evolve into legal and reputational conflicts, and how corporations can respond effectively while maintaining public trust.

## 2. Defining Relevant Terms

In this study, culture refers to the shared values, language practices, and ways of making meaning that guide how people communicate and interpret messages. Culture is dynamic, not fixed, and it evolves as beliefs, norms,

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<sup>11</sup> M. Kaczmarek-Śliwińska, *The Specificity of Crisis Management...*, pp. 318–332.

<sup>12</sup> J.W. Beatty, *The Legal Literature on SLAPPs: A look behind the smoke nine years after Professors Pring and Canan first yelled “Fire!”*, „University of Florida Journal of Law & Public Policy” 9(1997), no. 1, p. 4.

and practices are expressed in daily life. According to<sup>13</sup>, culture provides the framework through which people make sense of communication, shaping how messages are produced and received. Language and communication therefore function as central mechanisms through which communities negotiate and reinforce shared values. This understanding is particularly useful for analyzing digital communication disputes in Nigeria, where colloquial expressions and cultural references often carry meanings that do not translate easily into legal or corporate contexts.

Communication itself plays a crucial role in national development and social cohesion, as it enables participation, dialogue, and shared progress. However, Nigeria has experienced several historical constraints on communication rights, particularly during periods when constitutional freedoms were suspended under military rule<sup>14</sup>. While the 1999 Constitution guarantees freedom of speech and expression, this right is not absolute. International law also allows restrictions on speech only when they are lawful, necessary, and proportionate to protect the rights or reputations of others, national security, or public order<sup>15</sup>.

Defamation law represents one of the main limitations on freedom of expression. It protects individuals and organizations from false statements that cause reputational harm, particularly when this kind of disinformation is done with malice or negligence<sup>16</sup>. Although the legal elements of defamation are relatively well defined, their application to colloquial or digitally mediated speech is often contested. Courts, corporations, and publics can assign different meanings to the same statements, especially when such statements circulate widely and evoke competing interpretations<sup>17</sup>.

### 3. Theoretical and Conceptual Framework

This study is grounded in interdisciplinary research on digital communication, public discourse, and corporate image management, particularly as these intersect in Nigeria's evolving media environment. It examines how online expression, reputational risk, and regulation interact in contexts where law, culture, and communication are closely intertwined.

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<sup>13</sup> N.M. Tri, *Culture as a dynamic product of socially and historically situated discourse communities: A review of literature*, „Ministry of Science and Technology Vietnam” 66(2024), no. 1, pp. 121–128.

<sup>14</sup> A.U. Etuk, F. Daramola, E. Daramola, *Democracy in Nigeria and freedom of speech in a social media age*, „Kaduna Journal of Historical Studies” 11(2020), no. 2, pp. 86–88.

<sup>15</sup> A. Ashiru, *Cyberstalking law and the right to freedom of expression in Nigeria...*; A.U. Etuk, F. Daramola, E. Daramola, *Democracy in Nigeria and freedom of speech...*, pp. 86–88.

<sup>16</sup> T.M. Alforova, M.M. Koba, O.V. Lehka, A.M. Kuchuk, *Right to Freedom of Expression v. Reputation Protection...*, pp. 311–330; E. Kongres, F. Sugianto, E.H. Setyorini, B.S. Kokpan, S. Zhang, *Protecting Consumers against Defamation Claims...*, pp. 294–310.

<sup>17</sup> M. Zukić, A. Zukić, *Defamation Law and Media: Challenges of the Digital Age*, „MAP Education and Humanities” 5(2024), pp. 98–109.

On social media, false or misleading content often spreads faster when it is emotional or provocative<sup>18</sup>. This dynamic weakens public trust, polarizes discourse, and pressures institutions already struggling with legitimacy. Globally, disinformation undermines democratic practices and deepens social division<sup>19</sup>. In Nigeria, low digital literacy, weak regulation, and the actions of political or commercial actors further intensify these challenges. Studies show that online influencers and “data boys” selectively shape stories to promote interests, sometimes spreading false claims disguised as activism<sup>20</sup>. Efforts by governments and platforms to curb these practices raise ethical and legal questions around censorship, surveillance, and free expression<sup>21</sup>.

On the other hand, reputational risks also heighten under these conditions as accurate or exaggerated negative reviews can erode consumer trust and damage brand credibility<sup>22</sup>. False or misleading content often attracts more engagement than verified information, compounding harm to targeted organizations<sup>23</sup>. In some cases, companies or individuals manipulate reviews by offering incentives for positive feedback<sup>24</sup>.

Some Corporate responses rely on litigation to defend reputation, others prioritize transparency and dialogue. Research indicates the effectiveness of crisis responses depends on context. Legal action may be justified when statements are deliberately false and damaging, but it can also appear repressive when facts remain disputed<sup>25</sup>.

