

### 3.11. Nigeria

The peaceful transfer of power from the military regime of General Abdulsalami Abubakar to former head of state (1976–79) General Olusegun Obasanjo in Abuja on 29 May 1999 brought great relief to the Nigerian people. Hopes and expectations were naturally high that the dawn of democracy would bring with it dividends such as a safe existence, improved infrastructure, humane economic conditions, a crack down on crimes like drug trafficking and 419 scams,<sup>1</sup> a stamp down on official corruption and, above all, respect for fundamental rights and a freer space where Nigerians could pursue their democratic aspirations. Unfortunately, these hopes have been dashed by the experience of the last five years of civilian administration.

#### I. General Conditions

Literacy rates in Nigeria stand at approximately 40 per cent for the entire population, 55 per cent among men, and 25 per cent among women. The national literacy level in local languages is 25 per cent, with 30 per cent among men, and 20 per cent among women.<sup>2</sup> The rate of literacy in English and in other languages differs along lines of ethnic group and gender. The principle reasons for the low and uneven levels of literacy are, on the one hand, the unequal distribution of wealth in the country between the sexes, ethnic groups and social classes, and, on the other hand, the uneven development of industry and commerce in the country's geopolitical zones. Literacy is a function of education, and education costs money. Those with more money therefore have greater access to education and, thus, to literacy. Although no research-based statistics are generally available, experience suggests that there are higher literacy rates within the wealthy social classes than among the poor, sex for sex, and ethnicity for ethnicity. This is especially so since the dominant social class today is generally westernised and makes its wealth primarily from politics, the upper levels of the civil administration,

Illiteracy  
and education

<sup>1</sup> This is a term used to describe illicit and immoral businesses in Nigeria; Section 419 of the criminal code in Nigeria takes care of tricksters, con businesses and other related offences, but so far, those that thrive through these immoral acts of cheating usually get away without being punished.

<sup>2</sup> Okigbo, C.: *Media in Africa*, Unit 16 (b) of the MA in Mass Communications, Centre for Mass Communication Research, University of Leicester 2002.

industry, and commerce, all of which require some level of education and literacy.

Local media      The number of communication media in Nigeria is 163, out of which the electronic media represent 118 – 68 television and 50 radio stations – while the print media represents a figure of 45–30 newspapers and 15 magazines. As for media ownership, the state owns a total of 113 outlets: 53 TV stations, 38 radio stations, and 22 newspapers. Private ownership amounts to a total of 50 operations, that is 15 TV stations, 12 radio stations, 8 newspapers, and 15 magazines.<sup>3</sup>

Media ownership      The mainstream media is in the hands of the ruling classes in Nigeria. They use the media, particularly radio and television, as the main instruments of public information and mobilisation, and for remaining in power. Public opinion is manipulated through the media. Dissenting views are not only discouraged, but are also severely punished as they amount to treason. Repressive laws are enacted to restrict those who share contrary views from accessing the means of communication. The federal and state governments own 65 per cent of the total number of media outlets, radio and television stations (including regional, community-based stations) and newspapers in rural areas.

No political party runs its own radio or television station, or newspaper in Nigeria. Section 10 of the National Broadcasting Commission Decree No. 38 of 1992 forbids the National Broadcasting Commission (NBC), the state agency responsible for licensing radio and television stations, to grant licences to political or religious groups. Although there is no law barring political parties from owning newspapers and magazines, none of the political parties in Nigeria publishes either. The federal government and most state governments, however, own and control television and radio stations and newspapers. Since these media agencies enjoy little independence from the state government, the ruling party at the federal or state level employs them as their media organs. Furthermore, members of some parties establish private companies to publish newspapers and magazines which champion the cause of the publisher's party.

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<sup>3</sup> Okoye, I.: 'Analysis of the Policies, structure and Programming of the FRCN and NTA'. Paper presented at the 3rd Annual Conference of Tai Solarin College of Education, Ijebu/Ode 2001.

