

# We Are All Culpable: A New Narrative in Nigerian Media Regulation and Control

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## **Abstract**

Media control is not limited to ownership control as erroneously conceived. This is misleading because media control takes different form and shape depending on the political system of a country as espoused in the four theories of the press. Starting from the 15<sup>th</sup> century when mass circulated press began, authorities in Europe had been opposed to freedom of expression and that of the press. Hence, several draconian measures were introduced to control the press. These measures appeared in form of arbitrary press legislations, confiscation of printed newspapers and news magazines, outright ban of publication, imprisonment and sometimes execution of the journalist involved. These measures were also adopted by military and one party government in other climes up till the 20<sup>th</sup> century. Radio and television stations are not exempted. The first newspaper in Nigeria began in 1859 but from 1862, the colonial governor had stepped up effort to control the press by directing the secretary of state in London to stop *Anglo African*, the second newspaper from coming out. Apart from these legislations, media owners also control their ventures through several measures to protect their interests. Besides, there exist regulatory agencies and professional journalism associations which monitor and regulate the performance of the press. This paper recommends that media practitioners should adhere to their professional codes of ethics which, in the first instance, are subtle measures of self-control. Government and media proprietors should respect media practitioners' ethical decision as professionals in their own right.

**Keywords:** *.Media Control .Ownership Control .Legislations .Regulatory Agencies .Freedom of the Press.*

## **INTRODUCTION**

Political leaders and governments have been concerned about controlling the media for obvious reason- to have their activities, especially their tyrannical rule, concealed from the general public. From monarchical era to military, and one party rulership till modern liberal democracy, political leaders have always devised means of controlling the media. Media owners too, use subtle means such as house style, policy direction, recruitment of editors, etc to control their business (media) venture. It is in an effort to document this control that necessitated this paper which is an exploratory research to dig into past records and beam its searchlight on the current milieu with a view to understanding the historical journey of media control in Nigeria.

Media control is often seen by many as ownership control. This is a wrong assumption because media control is not limited to ownership control. There are other forces other than proprietors that exercise control over mass media. Taking a cue from the four theories of the press espoused by Sierbert, Theodore and Schramm (1956), media control began with the authoritarian rulers of the 16th and 17th centuries. The development of the authoritarian theory is predicated on two views. The first is that man is subordinate to the state (authority). The second is that it is the divine right of the state to use man to maintain order and thereby promote the continued existence of the state (Siebert, et al, 1956). Therefore, the authoritarian rulers of the period did not tolerate freedom of expression and press. The media under the authoritarian regime of the monarch was regarded as a vehicle for disseminating information about the position of the state to the people. The main duty of the media under the authoritarian regime of the period was to inform the people about what was right or wrong as

defined by the state (Siebert, *et al*, 1956). The ruling elite in Europe then controlled much of the media, using it to provide official policy statements, which were geared to achieving their set goals

Media ownership under the authoritarian arrangement is as important as the media themselves. In other words, who owns any part of the media is as important an issue as how the media are used. In its formative years in England, for example, private citizens who were largely sympathetic to the crown were allowed to own media. With time, the number of privately-owned media increased creating a new problem of an effective method of private media control. This led to enactment of various laws between 1476 and 1776 in England to restrict the press. Seditious and libel laws were enacted to punish those who criticized the government or the Crown no matter how fair or true the criticism (Daramola, 2005). The press was also subjected to licensing or prior restraint. These laws required publisher to get prior approval of the state or the church before printing handbills, pamphlets or newspapers. Printers were also required to deposit with government, money as bond. Any printer who ran foul of the law automatically forfeited his money. The printer was also forced to post another bond before printing could be resumed. The British government also promoted special patents and monopolies to certain printers in exchange for their cooperation in helping the Crown ferret out other printers who broke the publication laws (Hule and Anderson, 1997).

In the midst of this situation came libertarian ideas, a reaction to the stringent measures of the authoritarian rulers. Agitated by the intolerance of freedom of expression and that of the press, libertarian philosophers rose up to challenge the high handedness and rigidity which characterized the authoritarian regime in Europe in the 16th and 17th century. Libertarianism is characterized by the notion of freedom without enforced responsibility.