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<sup>18</sup> A. Isah, O. Zakari, F. Chukwuebuni, *Implications of Social Media Disinformation and False Narratives for Public Opinion among Nigerian Electorate*, „International Journal of Sub-saharan African Research” 2(2024), no. 4, pp. 286–304; C. Eke, C. Njoku, *Disinformation, toxicity and harms in online social networks and media in Nigeria*, „Advance Journal of Linguistics and Mass Communication” 9(2025), no. 1, pp. 64–80.

<sup>19</sup> D. Surjatmodjo, A.A. Unde, H. Cangara, A.F. Sonni, *Information Pandemic: A Critical Review of Disinformation Spread on Social Media and Its Implications for State Resilience*, „Social Sciences” 13(2024), no. 8, pp. 1–11; P.N. Vasist, D. Chatterjee, S. Krishnan, *The Polarizing Impact of Political Disinformation and Hate Speech...*, pp. 663–688.

<sup>20</sup> T. Uwalaka, F. Amadi, S.C. Enyindah, *Social Media Influencers and Political Influence Operations...*, pp. 89–115; O.D. Apuke, B. Omar, E.A. Tunca, C.V. Gever, *Does Misinformation Thrive with Social Networking Site (SNS) Dependency and Perceived Online Social Impact among Social Media Users in Nigeria?...*, pp. 307–322.

<sup>21</sup> D. Surjatmodjo, A.A. Unde, H. Cangara, A.F. Sonni, *Information Pandemic...*, pp. 1–11.

<sup>22</sup> S. Jain, *Influence of Online Consumer Reviews on Brand Reputation*, „International Journal for Research in Applied Science and Engineering Technology” 12(2024), no. 4, pp. 4785–4790; R.L. Pate, C. Schapsis, *Free Speech and the Case for Regulating Online Reviews of Professional Services in the United States*, „Law Technology and Humans” 6(2024), no. 3, pp. 139–155.

<sup>23</sup> G.I. Fârte, D.R. Obadă, *The Effects of Fake News on Consumers’ Brand Trust*, „Romanian Journal of Communication and Public Relations” 23(2021), no. 3, pp. 47–61; K. Zhou, S. Šćepanović, D. Quercia, *Characterizing Fake News Targeting Corporations*, in: *International AAAI Conference on Web and Social Media*, 2024, pp. 1818–1832.

<sup>24</sup> S. He, B. Hollenbeck, D. Proserpio, *The Market for Fake Reviews*, „Marketing Science” 41(2022), no. 5, pp. 896–921.

<sup>25</sup> G. Di Domenico, Y. Ding, *Between Brand Attacks and Broader Narratives: How Direct and Indirect Misinformation Erode Consumer Trust*, „Current Opinion in Psychology” 54(2023), pp. 1–7.

The governance of digital platforms adds another layer of complexity. Companies such as Meta have expanded moderation frameworks but apply them inconsistently across cultural and legal contexts<sup>26</sup>. This inconsistency complicates conflict resolution and erodes public trust. The participatory design and global reach of platforms amplify the potential for reputational harm. Delayed or inconsistent moderation can escalate conflicts and deepen mistrust in both corporate and institutional responses<sup>27</sup>.

Professional external image communication<sup>28</sup> is closely linked to the management functions of a given organization<sup>29</sup>. This type of corporate communication requires consideration of potentially damaging factors to image and reputation<sup>30</sup>, particularly in social media – such as fake news<sup>31</sup>. Hate requires crisis communication to stabilize the situation and counteract its effects. This necessitates making decisions about how to respond to hate<sup>32</sup>. Crisis communication specialists are aware that even a seemingly minor issue can damage an organization's image<sup>33</sup>. This is especially true for organizations that are widely known<sup>34</sup>.

It also happens that an organization (brand) will find it very difficult to rebuild its reputation, which will be damaged as a result of social protests and internet user boycotts, even after several years of image-building communication<sup>35</sup>.

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<sup>26</sup> P. San Martín, *Meta's Oversight Board*, „Erasmus Law Review” 16(2023), no. 2, pp. 124–139.

<sup>27</sup> M. Zukić, A. Zukić, *Defamation Law and Media...*, pp. 98–109.

<sup>28</sup> On the topic of managing the image of an organization in crisis – compare: W. Rydzak, *Zarządzanie informacją w sytuacjach kryzysowych*, in: J. Ołędzki, D. Tworzydło, *Public relations. Znaczenie społeczne i kierunki rozwoju*, Warszawa 2006, p. 276; M. Czaplicka, *Zarządzanie kryzysem w social media*, Gliwice 2014, p. 9; M. Kaczmarek-Śliwińska, *Public relations organizacji w zarządzaniu sytuacjami kryzysowymi organizacji. Sztuka komunikowania się*, Warszawa 2015, p. 54; D. Tworzydło, *Procedura zarządzania w kryzysie wizerunkowym w mediach – przeciwdziałanie, reagowanie oraz odzyskiwanie utraconych korzyści*, „Studia Medioznawcze” 3(70)2017, pp. 77–88. idem, *Zarządzanie w kryzysie wizerunkowym*, Warszawa 2019; idem, *Public Relations. Praktyka komunikowania 3.0*, Warszawa 2023, pp. 158–193.