There are about six independent local Internet newspapers owned by individuals or private businesses in Nigeria available on the World Wide Web. These are: *The Guardian*, *ThisDay*, *The Post Express*, *The Sun*, *Vanguard* and *The Gleaner*. Apart from *The Gleaner*, all the others are web versions of print publications and among these, *The Guardian* has the most easily navigable site.<sup>4</sup>

Internet  
media

Internet technology has not improved in any significant manner the ability of these publications to cover events, neither has it significantly expanded their readership. In the first case, technology plays a small role in newsgathering and other related activities through which editorial content is accumulated. The only improvement it contributes in this respect is the wealth of material not copyrighted available on the Internet and which could be used to spice up the publication. Such material, however, is usually of no relevance to local developments which form the bulk of their news content.

Internet technology has also contributed little to expanding the readership. Only about 10 to 15 per cent of the population has access to the Internet; but more than 90 per cent of these have this access only through cyber cafes (i.e. commercial Internet access providers) for a fee per hour. Since the cyber cafe phenomenon is still generally new, connection and browsing speeds are very slow. Few people, therefore, would spend precious time reading an Internet newspaper, unless they had a special need to do so. Most Internet users in Nigeria use the technology principally for email. Although those who need to read Internet newspapers could download them for offline viewing later, this would require ownership of or access to a computer and computer ownership is still extremely low. It is a rare family that owns a home computer, and while many businesses now own one or more computers, they still constitute a tiny minority.

Furthermore, most local Internet newspapers are mainly web versions of printed publications. Although the web versions do often contain additional material and features not available in the print versions, these additions have not been able to outweigh the difficulties described above. Thus, Internet technology has not improved readership or coverage in any significant way in Nigeria, even though

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<sup>4</sup> Okigbo 2002.

Media access	there has been no known attempt by state authorities to censor these Internets newspapers. Only about 10–15 per cent of a population of over 120 million <sup>5</sup> have Internet access, 20–35 per cent have access to newspapers, 30–40 per cent have TV access and 50–60 per cent of the Nigerian people have access to radio. <sup>6</sup>
Media consumption TV, Radio, Print, Internet	TV and Internet, however, are <u>very often</u> [4] used as a source of information. Radio is <u>often</u> [3] used, followed by newspapers and miscellaneous, which serve as information sources only <u>occasionally</u> [2].
Media influence on political opinion	At the core of the link between the media and national development lies the role of the media in nation-building, how the media is consciously brought into play in the processes that seek to integrate often diverse peoples into a single ethnic community in a single territory under one government. <sup>7</sup> The role of the media in this context is often formulated in terms of their function in the construction of national culture and national identity, but they can also function to empower cultural diversity and undermine national identity formation. Thus, it can be estimated that media influence in the formation of political opinion in Nigeria is <u>highly significant</u> [4].
State-owned media	There are no known laws that specifically protect the editorial departments of state-owned media from interference by government authorities. Ostensibly, officers are appointed to the leading positions in state-owned media by their supervisory boards. The President or the State Governor (or an official to which they delegate this power, usually the Minister or Commissioner of Information or Special Adviser on Media Matters) appoints these boards and any appointment they make to these leading positions has to be ratified or approved by the President or State Governor.
State-owned media and published opinion	<u>State-owned media</u> networks in Nigeria <u>have hegemony</u> over determining published opinion. There are more than twice as many state-owned media networks as private media houses in all sectors of the media with the widest reach – radio, television, and newspapers. Almost every state owns a radio station and a television station, in addition to the local

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<sup>5</sup> 1991 National Population Census.

<sup>6</sup> Okoye 2001.

<sup>7</sup> Das, S. and Harindranath, R.: *Nation-State, National Identity and The Media*, Unit 22 of the MA in Mass Communications, Centre for Mass Communication Research, University of Leicester 1996.

station of the Nigerian Television Authority (NTA) – owned by the federal government. Furthermore, many states own a newspaper. In contrast, private radio and TV stations are not active in many states and private newspapers and magazines reach many states only in relatively small numbers and sometimes days after publication.