The libertarian philosophers came up with the idea of democracy and fought with their pens for freedom of expression and press. Many journalists were persecuted in the form of trial, assassination, and imprisonment before the freedom was later granted. As ideas about democracy and libertarianism spread throughout Europe, particularly England, it became harder for the government to limit freedom of expression. The power of the printing press in spreading ideas to several thousands of people greatly helped foster the democratic spirit. British law also regulated American printers as well. During the colonial era, the first newspaper in America colony published in 1690 by Harris was immediately banned after its first edition. Harris offence was that he did not get permission to print the paper, *Publick Occurrences Both Foreign And Domestick* as laid down by English law. In spite of these laws, it was easier to print in the American colony than in England. Although, British authorities still used licensing, taxes, and sedition laws to control American printers and publishers (Daramola, 2013 p. 68).

In 1722, James Franklin, publisher of *England Courant*, was jailed for failing to get approval to publish his paper. Based on the agitation and resistance of the libertarians printers in the colonies many began to resist the taxes levied on them. A litmus test for press freedom came in 1735 involving the publisher of the *New York Weekly Journal*, John Peter Zenger, a German immigrant. Zenger was jailed in November 1734 for criticizing the colonial governor (Hynds, 1975). Zenger, however, sued the colonial governor and the outcome of the case was a litmus test for journalism when Zenger was acquitted and discharged. The verdict was widely published in America and England but this did not stop the British colonial masters from muzzling the press though this time not with seditious law any more but with breach of parliamentary privilege or contempt of parliament.

The British colonial masters were now aware that American Jurors were hostile to their efforts to suppress freedom of expression and that of press. Many printers and publishers were thus jailed through the parliament for offences relating to seditious libel but not through the court and not under sedition law. Newspapers that came up after the famous Zenger trials were robust and pungent and they ignored parliamentary privileges. It was during this period that patriots and libertarians began to question the rationale for suppressing freedom of expression and that of the press. Many of these libertarians and philosophers argued that freedom of expression was a God-given right, a natural right that should not be curtailed or tied to any law. Some of the key advocates of this position were John Milton, a British poet; Isaac Newton, John Locke, Adam Smith and even in American colony came the voice of

Thomas Jefferson and the host of others. They advocated liberalization of the operations of the media because of their belief that democratization of information followed by the individuals' ability to distinguish between right and wrong was the best way forward

### **Social Responsibility Theory**

The fear that libertarian theory could be abused and which actually occurred led to agitation for social responsibility theory and fairness doctrine. Social responsibility theory is based on the premise that freedom carries concomitant obligations, and the press, which enjoys a privileged position under our government (including Nigerian government), is obliged to be responsible to society for carrying out certain essential function for mass communication (Day, 1991). The theory therefore came up with idea that while the press should be free, it must nonetheless be responsible. The theory further holds that everyone who has something to say shall be heard, while the control of the press would be through community opinion, consumer action and professional ethics. The realization that the press must be responsible to society leads to the idea of codes of ethics in different countries.

### **Communist or Soviet Totalitarian Theory**

Further to authoritarian ruler's desire to control the press, the above theory expected the press not to serve the people but to inform it in line with what the government wants the people to know. In other words, the media are only an instrument of the state designed to protect the communist philosophy but preparing the masses for unity and eventually, revolution

### **New Wine in Old Bottle: The Nigeria Example**

The Nigeria press derived its origin from the British press and consequently the freedom enjoyed by the British press was automatic for Nigerian press. On few occasions when the British made attempt to stifle press freedom references to established principles were made in support of the case for a free press as an essential instrument for vindicating the cause of the oppressed (Omu, 1978). Omu (1978) recounts that the idea prevalent in the eighteenth century that liberty was the source of England's greatness, that a free press was the most valuable of British privileges, 'the great palladium of the British freedom; the arguments of the philosophic Radicals or Benthamites – the influential intellectual element in the British liberal movement of the nineteenth century – which gave intellectual support to advocates of press freedom; all these were cited and quoted in support of press freedom in Nigeria' (Omu, 1978, p.171). He cited the famous declaration of *The Times* of London in 1858 which became an article of faith for Nigeria press:

Liberty of thought and speech is the very air which an Englishman breathes from his birth; he could not understand living in another atmosphere. Nor when you once allow this liberty can you restrict the range of its subjects. The principle must have free exercise, or it dies (Omu, 1978, p.171).

