

Exploring the Issues in Media Ownership and Control in Nigeria

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Abstract

This study explores some of the issues in media ownership and control in Nigeria. The study made use of secondary sources of data collection i.e books, magazines and journals. The study explicated four types of media ownership namely; government ownership, private ownership, mixed ownership and community ownership. The study reveals among other things that media managers are often faced with the dilemma of balancing the media owner's interest and public's interest without infringing on the laws of the land or the ethics of the profession. Whether media ownership is private or public, the interest of the owner plays a dominant role in determining what the media managers do or fail to do. Hardly can an owner tolerate a manager who operates contrary to his interest. Media ownership has remained a topical issue in media discourse. This is because a popular saying has it that "he who pays the piper dictates the tune. Again, type of media ownership determines the level of freedom and efficiency of the organization. In reversing these issues, the study recommends that, both the private and government media should be allowed to practice freely without any internal or external forces. The media should not be let in the hands of the rich at the expense of the poor.

Keywords: media ownership and control, media managers, ethics, issues, freedom and efficiency, Nigeria.

Background to the Study

The issues of media ownership and control can never be overemphasized due to the dwindling situations surrounding media practice in the country (Apuke, 2016). The ownership of the mass media namely; electronic, print and the new media in Nigeria has different historical origins. Presently however, the electronic and print media in Nigeria appear to have arrived at a similar pattern of ownership. A look at their existing ownership pattern will reveal that there are several media ownership; government / public ownership, private ownership, mixed ownership and community ownership of both the print and electronic media.

Media Ownership

Print or broadcast media are owned by; individuals, government, groups of individual's etc. ownership of the media are the paternity or possession of a medium of communication. These means the act of owning this paternity may evolve as a result of partial or total financing of a medium either by an individual, an organization or a government (Raufu, 2003). The reasons for media ownership are use to achieve political goals, economic goals among others. Many newspapers in Nigeria are owned by politicians eg. Tinubu owns the Nation while Tribune was established by late Awolowo. The media thus become agents of propaganda that will not publish something against the owner.

Types of Media Ownership in Nigeria

Basically, there are four kind of media ownership. They include:

1. Government ownership
2. Private ownership
3. Mixed ownership and
4. Community ownership

1. Government ownership: These are media organizations that are being set up, financed, owned and managed by the governments. Apuke (2016), sees government owned media as those media that are completely financed and supervised by the government such as Nigerian Television Authority (NTA), Federal Radio Co-operation of Nigeria and other state own radio and Television such as TSBS and TTV respectively. The broadcast industry in Nigeria was a monopoly of the government until 1992 when the industry was deregulated under then Gen. Ibrahim Badamasi Babangida's administration, paving way for the entrance of private outfits. Today, there is still massive involvement of both the federal and State government in the media industry. For instance, the Federal government owns the Federal Radio Corporation of Nigeria (FRCN), the Nigerian Television Authority (NTA), the News Agency of Nigeria (NAN) and the Voice of Nigeria (VON). Various state governments have also established radios, televisions and newspapers in the various states of the federation. Aina (2002) believes that "one obvious feature of government media is their trusting support of government policy, which the government sustains by carefully appointing her (loyalists) into their boards and other managerial positions."

2. Private ownership: These are media owned and run by private individuals or organization (Apuke, 2016). Private ownership of the media has continued to blossom in Nigeria following the promulgation of decree 38 of 1992 which gave private individuals freedom to establish and operate independent broadcast stations in the

country. Today, Lagos State alone, the media capital of Nigeria, is a host to over 20 privately owned radio stations, over 15 privately owned TV stations and over 22 privately owned newspapers and magazine outfits. Examples of this station are: AIT, Channels TV, and TVC News among others.

3. Mixed ownership: This is the hybrid of total government ownership and complete private ownership. Some writers have also identified other forms of ownership such as:

- a. Political parties and politicians ownership
- b. Foreign or overseas ownership
- c. Religious body's ownership, etc.

Issues in Media Ownership in Nigeria

Ownership is a critical factor in the regulation of the mass media. Media managers are often faced with the dilemma of balancing the media owner's interest and public's interest without infringing on the laws of the land or the ethics of the profession. Whether media ownership is private or public, the interest of the owner plays a dominant role in determining what the media managers do or fail to do. Hardly can an owner tolerate a manager who operates contrary to his interest. Media ownership has remained a topical issue in media discourse. This is because a popular saying has it that "he who pays the piper dictates the tune". Again, type of media ownership determines the level of freedom and efficiency of the organization.