<sup>29</sup> M. Kaczmarek-Śliwińska, *Hejt jako źródło sytuacji kryzysowych podmiotów w przestrzeni społecznej*, p. 76.

<sup>30</sup> On factors such as questions, complaints, errors and myths, image crises – see: A. Winciorek, *Internet PR i influencer marketing*, w: *E-marketing. Planowanie. Narzędzia. Praktyka*, G. Mazurek (ed.), Warszawa 2018, p. 433.

<sup>31</sup> M. Kaczmarek-Śliwińska, *Kryzysogeny potencjał fake newsa*, w: *Oblicza fake newsa. Perspektywa naukowych analiz zjawiska fałszywych wiadomości*, K. Rosińska, P. Płatek (eds), Warszawa 2021, pp. 15–32.

<sup>32</sup> Eadem, *Kryzysogeny potencjał fake newsa*, p. 77.

<sup>33</sup> Eadem, *Public relations organizacji w zarządzaniu sytuacjami kryzysowymi organizacji...*, p. 50; eadem, *Hejt jako źródło sytuacji kryzysowych podmiotów w przestrzeni społecznej*, pp. 78, 80.

<sup>34</sup> On this topic – see: D. Tworzydło, *Public relations praktycznie*, Rzeszów 2017, s. 211–212; M. Kaczmarek-Śliwińska, *Zarządzanie komunikacją kryzysową w przestrzeni mediów społecznościowych w kontekście zjawiska hejtingu*, „Kultura – Media – Teologia” 2016, nr 25, s. 46–58; eadem, *Hejt jako źródło sytuacji kryzysowych podmiotów w przestrzeni społecznej*, p. 81–82.

<sup>35</sup> A. Dudziak, *Kampania reklamowa TIGER TRIP 2K22 w serwisie YouTube jako przykład marketingu narracyjnego (próba ustalenia przyczyn nieskuteczności komunikacji wizerunkowej marki Tiger Energy Drink)*, „Civitas et Lex” 2023, no. 4, pp. 37–54.

This theoretical grounding links culture, law, and communication to the study's central concern on how the Chioma–Erisco case exemplifies the intersection of speech, power, and digital accountability in Nigeria's socio-legal context.

## 4. Methodology

This study uses a qualitative approach that combines a narrative literature review, a case study design, and directed content analysis. The goal is to examine how digital communication, legal interpretation, and corporate reputation intersect in the context of a single online controversy in Nigeria.

The literature review provided the conceptual foundation. It focused on research in digital communication, media law, platform governance, and brand reputation. From this review, four key themes emerged: the legal tension between free expression and defamation, the role of disinformation in shaping digital publics, corporate crisis response, and platform regulation in Nigeria.

The research applies a case study design to analyze the Chioma Okoli Facebook review, a controversy that unfolded in a setting where law, culture, and corporate reputation converge. A case study is an empirical method that investigates a contemporary phenomenon in depth and within its real-world context, particularly when the boundaries between the phenomenon and its environment are not clearly defined<sup>36</sup>. This design is especially suitable for studies that involve multiple variables and rely on evidence from several sources, all of which are examined together to strengthen validity. Case studies typically display four characteristics: a focus on current issues, grounding in contextual reality, attention to the relationship between the case and its setting, and reliance on diverse data sources<sup>37</sup>. In line with these principles, this study draws on two main types of data: a Facebook post as a digital text and a televised interview as an audiovisual artifact<sup>38</sup>.

The central text is a Facebook post written by Chioma Okoli on September 16, 2023, in which she criticized „Nagiko Tomato Mix”, a product manufactured by Erisco Foods. In her original post, she described the product as overly sweet. In a subsequent comment under the same thread, she added that the product

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<sup>36</sup> R.K. Yin, *Case Study Research and Applications: Design and methods*, SAGE Publications, Inc. 2018; P. Baxter, S. Jack, *Qualitative case study Methodology: study design and implementation for novice rresearchers*, „The Qualitative Report” 13(2008), no. 4, pp. 544–559.

<sup>37</sup> R. Bell, V. Warren, *Illuminating a methodological pathway for doctor of business administration researchers: Utilizing case studies and mixed methods for applied research*, „Social Sciences & Humanities Open” 7(2023), no. 1; S. Peng, S. Shiyu, *An investigation into the assessment of the quality of case study in social research*, in: *Proceedings of the 2021 6th International Conference on Social Sciences and Economic Development (ICSSSED 2021)*, 2019.