The first newspaper was published in Nigeria in 1859 (Coker, 1968). The 'anointing' of the British press (i.e. freedom and liberty) automatically fell on Nigerian newspapers. Though several attempts were made by the British colonial governors to either control or muzzle the press, the Nigerian press survived. In 1862, Governor H.S Freeman made attempt to stop Robert Campbell from publishing his newspapers, *Anglo African*, in Lagos. The governor requested the Secretary of State in London to grant him the power to impose a tax which would make it impossible for Campbell to import his printing machine to Lagos. Freeman's demand was, however, rejected (Omu, 1978, p.173).

In 1866, Governor John Glover directed the post office to confiscate the edition of London based *African Times* sent to Nigeria. He subsequently arranged for slow deliveries whenever physically convenient. On May 19, 1882, J.B Benjamin; publisher of the *Lagos Observer*, was brought to trial for contempt of court and convicted. Benjamin's appeal against the decision of the lower court was thrown out. As part of the measure to control the press, in 1891, the Official Secrets Ordinance was introduced. The ordinance made it an offence for any civil servant to divulge important state secrets to a newspaper. In 1903, a Newspaper Ordinance arrived from the colonial office in London to the pleasure of Governor Macgregor. The

Governor had wished he had the power to control the press because of increasing attack on his predecessor, Governor Henry McCallum. The Ordinance provided for the registration of the owners, publishers and printers of newspapers. Newspaper proprietors were required to deposit £200 caution fee with the government in the form of a bond. The law was patterned along Trinidad which led to the death of Tobago News. Though Nigerian press criticized the Ordinance, it was, however, passed into law by the Legislative Council so as to control the press which Governor Macgregor had described as "ill-formed and mendacious" and "ignorant and malevolent" (Omu 1978 p. 176).

An ordinance that made provision for the punishment of seditious offences was enacted in 1909 by Governor Egerton. The law was to further assist the Governor to tighten control of the newspapers. Though the Seditious Ordinance had its roots in the pamphlet published and circulated by Herbert Macaulay, in which he accused the governor of maladministration particularly in the administration of the railway. Egerton was vexed by the pamphlet that he wrote the Secretary of State for an Ordinance that would punish Sedition and other related offences. The Ordinance was, according to Omu, divided into eight sections. Under sections three, four and five, "anyone who excited hatred towards the government or between classes in the community or caused an officer to fail in his duty, was punished with imprisonment which may extend to two years or with a fine (no amount stated) or with imprisonment and fine" (Omu, 1978, p. 184). The Ordinance empowered district commissioners and police magistrates to check seditious publication in their areas of authority, by requiring offenders to execute a bond for good behaviour for a maximum period of one year. The bill was received with stiff opposition by *The Standard*, *The Chronicle* and two African members of the legislative council, Barrister Sapara Williams and Obadiah Johnson who were supported by Kitoyi Ajasa. Nevertheless, the Bill was passed on November 9, 1909. Lord Fredrick Diety Lugard, the successor of Egerton prosecuted one editor, James Bright Davies who was convicted for six months.

As if he was not satisfied with the Seditious Ordinance, Lugard who had on October 16, 1913, in "one of those memorable letters to his wife described Nigerian press as 'scurrilous local yellow press' and decried what he called its 'monstrous freedom', made an effort to amend the 1903 Newspaper Ordinance in 1917. It was aimed at controlling the newspapers by introducing censorship clause in the new law. The clause would have read thus;

- [i] If and when an emergency shall have arisen or to be about to arise affecting the public safety the Governor may by notice in the Gazette
  - [a] appoint a censor of newspapers
  - [b] require the submission to the censor of a copy of every newspaper before the publication thereof

The colonial office rejected Lugard's clause on censorship of the press. However, in 1918, Lugard still sent the bill to the Legislative council that hurriedly passed it into law with the sole objective of putting the press in check. In 1919, Lugard left the country amidst sharp criticisms and abuses by the Nigerian press.