The Federal Radio Corporation of Nigeria (FRCN) and NTA, which are direct arms of the Information Ministry, are financed and controlled directly by the government and used abundantly for government information, propaganda and even disinformation. It has been observed that the Nigerian public cannot rely on these two media networks for accurate accounts of events which are not altogether favourable to the government's image. Indeed, public broadcasting in Nigeria is at the pleasure of the government. The radio and television are the government's main instruments of public information, mobilisation and retaining power. Therefore, public opinion must be manipulated through it. Dissenting views are not only discouraged, but also severely punished as they amount to treason. The conspicuous presence of armoured tanks and combat-ready soldiers at the entrances and premises of FRCN and the NTA broadcasting houses in Lagos and Abuja is a sure indication that the government of the day is not taking any chances about control of the two organisations. In fact, in the past, loss of control of Radio Nigeria meant loss of power.

The media outlets owned by the federal and state governments are generally, and usually, propaganda instruments for those governments. Their role or attitude can be estimated as propaganda for government [+3]. There is no significant difference in the attitude and coverage of state-owned press, radio, or television media.

The federal government and some state governments regularly hold press conferences to inform the public of their programmes. The media houses allowed to attend these press conferences are usually those accredited by the government to receive and publish reports on official government events and statements. Accreditation is determined by the government and can be withdrawn when a media house falls out of favour with the government. The original broadcast rights to the federal government press conferences belong to the federal government-owned NTA and FRCN. Other radio and TV stations (both private and state-owned) are allowed

Government  
press  
conferences

to hook up to the NTA and FRCN transmissions. They are also allowed to rebroadcast the press conferences.

## II. Legal Environment

Freedom of expression	The right to freedom of opinion is recognised and protected as an individual right in the 1999 Constitution of the Federal Republic of Nigeria. Section 38(1) of the Constitution says: 'Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice, and observance.'
Media coverage	The 1999 Constitution of the Federal Republic of Nigeria recognises the right to freedom of expression. Section 39 (1) of the Constitution states that 'Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.' Section 39 (2) also recognises the right of persons to establish and run mass media outfits: '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.' This, however, does not imply a constitutional recognition of a right to freedom of the press. In other words, no special or particular freedom of the press is recognised in the constitution. Section 22 states that 'the mass media shall at all times be free to uphold the fundamental objectives contained in this Chapter and uphold the responsibility and accountability of the government to the people.' This section is located, however, in Chapter 2 of the Constitution, entitled Fundamental Objectives and Directive Principles of State Policy, whose contents are not justifiable, i.e., cannot be enforced by a court of law. In Chapter 4 of the Constitution, which contains the enforceable Bill of Rights, there is no specific provision for the freedom of the press. The press operates, therefore, only on the basis of Section 39 in which the right is protected 'to receive and impart ideas and information without interference'.
Regulation of media coverage	Also, freedom of the media is restricted in the Constitution under Section 39(3), which allows for the making of laws preventing public officials from revealing state secrets and for the control of electronic media, among other things. The

implications of this are evident in part in the Official Secrets Act. This act has denied the media access to public information held by governments and their agencies, and made possession of such information a criminal offence. For example, Decree No. 8 of 1978, which established FRCN, imposes policy obligations, such as the broadcast of government announcements, speeches by the head of state, federal ministers, and, in fact, 'certain (other) matters' as may be directed from time to time by the Federal Minister of Information. Another implication of this restriction is that the National Broadcasting Commission, the body responsible for issuing broadcasting licences, is effectively given the power to control the content and programming of television and radio stations, especially privately owned ones. Thus, for instance, the NBC on 30 March 2004 banned broadcasts of religious programmes in which claims were made of miracle healing. It also banned the retransmission of foreign news and news magazine programmes by terrestrial stations in privately owned electronic media. In 2002, the licences of Africa Independent Television (AIT), RayPower 100.5 and RayPower 106.5, all staples of DAAR Communication Ltd, were withdrawn for failure to pay the annual renewal fees in time.