Sobowale (1965) for instance, observed that when the ownership of a country's media is vested in government or concentrated in the hands of a group, or an individual, the media tend to become mere megaphones of those in control. He explained that instead of performing the function of surveying the environment, correlating parts of that environment and transmitting culture; or providing entertainment, the media are turned into indispensable tools for relating power by those controlling them. (Freedom of Information Act 2011).

Similarly, Udejah (2004) points to the fact that ownership has had some influence on the operation of broadcasting organizations. He further explained that, the policy of the persons who paid the media workers salary determined the operation of the media station. Specifically, Udejah pointed that media practitioners in Nigeria were often subjected to all kinds of difficulties emanating from the ownership spectrum. Owners adopt various measures to exercise the desired level of control on media managers at various levels at all cost. A list of such measures according to Ekwelie (1986) include giving directives on what should be covered, redeployment of staff to lower positions or instant transfers, superimposing partners on the regular staff, promotion or denial of it, bribes, gifts and donation, creation of fear and fiction within the media establishment.

Issues in Constitutional Provisions for Media Ownership in Nigeria

It is clear from the above observations that ownership is a factor that media managers contend with in Nigeria. Let us quickly look at the statutory provisions for media ownership in Nigeria. Section 39 (2) of the 1999 Constitution of the Federal Republic of Nigeria provides for media organization ownership as follows:

Without prejudice to the generality of subsection (1) of this section, every person shall be entitled to own, establish, and operate any medium for the dissemination of information, ideas and opinions, provided that no person, other than the government of the federation or of a state or any other person or body authorized by the president on the fulfillment of the constitution laid down by an Act of the National Assembly, shall own, established and operate a television or wireless broadcasting station for any purpose whatsoever. The provision to the above section could be interpreted to imply that it is easier to establish a print media organization in Nigeria by any person other than government. But to establish a broadcasting station; the provision must be fully complied with. Thus, whoever is interested in establishing a broadcasting station must comply with the NBC Act.

NBC is the body authorized by the president as provided by the NBC Act and as required by the above section of the Constitution. Prior to the promulgation of the NBC Act, under Decree 38 of 1992, it was not possible for any person other than the government to own or operate a broadcasting station; it was an exclusive preserve of the government.

It is observed that suppression of the press, especially in Nigeria, is as a result of weak constitutional back up among others, which did not provide the press any special regard as the fourth estate of the realm. This is because; the phrase "every person" obviously refers to every individual- man or woman. Hence, it has been said that since Section 39 only guarantees the right of "every person," it has not conferred any special right on the press as a social institution than that of the ordinary citizens. To Arowosegbe (2009) the correct position of Section 39 seems to have been given by the Court of Appeal in *Senate vs Tony Momoh* where the court held that the press possesses no special privileges or immunity under this section as the right guaranteed is for every person without distinction.

Issues in Media Control in Nigeria

1. Ownership/editorial policy control

Media are public service organization and as such, come under several controls. One of such controls is ownership control. It is often said that “He who pays the piper dictates the tune”. Literally, this means that a piper must play the tune to satisfy the person who has hired him. Every news medium belongs to either an individual, group of individuals or government. Must media owners control their newspapers through the editorial policy. The editorial policy of a medium is a broad based set of ideas normally or usually formulated before the take off of the medium especially the print medium and articulated on the first day of appearance under what is called mission statement. The editorial policy states the angle or point of view that will guide the newspaper news and features including its editorials, ideas, desires, and interests, which it will protect and project the owners interest (Lang, 1959).

2. Advertisers’ control

Advertising is one of the major sources of revenue for media organizations. As such advertisers exert some sort of control over what goes on in the media. This is because he that pays the piper dictates the tune. With their financial power and influence, they do not only choose how their messages should be crafted, but also decide the page placement and the time to air their adverts in the broadcast media.

3. Legal constraints

Ndolo (2005) says every society is governed by plethora of laws that guide human actions and activities. Plato’s note that “without law, man differs not at all from most savage beasts.” To this effect, some set of laws are made to regulate the activities of the media to avoid the abuse of the industry by the bad eggs. Such laws include:

i. Defamation

Okoro (2004, p.65) defines a defamatory statement as: any statement that has the capacity or tendency to lower the reputation of a right thinking person or cause him to be shunned or avoided, to expose him to hatred, contempt, ridicule or to convey an imputation on him disparaging or injurious to him in his office, profession, calling, trade or business. Technically, the Court of Appeal in the case of NTA vs. Ebenezer Babatunde (1964) NWLR (PT 440, 75) as cited in Ndola (2005, p. 512)

ii. **Obscenity:-** Obscenity or indecent material is defined by Cockburn, cited in (Okoro, 2004, p.73) as one which has the tendency to “ ruin and corrupt those whose minds are open to immoral -influences and into whose hands is likely to fall.’

