

NIGERIA

The Nigerian mass media has a long and proud history of freedom, deriving in large part from an activist tradition since colonial times. This freedom is today beset by a wide range of problems ranging from a legal environment designed to cripple and hamper it to low literacy rates and adverse economic conditions. The return to civilian rule in 1999 has not significantly improved media freedom. As the economic and political gap widens between the ruling groups and the mass of Nigerians, the state and the media (the one acting for the former and the other predominantly for the latter) are locked in an increasingly violent struggle over the freedom of the media to report and comment on social events and issues.

1. GENERAL INFORMATION ON MEDIA AND MEDIA USE

Given the definition of literacy as the ability of a person of age 15 and above to read and write and to understand simple statements in a specified language, the literacy rate in English (the official language) in Nigeria is placed at 68 per cent. The literacy rate in local languages is 25 per cent, differing between men and women at 30 per cent and 20 per cent respectively. Literacy in English similarly varies along gender lines: 75.7 per cent amongst men and 60.6 per cent amongst women. In the absence of research-based statistics, it is difficult to make categorical statements about the distribution of literacy in English along lines of ethnic-nationality, religion, geo-political region, and social class. It is obvious, however, that significant differences occur in this respect, with generally higher rates of literacy amongst the ethnic groups of the southern and middle-belt regions, which are predominantly Christian and animist, and amongst the upper and middle social classes.

Literacy and education

Behind this distribution of literacy in Nigeria are historical and socio-economic factors. The English language gained entrance into the country through English-speaking missionaries and traders, who first made contact with ethnic groups and state entities in the Atlantic coast of southern Nigeria in the 17th century. Following them inland by the principal waterways of the rivers Niger and Benue, the language appeared among the ethnic groups and state entities of the southern inland and the middle-belt. For various socio-historical reasons internal to these groups and entities, these missionaries and traders made greater headway amongst them than amongst those in the Fulani Caliphate that ruled in the northern regions. This laid the foundation for the unequal penetration and development of literacy in the English language between the south and the north of the country. Colonisation by Britain in the early 20th century and the introduction of colonial education institutionalised the English language in Nigeria. Although the colonising power amalgamated the southern and northern protectorates of Nigeria in 1914, the Dual Mandate and system of indirect rule it adopted in governing the colony resulted in significant differences in the development of colonial education in the south and the north of the country. Whereas English-based education – and, thus, literacy in English – developed rapidly and extensively in the south, its progress was more restricted in the north where Islamic education was predominant. This difference persists to date, in spite of postcolonial efforts to encourage universal English-based education across the country. Accounting for this in part is the uneven pattern of the class formation demanded by the development of industrial capitalism in the country. With the greater development of industry in the south, a greater proportion of the labour force in the south is involved in economic activities requiring prior training in the English-based education system.

The skewed pattern of wealth distribution in the country also accounts for differences in literacy rates amongst its social classes, ethnic nationalities, and genders. Although governments since the country gained independence have provided free or subsidised education at various levels, the investment in education (as in the social sector as a whole) has become increasingly inadequate over the decades. This has become particularly so since the structural economic crisis of the country that commenced in the early 1980s. Measures adopted to address the crisis included drastic cuts in expenditure on social services and infrastructure, including education and literacy programmes. This resulted in the decay of the education system and the drastic fall in the quality of education and of literacy. It also transferred a greater share of the burden of education to the individual and the family. Thus, the quantity and quality of education acquired is today principally a function of the wealth and social resources an individual or their family commands. Nigeria exhibits a skewed distribution of social resources, however, in which abject poverty and destitution coexist with fantastic wealth and affluence. Thus, the less than 20 per cent of the population that comprises the upper and middle social classes appropriates more than 60 per cent of the social wealth while the more than 80 per cent that comprises the lower classes appropriates less than 40 per cent. This results in a higher capacity amongst the former to acquire a greater quantity and better quality of education, accounting for the higher literacy rates amongst them. This difference in the literacy rates between rich and poor translates almost directly into a similar difference between town and country, since the wealthy (and education services and facilities) are concentrated in the urban areas and the rural poor constitute the majority of the lower classes.