<sup>38</sup> K.M. Alpi, J.J. Evans, *Distinguishing case study as a research method from case reports as a publication type*, „Journal of the Medical Library Association JMLA” 107(2019), no. 1; S.L. Sitorus, *Qualitative Method (Case Study Research)*, „Journal of Communication Education” 15(2021), no. 1; R. Bunkar, L. Chauhan, A. Verma, *Case study research: A method of qualitative research*, in: *Exploring narratives: A guide to qualitative research methods*, 2024, pp. 67–81.

was “killing people” [https://www.facebook.com/eriscofoods/posts/pfbid02pq9jB-frGsSpBwE7LBLEndSigX47ZvqujJ7XwlyNya9uuuDvssnGYviRucT4GJ4EMI?\\_rdc=2&\\_rdr](https://www.facebook.com/eriscofoods/posts/pfbid02pq9jB-frGsSpBwE7LBLEndSigX47ZvqujJ7XwlyNya9uuuDvssnGYviRucT4GJ4EMI?_rdc=2&_rdr)<sup>39</sup>. Erisco Foods cited this comment as defamatory and used it as the basis for legal action. Erisco Foods’ response confirmed management standards in the field of media monitoring and detecting manifestations of social interest from criticism to hate, as well as the audit of aggression on social media<sup>40</sup>. The post and its related comment were analyzed for tone, rhetorical framing, and implied meaning.

To capture the company’s position, the study examined a televised interview with Erisco Food’s chairman, Eric Umeofia, originally broadcast on Arise News Television on September 28, 2023, <https://www.youtube.com/watch?v=xLfxFUbBhn4><sup>41</sup>. The content of the interview was transcribed manually into transcript text. Directed content analysis<sup>42</sup> guided the examination of both the Facebook text and the interview transcript. This method draws on theory to guide the analysis while remaining open to insights that emerge from the data. In this study, three main coding categories shaped the interpretation: (1) legal framing, referring to rights, law, or defamation; (2) reputational strategies, focusing on defense, denial, or justification of image; and (3) communicative tone and intent, reflecting expressions of frustration, exaggeration, or moral claims. These categories build on key concepts from crisis communication literature, particularly Benoit’s image restoration theory and Coombs’ situational crisis communication theory, while allowing context-specific meanings to surface during analysis.

The legal framework was also examined through a close reading of the Cybercrimes (Prohibition, Prevention, Etc.) Act of 2015. Sections 24 and 27 were particularly relevant because they address online defamation and related offenses. This interpretive approach combines discourse and content analysis to explore how a single expression can acquire reputational, cultural, and legal significance. It is particularly well suited to a context like Nigeria, where institutional trust is uneven and the boundary between informal speech and legal consequence often remains open to contestation.

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<sup>39</sup> Erisco Foods Limited, *Hello friends and esteemed members of the Eriscofoods community [Status update]*, <<https://www.google.com/search?q=www.facebook.com/eriscofoods/posts/971950111061288>>, accessed: 19/07/2025.

<sup>40</sup> On this topic – compare: M. Kaczmarek-Śliwińska, *Internet public relations. Polskie realia działań public relations w sieci*, Koszalin 2010, pp. 123–124; A. Miotk, *Nowy PR. Jak Internet zmienił public relations*, Lublin 2016, pp. 245–263; D. Tworzydło, *Zarządzanie w kryzysie wizerunkowym*, pp. 103–104; M. Kaczmarek-Śliwińska, *Hejt jako źródło sytuacji kryzysowych podmiotów w przestrzeni społecznej*, p. 85.

<sup>41</sup> Arise News Television, *Interview with Eric Umeofia – Erisco Foods on Nagiko Tomato Mix controversy*, <<https://www.google.com/search?q=www.youtube.com/watch?v=xLfxFUbBhn4>>, accessed: 2/10/2025.

<sup>42</sup> H. Hsieh, S.E. Shannon, *Three approaches to qualitative content analysis*, „Qualitative Health Research” 15(2005), no. 9, pp. 1277–1288.

## 5. Literature Review

The right to freedom of expression is foundational to democratic societies and is protected under various national and international legal frameworks. In Nigeria, this right is enshrined in the 1999 Constitution. However, it sometimes conflicts with other protected interests, particularly the right to reputation<sup>43</sup>. Observe that defamation laws aim to prevent the spread of false statements that may cause reputational harm, yet the delineation between defamatory content and protected opinion remains ambiguous, especially in digital contexts.

This conflict becomes more pronounced in cases involving consumer reviews and online critique<sup>44</sup>. Suggest that while good-faith criticism may fall under legitimate opinion, courts may still interpret such speech as defamatory if it lacks factual grounding or causes disproportionate reputational damage. The Nigerian legal framework partly rooted in colonial-era statutes complicates this further.

The persistence of sedition, criminal defamation, and false news laws in Nigeria reflects a legacy of legal tools that often prioritize state or institutional reputation over individual civic rights. These complexities make the Chioma Okoli case an instructive example of how legal protections for free speech can collide with corporate interests<sup>45</sup>.