Aside from these restrictions, there are also defamation and libel laws. These, however, do not pertain only to public officials, but to every citizen. The Official Secrets Act of 1962 (still preserved) denies the media access to public information in the possession of government or other public agencies. Violation of the act attracts a penalty of 11 years imprisonment for both the giver and the receiver of such information.

No formal censorship laws exist regulating the media coverage of events. The electronic media, however, has to obtain from the National Broadcasting Commission (NBC) a pre-broadcast approval of a list of its programmes. This list is submitted to NBC along with a synopsis of each programme. Furthermore, there is a panoply of other regulations concerning content, origin, and duration of programmes, which broadcast media have to observe. In effect, this amounts to censorship. This is because these regulations prevent the media from broadcasting content that the NBC or the government may not like to reach the broadcast audience. A clear example is the recent ban on religious programmes featuring claims of miracle healing, or the ban

on the retransmission of foreign news and news magazine programmes.

The most palpable example of the control of the executive (the presidency) over media coverage was the refusal of Radio Nigeria and NTA to broadcast the impeachment notice served on the President by both arms of the National Assembly (Federal House of Representative and the Senate) towards the end of 2002. On the other hand, Section 16 of the Nigeria Press Council (NPC) Decree of 1999 allows for mandatory registration of publications, 'inelegantly disguised as documentation'.<sup>8</sup> The documentation, which was to be applied for annually, was to include a 'brief mission statement and objectives', the full address of the location of the publication and a copy of the certificate of incorporation of the body corporation that 'owns or intends to publish the newspaper or magazine'. In addition, the Council would, among other specified duties, also monitor the performance 'of documented publications to ensure that owners and publishers comply with terms of their mission statements and objectives'. This provision has been dubbed by the Newspapers' Proprietors Association of Nigeria (NPAN) as an 'undisguised instrument of censorship and unacceptable interference with the freedom of the press'.<sup>9</sup>

No law, however, forbids media coverage of any social group, institution, or issue. Moreover, no person, group of persons, or organisation is excluded from expressing their opinions or working as journalists. The Official Secrets Act does not explicitly forbid public officials from expressing their opinions. In practice there is no expression of opinion on public issues by public officials unless authorised. To speak about public issues is taken as an unauthorised release of official secrets and is severely punished. Media reports do not have to be examined by state authorities before publication and there are no bodies that regulate media coverage on behalf of the government. Although in the case of the electronic media, the NBC not only has to approve their quarterly schedule of programmes but also monitors the programmes as they are broadcast.

Changes in  
the past five  
years

There has been no major change [0] in the legal framework of the operation of the media in Nigeria, at least not over the past five years. But the civil society groups, especially the media-related ones, initiated a Freedom of Access to

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<sup>8</sup> *The Guardian*, 6 September 1999.

<sup>9</sup> *National Concord*, 13 October 1999.



Information Bill before the National Assembly for passage into law. The bill, four years after its inception, was recently passed by the Federal House of Representatives. It still has to go through the upper legislative arm, the Senate, before the President's approval, and, judging by the time it took to pass through the lower floor of the House, it would be a miracle, if the bill were to become law during this government's lifetime. Also, there has been no significant change [0] in the quality of media coverage over the past five years.

There are no defined censorship guidelines that exclude certain issues and social groups from media coverage or deny social groups the right to express themselves. No people, groups, or organisations in Nigeria are excluded from their jobs as journalists or prevented from enjoying their right to free speech. And, in the absence of a definite censorship law, it is not possible to act in breach of it.