A similarly skewed distribution of wealth along gender lines in favour of the male sex explains the difference in literacy rates between the genders. While this manifests in the lower ability of women to afford education for themselves, its dominant manifestation is in the widespread practice in families of discriminating against girl-children in the provision of education. This practice springs only in part from traditional modes of thought and values that consider men (and therefore boy-children) to be superior to women (and therefore girl-children). The experiential evidence of its greater prevalence amongst the poor suggests strongly that it is also a method amongst them of allocating scarce resources, on the pragmatic calculation that educating a boy-child is likely to yield a higher return on investment in a male-dominated and competitive world.

In the final analysis, the rates and distribution of literacy amongst social groups in Nigeria have a constraining effect on the development pattern of the mass media and on media use in the country. First, all mass media organisations and channels are located in the urban areas and have them as their primary audience; second, radio has remained since independence the most important mass medium for the majority of Nigerians; third, the owners and operators of the mass media have been predominantly men; fourth, the contents, concerns, and ideology of the mass media have been predominantly patriarchal; and fifth, the consumers of mass media products and services are predominantly men.

Media landscape There are 100 radio stations in Nigeria distributed as follows: 13 AM stations, 72 FM, and 15 short-wave. About 80 of these stations are owned by the federal or the state governments while 20 are private enterprises. There is only one community-based radio station (UNILAG FM, operated by the Mass Communication Department of the University of Lagos); the government has been tardy in approving licences for such stations. There are also about 76 television stations, of which various governments own about 62 and private investors 14. The print media are estimated to consist of about 40 newspapers (of which eight are privately owned) and 15 magazines, all privately owned. The state therefore has an overwhelming dominance in the ownership and control of mass media channels.

Party media The enabling law of the National Broadcasting Commission, the body charged with registering and regulating the broadcast industry, excludes political parties (as well as religious organisations) from being granted licences to own or operate electronic broadcast media (see Section 10 of the National Broadcasting Commission Decree No. 38 of 1992). In contrast, there is no law against print media ownership and operation by political parties; however, none at present publishes a newspaper or magazine.

This situation is to the advantage of the ruling party at the federal level or in a state. Instruments establishing government-owned media typically require their management by a board of directors. The president or the governor, as the case may be, appoints these to the exclusion of opposition parties, civil society, or other sectors of the society. The president or a governor is therefore able to appoint his or her party members and other loyalists to these boards, making the mass media agency they govern into an instrument of the government and the ruling party. Thus, while the law prevents political parties from owning and operating media organisations, the monopoly of powers in the hand of the chief executive to appoint the governing members of state-owned media effectively allows ruling parties to do so.

Further, both the federal and the state governments until recently ignored provisions requiring these media to be governed by Boards and generally chose to run them through sole administrators appointed by the president or the governor. These appointees owe their loyalty often not to the government or the party but to the appointing authority – i.e., the president or the governor – and determine the operation and content of the media organisation in their keep to serve his or her political and personal interests.

About 22 independent internet newspapers exist; these are however mostly online editions of print newspapers. They include *Al Mizan*, *Business Day*, *Daily Champion*, *Daily Trust*, *Financial Standard*, *Guardian*, *Independent*, *New Age*, *Newsday*, *Nigerian Tribune*, *Pointer*, *Port Harcourt Telegraph*, *Punch*, *Sun*, *This Day*, *Tide*, *Triumph*, and *Vanguard*.

Internet media

State authorities have generally refrained from censoring these online editions of print newspapers. Being internet editions of print publications, however, censorship pressure applied to their print editions is transmitted to them. Thus, for instance, the prevention of a journalist working for a print newspaper from covering a state activity translates directly into lack of information about that activity in both the print and online editions of the newspaper.

The principal advance represented by the use of internet technology by newspapers in Nigeria has been the expansion of their audience. Where previously most of their primary audience was located in the country, their contents now potentially reach millions of people across the world through their online editions. It must be noted, though, that even the publication of online editions has done little to enlarge their readership within the country. According to 2007 statistics by the International Telecommunications Union (ITU), only eight million Nigerians (or 5.9 per cent of the population) have access to the internet. Most of these – probably up to 90 per cent – gain access only through cybercafés that charge per hour and are therefore do not spend time on the net unless it is absolutely necessary for their purposes. The option of downloading online web pages for offline viewing does not exist for most internet users because they do not own personal computers.