On the other hand, digital platforms in Nigeria have expanded access to information but have also intensified the spread of disinformation and fake news. These misleading narratives often influence traditional media thereby fueling ethnic and religious divisions and weakening public trust. Algorithmic amplification makes the problem worse by pushing emotionally charged or sensational content to wider audiences<sup>46</sup>. As a result, the digital sphere has become both a space for participation and a source of potential harm, where misinformation can easily distort public understanding and strain social cohesion.

Studies indicate that disinformation in Nigeria is frequently circulated through platforms such as WhatsApp and Facebook, often without sufficient verification by users<sup>47</sup>. Research highlights the role of influencers and so-called “data boys” in shaping narratives, including those that deliberately manipulate

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<sup>43</sup> T.M. Alforova, M.M. Koba, O.V. Lehka, A.M. Kuchuk, *Right to Freedom of Expression v. Reputation Protection...*, pp. 311–330.

<sup>44</sup> E. Kongres, F. Sugianto, E.H. Setyorini, B.S. Kokpan, S. Zhang, *Protecting Consumers against Defamation Claims...*, pp. 294–310.

<sup>45</sup> T. Ilori, *A Postcolonial Legal Critique of Online Expression in Africa*, „Journal of African Law” 68(2024), no. 3, pp. 283–300.

<sup>46</sup> I. Hassan, *Dissemination of Disinformation on Political and Electoral Processes in Nigeria: An Exploratory Study*, „Cogent Arts and Humanities” 10(2023), no. 1, pp. 1–11; A. Isah, O. Zakari, F. Chukwuebuni, *Implications of Social Media Disinformation and False Narratives for Public Opinion among Nigerian Electorate*, pp. 286–304.

<sup>47</sup> T. Kayode-Adedeji, I. Nwakerendu, *Dissemination of Fake News on Social Media...*, pp. 289–297.

or distort information for political or commercial ends<sup>48</sup>. These findings align with broader research suggesting that online toxicity, misinformation, and coordinated digital manipulation are increasingly embedded in Nigeria's digital communication practices<sup>49</sup>.

Traditional defamation laws are increasingly inadequate for addressing the speed, reach, and participatory nature of online expression on social media, as they were designed to counter state-driven coercion rather than the modern dynamics of digital communication<sup>50</sup>. Hence, the Chioma Okoli's case unfolds within this environment, where even personal reviews can be reframed and politicized.

Benoit's Image Restoration Theory identifies five broad strategies organizations use when facing reputational threats: denial, evasion of responsibility, reducing offensiveness, corrective action, and mortification<sup>51</sup>. Each strategy has subcategories, ranging from simple denial and shifting blame to minimization and apology. This typology clarifies how organizations justify or repair their image when accused of wrongdoing. In the Chioma–Erisco case, the company appeared to rely primarily on strategies of denial and blame-shifting, using litigation as a central means of defending its reputation.

Coombs developed the Situational Crisis Communication Theory (SCCT), which links crisis response strategies to audience perceptions and behaviors. SCCT categorizes crises as victim, accidental, or preventable, each requiring varying degrees of accommodation. It posits that reputation management involves shaping responsibility attributions, influencing organizational perception, and reducing negative emotions, as these factors determine behavioral outcomes such as support or rejection of the organization. Coombs distinguishes between defensive corporate apologies and genuine acceptance of responsibility. Although sincere apologies can restore legitimacy, they also create legal and reputational risks. This tension explains why organizations often hesitate to apologize, even when publics expect openness and accommodation through apology or compensation<sup>52</sup>.

The public response to the Chioma Okoli – Erisco Foods dispute illustrates these theoretical dynamics in practice. Although academic studies on the case remain limited, reports from reputable Nigerian media outlets help to capture how civil society and online communities reacted to the company's actions. In March 2024, several organizations including the Purple Women Foundation, EiE Nigeria, and the Women's Advocates Research and Documentation Centre organized

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<sup>48</sup> T. Uwalaka, F. Amadi, S.C. Enyindah, *Social Media Influencers and Political Influence Operations...*, pp. 89–115.

<sup>49</sup> C. Eke, C. Njoku, *Disinformation, toxicity and harms in online social networks and media in Nigeria*, pp. 64–80.

<sup>50</sup> M. Zukić, A. Zukić, *Defamation Law and Media...*, pp. 98–109; B. Sander, *Democratic Disruption in the Age of Social Media: Between Marketized and Structural Conceptions of Human Rights Law*, „European Journal of International Law” 32(2021), no. 1, pp. 159–193.

<sup>51</sup> W.L. Benoit, *Image repair discourse and crisis communication*, pp. 177–186.

<sup>52</sup> W.T. Coombs, *Protecting organization reputations during a Crisis...*, pp. 163–176.

a peaceful march calling for fairness in Chioma Okoli's legal proceedings<sup>53</sup>. These reports described the protest as a collective expression of concern over perceived corporate intimidation and as part of broader debates on freedom of expression in Nigeria. While news reports are not peer-reviewed and can contain bias, they provide useful contextual evidence of how public sentiment developed and how the conflict extended beyond social media into civic activism.