Censorship  
under the  
law

The issue of press freedom in Nigeria, however, illustrates how the oppressed can become oppressors and perfect the processes of oppression. The military regimes appreciated the power of the Nigerian press as a revolutionary tool in the hands of pro-democracy publishers. There was no love lost between the military dictators and pro-democracy activists, with the former using imprisonment without trial as a ready tool to mute the latter. With the advent of civilian rule in May 1999, some of the pro-democracy agitators became leaders of the new dispensation, and turned out to be more repressive of press freedom than some military administrators. There have indeed been numerous cases of assaults on journalists covering government functions by federal government officials or their security staff.

Media houses (e.g. *Nigerian Tribune*, *ThisDay*, *TELL* magazine and *Insider* magazine) have been harassed and invaded, and copies of their publications seized while staff and journalists at the scene were arrested and detained by 'order' of the presidency. For example, on 4 April 2003, the corporate headquarters of Leaders and Company Nigeria Ltd, publishers of *ThisDay* newspaper in Lagos, was closed by men of the State Security Service (SSS). The nine security operatives who claimed to have received orders from the President were on a mission to retrieve certain allegedly 'subversive' documents. They also arrested the newspaper's editor-in-chief, Nduka Obaigbena, who was not present at the time of the raid. During the siege some of the newspaper staff was roughly handled, and production was disrupted. It

took a public outcry before the premises were reopened. The newspaper had the day before pointed to official corruption in the handling of stolen money recovered from foreign accounts of the former military ruler, General Sani Abacha, and his family and associates. One official implicated in the reports was Lt General Aliyu Mohammed Gusau, the National Security Adviser to President Obasanjo. On 2 March, 12 armed security agents invaded and raided the Lagos office of the *Nigerian Tribune* and told the workers that they had orders from the President to ensure that the paper did not hit the newsstands.<sup>10</sup>

The same ugly scenario played itself out later that same month in Gusau, Zamfara state, when security agents seized all copies of the *Nigerian Tribune*, *Vanguard*, and *The Guardian* meant for circulation in the state. On 19 July 2003 security men in the entourage of President Obasanjo bundled up over 20 journalists from the palace of the Alake of Egbaland in Ogun state as they awaited the arrival of the President. Similarly, on 18 August 2003, the *Comet's* photo journalist who attempted to take the photograph of Vice-President Alhaji Abubakar Atiku at the inauguration ceremony of Oba Rilwanu of Lagos was severely beaten, horse-whipped and kicked by members of the Nigerian police and his camera was smashed. The Vice-President later apologised. Newspapers vendors are also not spared, as some of them have also suffered arrest and detention on a frivolous charge of circulating subversive material.

Concerning the law itself, the Nigerian Press Council decree stipulates a fine of 250,000 Naira (US\$ 1,901.14) or a three-year prison sentence or both, and an additional fine of 5,000 Naira (US\$ 38.023) for every day the offence continues, for publishers who refuse to comply with the terms of the Council. Newsagents who circulate an 'undocumented' publication are liable to be fined 50,000 Naira (US\$ 380.23). Journalists who work for such an uncompromising corporate body are also liable to fines of 2,000 Naira (US\$ 15.21) respectively. In addition, failure to submit the annual performance returns results in a fine of 100,000 Naira (US\$ 760.46). The performance returns are to be submitted 60 days after the end of the year and are to include a restatement of the mission statement and objectives.<sup>11</sup> In the case of the broadcast media networks, however, breach of

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<sup>10</sup> *Nigerian Tribune*, 2 March 2004.

<sup>11</sup> *The Guardian*, 6 September 1999.

the NBC code could result in fines or withdrawal of their broadcasting licence.

Apart from publishers being registered as legal entities under the Companies and Allied Matters Act of 1990,<sup>12</sup> newspapers and magazines are mandated by Section 16 of NPC Decree to register on an annual basis with the Council, an agency of state authorities. Radio, television, and other electronic broadcast media do have to be licensed by the National Broadcasting Commission, as opposed to the registration of their owners as legal business entities.