As part of the colonial government's effort to control the press, J.A. Olushola, editor of the *Lagos Daily News* was charged to court on July 6, 1928 for publishing a rumour with intent to incite one class of the community against another. Olushola was fined £50 or three months imprisonment. He paid the fine and escaped the sentence. On August 13, 1928, Herbert Macaulay and Dr. Caulcrick, proprietors of the *Daily News* were charged to court for the same offence. Caulcrick, Vice president of the Nigerian National Democratic Party (NNDP) was fined £50 or three months' imprisonment. Herbert Macaulay was jailed six months without the option of a fine. Macaulay stayed in prison for 185 days to the delight of his political opponents (ibid). The famous publisher and editor of the *Record*, Thomas Horatio Jackson was convicted under the contempt of court law in 1925. Thomas Jackson was brought to court for scandalizing the court for his article entitled, "The Dangers of the Judicial System in Nigeria". He was summarily sentenced to two months imprisonment to purge his contempt (Omu, 1978, *Rex vs Thomas Jackson* 1925).

Other court cases that depicted colonial government's desperation to control and muzzle the press were cited by Omu (1978). The cases are Herbert Macaulay and two others (1929), *Rex vs Victor Babamuboni* (1931) and *Rex vs Ajasa* (1936). In the first, Hebert Macaulay was

charged with Dr. Caulcrick and J.A. Olushola, co-proprietor and editor of the *Daily News* respectively, on the basis of articles published between May and August 1929. The three of them were fined three guineas by the court. In the second case, Victor Babamuboni, acting editor of the *Nigerian Daily Telegraph*, upbraided the Chief Justice for allowing an English man cited in a case from escaping from the country. He was sentenced to two months imprisonment, the proprietors of the newspaper, the Nigerian Press Limited, were fined £50. The third, *Rex vs Ajasa* (1936), was withdrawn after the accused apologized in court for contempt of court for publication of which was *subjudice* (Omu, 1978).

It would be seen from the discussion so far that the colonial governors were all desperate to control the press and send their perceived 'enemies' newspapermen to jail. These were manifestation of government control and not ownership.

### **Post Independence Nigeria – The Bitter Pill Continues**

Nigeria gained independence in 1960 but the central government headed by Alhaji Abubakar Tafawa Balewa did not consider enacting another law apart from the existing legislations to control the press. As a matter of fact, Alhaji Balewa decided to set up a printing press to publish *Morning Post* and *Sunday Post* to counter attack Nigerian Tribune, a newspaper of the opposition party, *Action Group*. The military government that toppled Balewa government, the General Yakubu Gowon government (1966 – 1975), promulgated so many decrees to control and possibly muzzle the press (Daramola 1999, 2014, Momoh). The most obnoxious of these decrees was the Public Officer (protection against false accusation) Decree No. 4, 1984 which outlawed media organizations from going after scoop.

### **Media Control in Democratic Nigeria**

The 1999 constitution which ushered in a democratic government on May 29, 1999 made provision for a free press under Section 39. Section 22 of the constitution also gave specific power to the press to monitor governance and hold government accountable to the people (1999 Constitution). In 2011, another law, Freedom of Information Act was passed into law by the National Assembly. Though not specifically a press law, it allows every citizen and resident to write to request for public record and information considered to be in public interest from any government departments or organizations. Despite the presence of the 1999 Constitution and other Acts permitting freedom of the press barely a month into the life of Insider, a weekly magazine, security operatives from the Force Criminal Investigation Department Panti, Yaba arrested three editors of the magazine – Osa Director, editor-in-chief, Chuks Onwundinjo and Janet Mba-Afolabi, both Executive Directors - on Monday December 1, 2003 in connection with the November 24 edition of the magazine titled, 'Aso Rock's Oil Bunkering Scandal'. The story was on the business of illegal oil bunkering which involved top government functionaries in the illicit trade of economic sabotage. The arrested editors were subsequently charged before the Yaba Magistrates Court for sedition and defamation against Atiku Abubakar, the Vice-President and Mohammed Gusau, National Security Adviser, (NSA) to the President. The three editors were, however, released on bail by the court on Wednesday, December 3, 2003.