iii. **Contempt of court:-**The offence of contempt of court comprises conduct which “interferes with the administration of justice or impedes or perverts the course of justice” (see Osborn’s Concise Law Dictionary, eighth edition, 1996, p. 45).

iv. **Sedition:-**Section 51 (1) of the Criminal Code Act states that any person who: Bring into hatred or contempt or excite disaffection against the person or Government of the Federation; or Incite the citizens of Nigeria to attempt to procure the alteration, otherwise than by lawful means, of any other matter in Nigeria as by law established

v. **Copyright:-**This is a law that forbids anyone from stealing another person’s intellectual work. However, for any work to qualify for protection under the convention, it must carry the symbol © and the name of the copyright owner, including the year of first publication (Kupe, 1999)

vi. **Passing-off:** - according to Enechi (1997), the law forbids anyone from the theft of business identities such as trademark, logo, label, etc.

vii. **Privacy :-**This law forbids anyone from infringing on or interfering in others private affairs. The right includes privacy of citizens’ homes, correspondence, telephone conversations and telegraphic communications. (Ewelukwa, 2004)

viii. **Official Secrets Acts :-**This law forbids anyone from spying communication of state secrets and breaching of official trust or document, plan which has to do with anything situated in a protected place (see S. 2 of the Act; also Elias: 1969) as cited in (Okoro 2004, p.86).

Conclusion

This paper has taken an in-depth look at the ownership pattern of the media in Nigeria. It has examined the various control mechanisms of the media in the society. The knowledge of these laws and ownership patterns are important both to media owners and as well to the media practitioners. In this paper, we have identified the major media ownership patterns to include government ownership, private ownership, mixed ownership and community ownership. We also identified and explained the various media control mechanisms, which include: legal control, ethical control, advertiser’s control, among others.

Recommendations

Having explored the issues of media ownership and control in Nigeria, the study recommends that:

(i) Both the private and government media should be allowed to practice freely without any internal or external

forces.

(ii) The media should not be let in the hands of the rich at the expense of the poor.

(iii) Government media should take the course of championing the truth in the society rather than remaining a pet dog to the government.

References

- Apuke, O. D (2016) Media Ownership and Control in Nigeria: An Overview of the Marxist and Pluralist Theories. *Journal of New Media and Mass Communication*. Vol 54. Pp 11-13. (Published by the international institute for science, technology and education (iiste), United States.
- Constitution of the Federal Republic of Nigeria, 1999.
- Criminal Code Act, Cap.77, Laws of the Federation, 1990.
- Ewelukwa, B.N. (2004). *Introduction to Nigerian Press Law*. Onitsha: Maranatha Press.
- Freedom of Information Act 2011 and Human Right Act. Federal Government of Nigeria: The National Industrial Act.
- Kupe, T. (1999). *Media and Democracy*: Unpublished Paper Department of Journalism and Media Studies. Jogan: Rhodes University Press.
- Lang, K., Lang, G. E. (1959). *Politics and Television*. Chicago: Quadrant Books Press.
- McCombs, M.E. (2005). "Explores and surveyors: Expanding strategies for agenda-setting Research: *Journalism Quarterly*. Marshom: (pp.813-824)
- Ndolo, I.S. (2005). *Mass Media Systems and Society*. Enugu: Rlyce Kerex Publishers.
- Ndolo, I. S. and Ezinwa, C. (2011). *Regulatory Environment of Media Management in Nigeria in I.S. Ndolo (ed.) Contemporary Issues in Communication and Society*". Enugu: Rhyce Kerex Publishers.
- Nwabueze, C. D. (2005). *The Art of Investigative Reporting: A Practical Guide*. Enugu: Daisy Press.
- Nwodu, L. C. (2006). *Journalism Practice: News Aesthetics, Ethics and Laws*. Enugu: Rhyce Kerex publishers.
- Ndolo, I. S. (2006). *Mass Media System and Society*. Enugu: Rhyce Kerex Publishers.
- Okunna, S. (1995). *Ethics of Mass Communication*. Enugu: New Generation Book.
- Lee, P. (2014) *The Democratization of Communication*. Cardiff: University of Wales Press.
- Thompson, K. (1995). *Media and Cultural Regulation*. London: Sage Publications.
- Udeze, S.E (2012). *Media Law and Ethics*. Enugu: Rhyce Kerex. Publishers.
- Udeze, S. E. (2012). *Media Law and Ethics*. Enugu: Rhyce Kerex Publishers.
- Wood, D.N. (1983). *Mass Media and the Individual*. Minnsota: West Publishing.
- Yakubu, A. (1999). *Press Law in Nigeria*. Ikeja: Malthouse Press Ltd.