Media  
licences

The Nigerian Press Council is not an independent body. The Council is headed by an executive secretary, who is appointed by the President on the recommendation of the Minister of Information and Culture. According to Section 5A (2) of the decree, the Secretary and other members of the Council are to enjoy remuneration, pension and gratuities and other retirement benefits as enjoyed by persons holding equivalent grades in the civil service of the federation. In other words, the Council is a government functionary.

The NBC, just like the NPC, is not a politically independent or impartial body. Established by Decree 38 of 1992 (amended by Decree 55 of 1999), the NBC is effectively a government agency working under complete government control. The Commission's chairperson and its ten other members are all appointed by the President of the country on the recommendation of the Minister of Information. Apart from the chairperson, the ten other members of the Commission are drawn from the Ministry of Information and Culture and the State Security Service, i.e., the secret police of the government. Other members are supposedly chosen from other social interest organisations, including education, law, the mass media, business, and culture. However, the decree makes no provisions for a process by which organisations representing these interests could nominate their representatives to the NBC; rather, they are selected and appointed by the President, on the recommendation of the Minister of Information and without any obligation to consult the interests supposedly represented. Furthermore, the Director-General of the Commission, responsible for executing its decisions, is appointed by the President on the recommendation of the Minister of Information. Finally, Section 6 of Decree No. 38

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<sup>12</sup> Civil Liberties Organisation, *Report*, Lagos 1999.

empowers the Minister of Information to give general directives to the Commission concerning the exercising of its functions and places the Commission under an obligation to comply with such directives. In effect the NBC operates merely as an agency of the government.

The NBC decree provides a long list of conditions that applicants for broadcasting licences have to satisfy. This includes majority ownership of shares in the company by Nigerians, payment of various fees, etc. The decree, however, also explicitly states that even the satisfaction of all the prescribed requirements does not guarantee the success of an application. In effect, the granting of broadcast licences is based on the choice of the NBC, which makes recommendations for the granting of licences, and the President, who actually grants the licences. As for the withdrawal of licences, there are also no clear and definite conditions. Although the NBC has defined three categories of sanctions for broadcast media that violate the provisions of Decree 38 or the National Broadcasting Code, nowhere does it specify what particular offences would attract the sanctions. Thus, while it stipulates that 'a serious breach' of the Code may be punished by the revocation of a broadcast license, the NBC does not define or explain the term 'a serious breach'. This leaves everyone unsure as to what offence exactly could be punished by licence revocation. Licences, however, have been revoked for failure of broadcast stations to pay fees collectible by the NBC. This has been rare, however.

Journalists'  
status

Journalists in Nigeria do not need state permission to practise their profession; however, an erring journalist who breaches the ethics of the profession could be penalised by the Nigeria Union of Journalists (NUJ), a voluntary body of practising journalists, either by way of fine or outright cancellation of membership.

Journalists in Nigeria do not have a legal right to observe and report on government meetings or sittings of the National Assembly. As already explained, no legal right to press freedom exists in the Constitution. While in practice almost every media house is allowed to witness government meetings and legislative sessions, this is actually a privilege, as evident in the practice of accreditation. Before it can be involved in such government functions, a media house must be accredited by the government, i.e. granted recognition as a legitimate media network which is permitted to be present

at such events and in such places. This accreditation is not automatic and depends on the government's pleasure. It can therefore be withdrawn and has actually been withdrawn when certain media houses have 'offended' the government. In addition, the particular journalist who is to represent the media house at such government events has also to be accredited. As in the case of the media house, accreditation of the journalist-representative is not automatic and is at the government's pleasure. It can and often has been cancelled.

Sessions of legislative bodies and public meetings of the government are broadcast. No particular stations are refused the right to broadcast these meetings, although copyright and the right of original transmission usually belongs to the national broadcast stations, Nigeria Television Authority and the Federal Radio Corporation of Nigeria, both of which are owned by the federal government.