In spite of the generous provisions of the 1999 Constitution, the Obasanjo administration shut down *AIT* following the station's scoop on the where about of Bellview aircraft that crashed at Lisa village in Ifo, Ogun State on Saturday, October 22, 2005 few minutes after takeoff, killing all the 112 passengers and five crew members on board (TELL Magazine, Nov. 7, 2005, p. 22). A similar fate befell the station in 2006 following a documentary it showed concerning the Third Term Agenda of President Olusegun Obasanjo in which the administration lobbied the National Assembly to amend the Constitution so as to elongate the president's tenure. *Freedom FM* Kano also received the same treatment due to its anti-third term programmes and for that reason, the station was suspended from airing its programme from five O'clock to 10p.m which represents the peak/catering period of the station. On Tuesday, 4 July, 2006, two journalists, Messrs Gbenga Aruleba, an Assistant Manager with *African Independent Television*, *AIT* and Rotimi Durojaiye, Senior, aviation correspondent, with *Daily Independent* and their employers were arraigned on a six count charge for making defamatory statements about the newly purchased presidential jet and thus inciting disaffection against the person of the President and his administration.

The journalists were accused of describing the presidential jet, 5N-FGT, a Boeing Business jet (BBJ) 737-800, (with the inscription Nigerian Air force) Nigeria equivalent to the US Air force 001 as a used jet, or "second-hand" or "tokunbo" in local parlance. They were dragged before an Abuja Federal High Court, presided over by Justice Babs Kuewumi on June 27, 2006 by the State Security Service (*TELL Magazine*, 2006).

In 2008, late President Umar Yar'Adua's administration through the National Broadcasting Commission (NBC) revoked *Channels Television's* licence for carrying a news broadcast that insinuated that President Umar Yar'Adua was contemplating to resign as President of the Federal Republic of Nigeria because of ill health. According to *Nigerian Tribune*, "The National Broadcasting Commission (NBC) on Wednesday in Abuja revoked the licence of *Channels Television*, saying the action was without prejudice to any further action that may be taken by the Commission as investigation is ongoing" (*Nigerian Tribune*, 2008 p. 1). The Managing Director of News Agency of Nigeria (NAN), Mrs. Oluremi Oyo, was interrogated by security operatives in connection with the resignation hoax.

On Tuesday, October 18, 2011, security operatives invaded Vintage Press Limited, publisher of *The Nation* newspaper. Yusuf Alli, Managing Editor, Northern Operations of the newspaper was arrested and charged to court on Thursday, October 20, 2011. Before then, Alli had spent 36 hours in police custody. Yusuf Alli was arrested along with Yomi Odunuga, the paper's Abuja Bureau Chief, while Lawal Ogienagbon, Deputy Editor and Dapo Olufade, News Editor of the weekend titles, were arrested from the newspaper's Lagos office. John Unachuckwu, the company's lawyer, Jide Adegbenjo, a security officer, and Dupe Oshinkolu, a reporter, were also arrested at the Lagos office. The men were arrested over a story entitled: "Obasanjo's 'secret letter to Jonathan stirs Anger, Ex-president seeks sack of PTDF chief, four others". In the contentious story, it was alleged that Obasanjo in a letter to President Goodluck Jonathan recommended the sack of some chief executives of federal government agencies. He also allegedly recommended their replacement. Yusuf Alli was, however, charged to court for sedition, defamation and forgery while others were released on the order of the Inspector-General of Police, Hafiz Ringim. In April 2013, two editorial staff of *Leadership* Newspaper, Abuja, were arrested, detained, arraigned before a High Court by the Federal Government. They were however, released in May 2013 when the Federal Government, announced her intention to discontinue with the litigation. In an effort to control the press over what the government considered 'outbursts' over the Boko Haram terrorists activities several newspapers were impounded and destroyed by security agencies under President Goodluck Jonathan administration in 2014.