Nigeria has a population of 135,031,164 (ITU estimate for September 2007) and has an estimated 8,000,000 people with access to the internet, accounting for 5.9 per cent of the population. The ITU estimates for 2002 were that there were 15,249,000 households with radios. At an average of two people per household, that would give 30,498,000 people with access to radio in 2002. The equivalent figures for television were 6,286,400 households and 12,572,800 people. Those figures have risen substantially since then in all probability, and access to radio and TV should be in the range of 60 per cent and 30 per cent respectively of the population.

General media access

Assessing access to the print media is more problematic. These media have neither the mechanisms nor the inclination to collect and analyse their circulation data, and there exists no independent monitoring data. Although an Audit Bureau of Circulation (ABC) exists, membership is optional and the bureau only works with figures it receives from member organisations. As these media organisation typically inflate these figures to make their publications more attractive to advertisers, ABC figures are of doubtful reliability. Nonetheless, access to the print media (magazines and newspapers) is probably in the neighbourhood of 35 per cent, taking into consideration the fact that each copy of a newspaper edition is read by up to two people.

Media consumption Radio and television are the most frequently used sources of information in Nigeria, with radio being by far the most important and television the next most important. Newspapers and magazines are also frequently the source of in-depth information for the literate who can afford them. Most internet users employ that medium for communication by email and for research rather than for news. Verbal exchange of information is also an increasingly important source of information, especially with the advent of GSM telephony.

Media influence on political opinion The mass media play a key and highly significant role in the formation of political opinion in Nigeria. The Nigerian media has a long history of independent political and social activism by which it has earned the confidence of the populace since colonial times. Although the state acquired dominance in media ownership in the early years following independence in 1960, a private media has always existed, first in the print sector and (since the late 1990) in the electronic sector. This private media have largely continued in the traditions of the pre-independence media in their independent-minded and activist journalism. Thus, they have largely retained the credibility and political influence gained by their colonial predecessors. They have therefore been able to mould the political opinion of the populace. This was particularly obvious in the years of struggle (1983–1999) to end military rule in the country. The private media, especially the print sector, was able to draw on its activist tradition in the anti-colonial struggle to serve as the voice and instrument of the struggle against military rule, consolidating its already enormous influence amongst Nigerians. This influence has been reinforced by the strong tradition of journalistic professionalism in the Nigerian media, despite its activist partisanship on the side of democracy and human rights. The private Nigerian media are widely perceived as reliable and credible in their reporting, enabling most media consumers to rely on them in forming their political opinion.

State-owned media State-owned media exist and indeed constitute the majority of media channels in the country. Eighty of the 100 radio stations in existence are owned by the federal or various state governments; they also own 62 of the existing 76 television stations and 32 of the 40 newspapers. Only in the magazine sector do the governments own no publications, all 15 existing magazines being private enterprises. Recently, however, the federal government has privatised the Daily Times and the New Nigerian newspapers, its flagship publications. This may be in recognition of two facts: first, leadership in the print media is solidly in the hands of the privately owned press; and second, most Nigerians turn to radio and television as their principal sources of information. Letting go of these publications is therefore probably an attempt to cut losses and to focus investment in areas of greater returns. Thus, the federal government has held on to its television and radio media, the Nigerian Television Authority (NTA) and the Federal Radio Corporation of Nigeria (FRCN, better known as Radio Nigeria).

These state media are editorially subject to the preferences of the state, in the absence of any law specifically protecting them from editorial pressure from government authorities. This is made worse by the fact that the president or the governor, as the case may be, appoints the governing boards of these media without participation by civil society or any other social sector. Even worse, most government authorities until 2000 failed to even appoint such boards, but preferred to run state media through single administrators. Under challenge by civil society organisations that went to court on the matter in 2000, the federal government and various state governments reverted to the law and appointed governing boards for such state media as the Nigerian Television Authority and the Federal Radio Corporation of Nigeria.