Furthermore, Pring and Canan's work on Strategic Lawsuits Against Public Participation (SLAPP) highlights how lawsuits can be used not primarily to win in court but to silence critics. SLAPPs are typically meritless, impose disproportionate financial and time burdens, and are aimed at discouraging public participation<sup>54</sup>. Therefore, Erisco Food's ₦5 billion lawsuit against a single consumer raises questions about the use of legal instruments to manage reputation in digital spaces.

Power in digital communication operates unevenly because digital platforms actively influence which voices are heard, ignored, or silenced. Algorithms built to maximize engagement push emotional and polarizing content to the top of users' feeds, giving it greater visibility and influence<sup>55</sup>. In doing so, they set the stage for how public debates about reputation and legality unfold. These algorithms do not act neutrally, they reflect the political and economic interests of platform capitalism, where companies prioritize profit and control over balance and fairness. As a result, the visibility of information and the intensity of reactions in cases like Chioma Okoli and Erisco Foods depend not only on what users say but also on how platforms design and control the flow of attention.

In the Nigerian context, the ability to influence public discourse is unequally distributed. Political elites, corporations, and digital influencers often have greater capacity to mobilize public sentiment and control messaging, whether through paid amplification, public relations strategies, or coordinated online campaigns<sup>56</sup>. This suggests that public debates around controversial cases like this are rarely purely organic expressions of civic concern. Instead, they frequently reflect competing efforts to shape narrative frames, manage reputational risk, and secure favorable outcomes through strategic communication interventions.

It is important to note that the regulation of online speech in Nigeria reflects a complex and often contradictory legal landscape. While digital technologies enable civic participation, outdated laws on defamation and false

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<sup>53</sup> TVC News, *Protesters storm Erisco Foods over Chioma Okoli case*, <<https://www.google.com/search?q=www.instagram.com/reel/C4nMFnnAEpc>>, accessed: 17/09/2025; News Central TV, *Purple Women Foundation marches for justice for Chioma Okoli*, <<https://www.google.com/search?q=www.youtube.com/watch%3Fv%3Dv-Gy4klOuSM>>, accessed: 12/03/2024.

<sup>54</sup> J.W. Beatty, *The Legal Literature on SLAPPs...*, p. 4.

<sup>55</sup> J. Stray, R. Iyer, H.P. Larrauri, *The Algorithmic Management of Polarization and Violence on Social Media*, „SSRN Electronic Journal” (2023), pp. 1–36; I. Lianos, K.H. Eller, T. Kleinschmitt, *Towards a Legal Theory of Digital Ecosystems*, „SSRN” 16(2024), pp. 1–62.

<sup>56</sup> I. Hassan, *Dissemination of Disinformation on Political and Electoral Processes in Nigeria...*, pp. 1–11; T. Uwalaka, F. Amadi, S.C. Enyindah, *Social Media Influencers and Political Influence Operations...*, pp. 89–115.

news, many of which are rooted in colonial statutes continue to contemporary cyber legislation<sup>57</sup>. These overlapping frameworks often blur the line between legitimate expression and punishable speech.

These overlapping legal frameworks create an environment of legal uncertainty. The provision 24(1)(b) of the Cybercrime (Prevention) Act 2015 criminalizes the intentional transmission of false, intimidating, or hateful content through digital networks and has been used to detain journalists critical of public officials on social media. Within this context, the Protection from Internet Falsehood and Manipulations (PIFM) Bill 2019 was introduced to the National Assembly in November 2019. While media organizations labeled it the “anti-social media bill”, its sponsor, Senator Mohammad Musa, justified it as a measure to address the rapid spread of propaganda and misinformation online<sup>58</sup>. Nigeria’s Cybercrimes Act serves as the primary legislation for regulating digital offenses, providing a framework for detecting, preventing, and prosecuting crimes such as unauthorized access, electronic fraud, and system interference. However, such laws often grant authorities broad powers that can suppress dissent and create a chilling effect on digital expression<sup>59</sup>.

Social media’s “dark side”, including unregulated anonymous content and its impact on public discourse, contributes to ethical challenges and governmental perceptions of platforms as threats, as seen in Nigeria’s 2021 Twitter ban, which was criticized as a violation of democratic rights, highlighting the need for further research into these negative effects<sup>60</sup>.

Although content moderation policies have expanded, enforcement remains inconsistent and lacks a clear rights-based approach<sup>61</sup>. In this case, Facebook’s handling of the original post and subsequent reactions reveals a broader governance gap. The platform’s silence on whether the content breached its terms underscores the lack of clarity when personal expression challenges corporate reputation.

Compounding these issues, Nigeria’s digital governance landscape faces significant hurdles in enforcing legal and ethical regulations, as public

<sup>57</sup> T. Ilori, *A Postcolonial Legal Critique of Online Expression in Africa*, pp. 283–300.