### Media Ownership and Control

The most common assumption is that the owners of the media influence the content and form of media through their decisions to employ certain personnel, fund special projects, and by providing a media platform for ideological interest groups. The mechanism of control generally exercised by media proprietors is through the appointment of editors, "who become the proprietor's voice' within the newsroom ensuring that journalistic 'independence' conforms to the preferred editorial line" (McNair 1994, p.42). As a result, the media are turned into indispensable tool for retaining and promoting the powers of their owners. The power of the media is not just through its editorial line but also in covering some issues rather than others, some views but not others. It is this power that makes politicians so reluctant to cross the large media moguls and regulate the industry in the public interest.

In this sense, media owners have enormous bearing on the way in which they will cover political issues particularly elections. Candidates who are placed on the media's agenda have a chance to win; those that are ignored, languish. Those issues, either policy or personal which the media spotlight become the yardsticks for measuring candidates. When candidates receive heavy and favourable publicity, their campaigns flourish (Lichter and Noyes 1995 p. 24).

The economic strength of media conglomerates increases their position in society so that they become powerful institutions with substantial political power. According to Bagdikian (2000,p.8) the largest media giants have achieved alarming success in writing the media laws and regulations to favour the interests of their corporations rather than the interests of the general public. In Europe and the United States, many cross-media ownership rules have been

relaxed or have disappeared with the rise of a laissez-faire ideology within parliaments, governments and regulatory bodies. As a consequence of the increasing influence of the media conglomerates on public opinion, there is little substantive coverage of the spectacular media deals in terms of the perceived effects of these deals. In most cases, journalists are directly affected but they do not report their own concerns probably because of internal pressure.

They also have power to influence the policies that elected governments implement and plenty of reason to exercise that power. "In recent years, media companies have been among the most profitable businesses" in the US (Lichter and Noyes 1995 p. 4). Karl Marx in "German ideology" (cited in Murdock and Golding, 1977) expressed misgivings about media ownership when he opined:

The class which has the means of material production has control at the same time over the means of mental production so that thereby generally speaking, the ideas of those who lack the means of mental production are subject to it... In so far, therefore, as they rule as a class and determine the extent and compass of an epoch, it is self evident that they ....among other things... regulate the production and distribution of ideas of their age, thus their ideas are the ruling ideas of the epoch.

In some cases, proprietors have been known to demand self-censorship by their editors. The proprietors expect those working in their media organizations to understand and protect their interests. Often a proprietor's economic and/or political interests are very influential in how they want their papers or broadcast station to relate to the government of the day. In 1992, the late Moshood Abiola, the multi-millionaire politician, asked his editor, Bayo Onanuga, of the *Concord Newspaper* to apologize to the then military President Ibrahim Babangida over Onanuga's article in one of the titles of which Abiola believed 'angered the President'. However, Onanuga refused to apologize and instead he resigned along with three others. Abiola, however, did apologise verbally and in writing. The apology letter from Abiola to the President, was reported exclusively by the *Daily Times* 23 April, 1992. But it is not in all cases that proprietors directly or indirectly control their organization. Aloba (1995 p. 53) recounts his experience as editor of both government and private owned newspapers thus:

I was the Editor-in-Chief of the *Morning Post*, under Alhaji Abubakar Tafawa Balewa. If I made mistakes, if I censored myself beyond reason, please blame me for that much. But please accept me as a witness of truth if I claim I never one day received instruction or direction from Balewa to "attack this or abuse that," which, was the kind of instruction, that was telegraphed, from Onitsha, when I worked with the *West African Pilot* in the forties. And, if Balewa had issued the kind of direction alleged or suspected, I would have had better personal, maybe, selfish reason to "pray and obey. Earlier in 1949, this writer worked for Justice Udo Udoma, then a practicing lawyer and chairman of the Ikemist Company which owned the Eastern States Express. Let me place it on record, here, that Dr. Udo Udoma, to date, has been and remains my best employer. He was too urbane not to dabble into a profession he did not belong. Almost every evening he strolled past my office, at Park Lane, in Aba, but never considered it his business to walk in, to parade himself or to show me off as one of his many employees. This was a far cry from some so-called super Permanent Secretaries, who were fond of going into the production room and commanding to be showed around".