Journalists have the right to legally challenge state repression. Section 36(1) of the 1999 Constitution recognises the right of every citizen to give legal challenge to an action or law that affects or may affect his or her rights or obligations. Many journalists and media networks have challenged state repression and some have won court judgements in their favour. The NPC decree has been and is still being challenged in court by the Nigerian Press Organisation.

Any monopoly in the media is as yet not a significant problem in Nigeria. As such, there exists no detailed legal effort to deal with it. Section 9(5) of Decree No. 38, however, makes it unlawful for a person to own 'controlling shares in more than two or each of the broadcast sectors of transmission'.

Monopolies  
and cartels

### III. Political Conditions

There are no social groups (religious, labour, gender or ethnic groups) whose matters or interests the media is forbidden to cover in Nigeria; however, the law denies prisoners access to the mass media. Apart from them, there are no portions of the population whose right to freedom of information is denied by the law or by government action.

Coverage of  
marginal  
groups

Self-censorship exists in media coverage. It is most severe and widespread in the electronic broadcast media due to the constant monitoring activities of the NBC. It is also to be

Self-  
censorship

found in the press though, even if with lower severity and extent. A journalist who writes for a media organisation must take into account the economic interest of the corporation, the conditions governing his or her employment and above all, the political interest of the corporation's chief executive officer. Even when these interests are considered, the editorial board still has to look at the article or report to determine whether it should be published or cut. 'Self-censorship is most common in issues concerning state security, law and order',<sup>13</sup> and the abuse of power by elected officials or members of the military and security forces.

Illegal state  
repression

Journalists and media houses have reason to fear illegal state repression. Even under the present civilian regime, many journalists have often been beaten, assaulted, and detained illegally by security officials. Some media houses have been raided and their publications seized illegally. Recent examples include the ugly incident that took place at the National Secretariat of the ruling Peoples Democratic Party (PDP) on 4 January 2005 in which some journalists were openly assaulted by the police. The day was chosen by the hawks in PDP to decide the fate of its National Chairman, Chief Audu Ogbeh and the embattled Governor of Anambra State, Chris Nwabueze Ngige and his estranged political godfather, Chief Chris Mba. Trouble started when Governor Chris Ngige arrived at the venue of the meeting and as expected, the photo-journalists and cameramen from electronic and print media houses moved forward to take shots of the Governor, when heavily armed mobile policemen led by Lawrence Alobi, Commissioner (Operations), Nigeria Police Force Headquarters descended on the journalists. The policemen freely used their batons and guns on the journalists, who were going about their legitimate and constitutional business. Seven cameras belonging to journalists were smashed by the police. The list of the affected journalists include: i) Gbenga Abiodun – *Daily Independent*, ii) Francis Ojo – *The Guardian*, iii) Yomi Fayese – *The Champion*, iv) Ibrahim Ismaila – *The Punch*, v) Kennedy Egbonodja – *Daily Trust*, vi) Monday Emoni – *The Comet*, and vii) Segun Olatunji – *Nigerian Tribune*. Akin Orimolade of *TELL* magazine and dozens of other journalists also lost their telephone handsets to the armed policemen. Segun Olatunji of the *Nigerian Tribune* was beaten into a

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<sup>13</sup> A.B Lawal: 'Media Terrorism and the Dark Side of the Press', in *Post Express*, 11 October 2000.

coma by the police and was later rushed to Euro Hospital in Abuja.

While these types of events are perhaps fewer than under military rule, they are frequent enough to cause concern. During the military era, the press was regarded as a plague that must be stamped out with all its military might, so it ceaselessly attacked and harassed the press with impunity. When the press remained indestructible and resolutely refused to bow or be cowed into submission, the military became desperate and vicious. It labelled journalists 'coup plotters', and tried and convicted some of them. Others were killed, maimed, and driven underground or into exile.<sup>14</sup> The actual threat of state repression, however, has changed over the past five years: in general, the situation has slightly improved [+1] compared to the situation under military rule.

Changes in  
the past five  
years

At present, there is no state-owned agency that monitors the production and distribution of print media in Nigeria. However, the police and state security agencies have sometimes raided and seized editions that they considered offensive.