<sup>58</sup> A.O. Salau, *Social Media and the Prohibition of ‘False News’: Can the Free Speech Jurisprudence of the African Commission on Human and Peoples’ Rights Provide a Litmus Test?*, „African Human Rights Yearbook / Annuaire Africain Des Droits De L’Homme” 4(2022), pp. 231–254.

<sup>59</sup> I.H. Chiroma, I. Sule, *Twitting to Suspend Twitter’ – Social Media Censorship in Nigeria: Possibilities, Realities and Legalities*, „Scholars International Journal of Law Crime and Justice” 5(2022), no. 6, pp. 202–210; A. Oyepho, *Appraising The Cybercrimes (Prohibition, Prevention Etc.) Act, 2015 in the Context Of Jurisdiction in Cyberspace*, „Nnamdi Azikiwe University Journal of International Law and Jurisprudence” 15(2024), no. 2, pp. 69–80.

<sup>60</sup> Y.K. Dwivedi, E. Ismagilova, D.L. Hughes, J. Carlson, R. Filieri, J. Jacobson, V. Jain., et al., *Setting the Future of Digital and Social Media Marketing Research: Perspectives and Research Propositions*, „International Journal of Information Management” 59(2020), pp. 1–17; E.J. Adams, D. Baba, *Ethical Issues of Social Media in Nigeria*, „Indonesian Journal of Public Administration Review” 1(2024), no. 2, pp. 1–25; A. Mohammed, L.A. Adelakun, *The 2021 Nigerian Twitter Ban: A Text-Analytics and Survey Insight into Public Reactions and Outcomes in the Early Weeks of the Ban*, „Communication and the Public” 8(2023), no. 4, pp. 390–401.

<sup>61</sup> P. San Martín, *Meta’s Oversight Board*, pp. 124–139.

institutions grapple with resource constraints, limited capacity, and political pressures, resulting in fragmented and reactive digital governance<sup>62</sup>. Limited media literacy campaigns and fact-checking efforts, constrained by low public engagement and the lack of integrated digital education in formal systems, fail to counter misinformation, allowing disinformation and censorship to erode civic dialogue<sup>63</sup>. This institutional gap, evident in the Chioma Okoli controversy, allowed speculation and partisan narratives to dominate online discussions due to delayed and inadequate official responses.

## 6. Findings and Discussion

The analysis of the Facebook post, the subsequent comment, and the Erisco Foods interview reveals interconnected themes of legal framing and reputational strategies. Erisco Foods is a major Nigerian manufacturer in the tomato paste sector, locally positioned as a symbol of indigenous production competing with imported brands.

The first theme concerns legal framing. Erisco Foods treated Chioma Okoli's original Facebook post as defamatory and filed a ₦5 billion lawsuit under the Cybercrimes (Prohibition, Prevention, Etc.) Act of 2015. The Act provides a broad basis for such claims. Provisions 24(1) criminalizes online communication that is "grossly offensive or known to be false, for the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred, ill will or needless anxiety to another", with penalties of up to three years' imprisonment and a fine of ₦7 million. Provisions 27(1) extends liability to anyone who "aids, abets, conspires, counsels or procures another person to commit any offence under this Act", applying the same punishment as the principal offense. In practice, these broad provisions allowed Erisco Foods to interpret Chioma Okoli's casual, hyperbolic phrasing as a prosecutable offense, transforming what might otherwise have been dismissed as consumer dissatisfaction into a matter of criminal law. While the Constitution explicitly guarantees freedom of expression and the right to receive and impart information<sup>64</sup>, the expansive wording of the Cybercrimes Act creates space for corporations to frame ordinary online commentary as criminal defamation.

The second theme relates to reputational strategies. In a televised interview on Arise News Television, Chairman Eric Umeofia defended the company's legal action as necessary to safeguard Erisco's image. Directed content analysis of the interview transcript shows that Eric Umeofia repeatedly framed the lawsuit as

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<sup>62</sup> C. Eke, C. Njoku, *Disinformation, toxicity and harms in online social networks and media in Nigeria*, pp. 64–80.

<sup>63</sup> P. Boshoff, B. Fafowora, *Digital Media Literacy in Africa: Towards a Research Agenda*, „African Journalism Studies” 45(2025), no. 4, pp. 1–11.

<sup>64</sup> A. Ashiru, *Cyberstalking law and the right to freedom of expression in Nigeria: a dead ringer or a constitutional snag?...*

a defense of corporate integrity. While such positioning aligns with a protectionist view of reputation, it also illustrates the risks of using litigation as a primary response. Crisis communication research emphasizes that punitive approaches can reinforce public perceptions of suppression and escalate reputational damage, particularly when publics expect openness and dialogue<sup>65</sup>.