### **Regulatory Framework**

All over the world, there are regulatory agencies and professional bodies established purposely to regulate the mass media and conduct of professionals. Some of these associations include the American Society of Newspaper Editors and the Society of Professional Journalists. A further support to these associations is the American Communications Act 1934 which holds that the practice of the press must be "in the public interest". Nigeria is no exception to these rules. Nigeria Press Organisation, Nigeria Union of Journalists, Nigeria Guild of Editors and Newspapers Proprietors Association of Nigeria are all professional associations which require the control of the media through professional ethics and encouraged responsible modes of

operations for their members (Odunewu, 1996, Flint, 1996). These associations are also complemented by Nigeria Press Council, National Broadcasting Commission and Advertising Practitioners Council of Nigeria.

The Nigeria Press Council is a regulatory body set up as an ombudsman to inquire into complaints about the press and the conduct of any person or organization towards the press. The duty of the Council is to adjudicate on complaints brought by and against the press (Duyile, 1989; Daramola, 2014b).

#### **National Broadcasting Commission**

The National Broadcasting Commission is an agency of government saddled with the responsibility of granting license to government and private organizations to own and run a broadcasting institution (radio and television) in Nigeria. The Commission is empowered to constantly monitor broadcast stations and ensure that during elections, every station gives equal right to all political parties. The Commission is also charged with the responsibility of advising government on the implementation of the National Communication Policy with particular reference to broadcasting (Daramola, 1999a & 2014b).

The Commission was subjected to criticism by scholars and politicians for docility in the way certain broadcast stations (AIT and NTA in particular) violated the rules of the Commission in the coverage of political campaigns and programmes in the 2015 general election. The Commission was forced by criticisms from the general public to take appropriate action against some media organizations in March, 2015. In a paper entitled "Presidential Elections and Broadcast Media", the pioneer Director-General of the Commission, Dr. Tom Adaba in March 2015 said, "Let the truth be told, we have simply behaved as if there is no tomorrow for Nigeria. The campaign or advertisements of mudslinging and derision which we have allowed to appear on the screen have not been helpful to the cause of this nation. It has indeed helped to divide us as a people". Dr. Adaba chastised the Commission for not doing anything about what he called 'hate messages' on the broadcasting media. He added that there are ample provisions in the National Broadcasting Code that take care of election matters. They include sections 4.2.2, 5.1.6, 5.2.5, 5.2.7A, 5.3.4A among others which serve as a guide to broadcasters. Former Commissioner for Information, Culture and Tourism in Ondo State, Mrs. Tola Awo, described most of the broadcast as dirty, primitive and barbaric, saying that she refused to watch or listen to them any longer because of the inherent poisons in them.

#### **Conclusion**

There is no gainsaying the fact that it has always been the desire of government of any colouration to control the press. The desire is borne out of the fear that the press has the ability to spread information that could be counterproductive to the interest of authority. On the part of private owners of media, it is apposite to note that he who pays the piper dictates the tune. Some measures of control will definitely come from proprietors. Nonetheless, journalists should always remember their professional code of conduct which says, decisions concerning the content of the news should be the responsibility of professional journalists and in particular, that a media organization is a public trust. It must be noted that authoritarian, social responsibility and communist theories are all mechanisms of media control which were espoused by Siebert, Peterson and Schramm in their popular, "Four theories of the press" in 1956.

#### **Recommendations**

This paper recommends that media practitioners should adhere to their professional codes of ethics which, in the first instance, are subtle measures of self-control. Government and media proprietors should respect media practitioners' ethical decision as professionals in their own right.

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