Government  
control over  
print media

#### IV. Economic Pressures

State advertisements are generally placed on state-owned media networks. Though some appear in the private media, they are so few that the state could not be said to be subsidising private media through adverts. Neither is there any other form of state subsidy for privately-owned media in Nigeria. While figures allowing a comparative analysis of state and private business advertising expenditure are not available, private business certainly spends more on advertising in the private media. The revenues from that source are certainly more important to the mass media than revenue from the government.

State  
subsidies

Generally, the mass media depends on advertising revenues from private businesses, although they also get some advertising revenue from the state and political parties. This dependence makes the media vulnerable to pressure from big businesses and big political parties. Since most of this pressure is applied behind the scenes, their real power is usually not obvious to the general public. Thus, certain

Further  
aspects

<sup>14</sup> Ugochukwu Okezie, *Freedom of The Press and of Expression, CLO Annual Report on the State of Human Rights in Nigeria*, Lagos 2000.

business and party interests have been able to prevent the publication of stories that cast them in a bad light.

## V. Non-state Repression

Repression by non-state groups	Journalists and media houses have been attacked by Islamic fundamentalist groups, ethnic militias, and some political groups. Such attacks have taken the form of burning down the offices or stations of media networks. They have also taken the form of physical attacks on journalists. An example is the burning of the <i>ThisDay</i> newspaper premises in Kaduna over an article in the paper about the Miss World Beauty Pageant hosted in Nigeria in which the reporter attacked the holy personage of Prophet Mohammed. Non-state repression is relatively <u>rare</u> , however, and may occur once or twice a year. So far, state authorities have not been known to take any serious action to protect journalists or media houses that have been attacked. Nor have they been able to bring their attackers to trial.
Changes in the past five years	There has been <u>no significant change</u> [0] in the extent or intensity of non-state repression of the media during the past five years. And since non-state repression of the media has been relatively uncommon, it has not had a significant effect on the state of the freedom of the press. The effect of non-state repression against the media might be rated as virtually no fear of non-state repression.

## VI. Conclusions

Evaluation of media coverage	Generally speaking, there has been no significant change in media coverage over the past five years. The freedom of the media has <u>slightly improved</u> [+1].
KAF support	The Konrad Adenauer Foundation's support of journalists in Nigeria in the past has been in the form of training on election reporting. The KAF could do more to intensify its support for journalists in Nigeria by organising regular programmes such as seminars and workshops where issues affecting journalists and their work could be exhaustively discussed and a policy framework designed that might solve them.
Freedom of the media: general situation	The situation of freedom of the media in Nigeria may be described as: <u>freedom of the media with major restrictions</u> . The illustrations above represent the gory tale of the restriction of freedom of opinion and expression for



everyone across the country. Nigeria's prisons remain death traps even under a civilian regime, yet the prisoner's voice is strangled by Nigeria's repressive laws. The right to 'freedom of expression, including the freedom to hold opinions and to receive and impart ideas and information without interference'<sup>15</sup> has remained subverted under the present government. It would be a mistake to assume that the era of political repression of journalists and media organisations had come to an end with the departure of the Nigerian military dictatorship. Some of those whose political aspirations were not in accord with the views of the ruling powers, or whose agenda was seen as a threat by those in authority, frequently found that their constitutionally guaranteed rights were subject to arbitrary interpretation and to outright violation.

From the viewpoint of practising journalists, the major obstacles to free media coverage are:

Major  
obstacles

- Lack of access to public information in the government's possession
- Poor working conditions
- Violence against journalists by military personnel and members of the police force and the security agencies
- The political or economic interests of the media owners
- The absence of a justifiable right to freedom of the press has impinged free media coverage in Nigeria
- The state control of the NBC and NPC and the use of those bodies to control and regulate the media have also infringed upon the right to free media coverage.

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<sup>15</sup> Nigerian Constitution, sec.39 (1).

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