Importantly, Chioma Okoli's informal and hyperbolic phrasing stood in sharp contrast to Erisco's formal legal framing of the incident. What began as a casual expression of consumer dissatisfaction was later interpreted as a defamatory statement. As discussed earlier, culture plays a vital role in shaping how meaning is produced and interpreted in communication<sup>66</sup>. A closer cultural reading suggests that Okoli's remark, "your product is killing people", was figurative rather than literal. In her original post, she described the tomato mix as "too sweet," adding the Igbo phrase *ike gwuru situation* (meaning "fed up" or "utterly exhausting situation"). When another user, who claimed to be related to the product owner, accused her of "spoiling" the brand, Okoli replied, "help me advise your brother to stop killing people with his product... it's pure sugar, Tueh".

In many Nigerian communities, particularly in conversations about food, excessive sweetness is often linked to unhealthy or artificial processing. The addition of sugar to a staple product like tomato paste is commonly viewed as unnatural and potentially harmful. From this perspective, Okoli's statement can be understood as a culturally grounded critique of product quality rather than an accusation of physical harm. However, Erisco's chairman later clarified in a television interview that the company uses honey, not sugar, in its product. This difference in interpretation highlights how cultural and linguistic nuances shape meaning and how their absence in legal and corporate communication can lead to misunderstanding.

As a result, these findings show that the Chioma Okoli–Erisco dispute was not simply about one Facebook post but about the way digital expression, corporate strategy, and legal frameworks collided. The conflict highlights the tensions that arise when informal speech enters formal institutional contexts, where cultural nuance is often stripped away and replaced with legalistic meaning. These findings resonate with research in other contexts, including Polish scholarship on crisis communication<sup>67</sup>, which emphasizes that ethical and situational balance is essential when managing crises in dynamic social media environments.

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<sup>65</sup> W.L. Benoit, *Image repair discourse and crisis communication*, pp. 177–186; W.T. Coombs, *Protecting organization reputations during a Crisis...*, pp. 163–176.

<sup>66</sup> N.M. Tri, *Culture as a dynamic product of socially and historically situated discourse communities...*, pp. 121–128.

<sup>67</sup> M. Kaczmarek-Słowińska, *The Specificity of Crisis Management in Social Media from the Perspective of W.T. Coombs' Situational Crisis Communication Theory*, pp. 318–332.

## 7. Conclusion

This study examined the Chioma Okoli–Erisco dispute to explore how digital communication, legal interpretation, and corporate reputation interact in Nigeria’s contested media environment. Using a case study design and directed content analysis, it analyzed how a Facebook post and a corporate interview became the focal points of a legal and reputational conflict.

The findings highlight three key dynamics. First, the legal framing of digital speech shows how hyperbolic or colloquial language can be reinterpreted as defamation once it enters formal institutions. Second, the company’s reliance on litigation as a reputational strategy underscores the limits of legalistic responses in crisis communication, especially in contexts where publics are highly sensitive to perceived suppression of free expression. Third, the communicative tension between informal consumer speech and formal corporate or legal discourse illustrates the ambiguities that arise when cultural nuance and tone are stripped from digital texts and reframed through statutory instruments.

These insights connect directly to broader debates in crisis communication and media law. The case affirms Benoit’s and Coombs’ observations that punitive approaches often worsen reputational damage by alienating stakeholders. It also resonates with Beatty’s discussion of Strategic Lawsuits Against Public Participation (SLAPPs), where legal action functions less as redress and more as a tool of intimidation. Although not all corporate litigation qualifies as SLAPP, the Chioma Okoli case shows how the perception of suppression can erode trust and escalate conflict.

The study contributes to knowledge by grounding theoretical insights in a concrete case from Nigeria, a context where weak institutional trust and plural legal regimes complicate digital governance. For practice, it suggests that corporations should combine legal awareness with culturally sensitive and communicative approaches. Heavy reliance on legal instruments may protect corporate authority in the short term but risks long-term reputational harm when publics perceive such actions as disproportionate or suppressive. A culturally aware, transparent, and dialogic approach to consumer criticism offers a more sustainable path for maintaining public trust. At the same time, the case raises broader questions about the regulation of online speech, the balance between protecting reputation and safeguarding expression, and the urgent need for reforms that prevent the misuse of legislation as a tool for silencing civic voices.

Erisco Foods’ crisis management approach reflects a departure from corporate social responsibility (CSR) principles and professional crisis communication standards. Instead of adopting accommodative strategies that emphasize dialogue, apology, and corrective action, the company pursued a confrontational legal response. Coombs’s SCCT explains that accommodative strategies such as apology or compensation are best suited to high-responsibility crises, where organizational fault is clear and reputational risk is substantial. In this case, the proportionality of Erisco’s reaction is questionable: did Chioma Okoli’s comments cause measurable economic harm or provoke a mass boycott?

If not, the company's legal action was likely excessive and counterproductive. By responding through litigation rather than open communication on the same platforms where the crisis began, Erisco intensified public backlash, resulting in avoidable reputational damage. From a CSR and public relations perspective, the company missed the opportunity to rebuild trust through transparency, empathy, and corrective engagement. This case demonstrates how prioritizing defensive legal tactics over ethical communication can erode both legitimacy and long-term reputational capital.

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