The state-owned media are generally perceived as merely propaganda instruments of the federal and state governments. The state has sought to employ these media as instruments of national unity and ideological mobilisation for national development. State media have therefore tended to stress the positive and to ignore or even deny the most egregious of problems in society, aiming to defuse social tension and conflict. This is apparent in every instance of massive confrontation between the state (or its ruling groups) and any oppressed social group, as it was in the long struggle against military rule. State media typically denied such confrontations or played down their severity, in part to douse passions and in part to enable the state and the ruling groups to continue blissfully believing that all was social amity and peace. At the root of this character of

state media has been the fact that they lack independence from the state authorities. For these reasons, they are seen as mere instruments of the state to paper over and disguise the existing and rapidly worsening contradictions between the mass of Nigerians and the ruling groups. They therefore have little influence in the formation of political opinion in the country. The conclusion then is that the private media play the leading and dominant role in the formation of political opinion in Nigeria. This cuts across social class, ethnic nationality, religion, and gender.

Although the private media have greater credibility amongst Nigerian, the state media are the source of the overwhelming bulk of published information. The latter have a clear hegemony in this respect. This has been due primarily to restrictions on the private media, especially in the electronic sector. Thus, only electronic media owned by the federal government are licensed for nationwide broadcast; attempts by private media to broadcast their programmes nationally have been forbidden by the National Broadcasting Commission, the broadcasting regulatory body. Thus, only the federal government has the ability to reach all Nigerians in the country simultaneously, placing in its hand enormous media power. While no similar restriction exists on private print media, such factors as the low level and quality of literacy and the gigantic problems of distribution severely constrain the reach of the private media. This is in addition to the fact that state print media outnumber the private print media by a ratio of about 2:1, since most state governments publish their own newspaper.

*State-owned
media and
published opinion*

In respect of editorial inclination, state media are primarily propaganda instruments of government. There is little significant difference in this respect amongst the various state media, be they print, radio, or television media.

The federal government and various state governments hold regular press conferences to inform the public about their programmes. Journalists do not have equal access to these conferences, due to the practice of media accreditation. Accreditation to attend these conferences is entirely at the discretion of the government and, while in principle every media organisation may be accredited, it is usually those in its good books that in fact are. Accreditation has been withdrawn from certain journalists for displeasing the government.

*Government press
conferences*

The broadcast rights for these conferences belong to the state media; but private electronic media are allowed to hook up to these media to air them and to re-broadcast them.

2. LEGAL ENVIRONMENT

The right to freedom of opinion is recognised and established in the 1999 constitution as a fundamental human right. Section 39.1 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 38(1) reinforces this: '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.'

*Freedom
of expression*

This right to freedom of opinion is construed as including the right of individuals or groups to free expression, which is in turn concretised in the right to own and operate media of mass communication. Section 39.2 states that, '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.' However, that section makes private ownership and operation of electronic media subject to authorisation 'by the President on the fulfilment of conditions laid down by an Act of the National Assembly.' This power is exercised through the National Broadcasting Commission under the National Broadcasting Commission Decree No. 38 of 1992 as amended by the National Broadcasting Commission (Amendment Decree No. 55 of 1999. Section 10 of the 1992 decree forbids the granting of broadcast licences to political parties and religious organisations, effectively restricting their right to freedom of expression.

Moreover, the right to freedom of opinion is of little practical significance if it does not include the ability to express one's opinion in the public domain not only by word but also by peaceful action. The Public Order Act was for long an effective instrument for preventing the free and peaceful expression of opinion through public meetings and demonstrations. The act subjects the right to hold such public meetings to prior approval by the police authorities. The police have used this power to deny civil society and government opponents the right to express their opinion freely concerning government policies and practices.

Free media coverage Although the Nigerian mass media has won the de facto right to operate more or less freely, there is no explicit, justiciable, and specific recognition of press freedom in the 1999 constitution. Section 39.2 recognises the right of citizens to 'own, establish, and operate any medium for the dissemination of information, ideas, and opinions' but this only amounts to the right to own and operate not the right to operate with freedom.

The only section that recognises the right of the mass media to operate freely is Section 22. Two points are noteworthy in this section, however. First, it only recognises the freedom of the mass media 'to uphold the fundamental objectives contained in [Chapter 2 of the constitution] and uphold the responsibility and accountability of the Government to the people.' Thus, it ties the freedom of the press to the objectives of the state and would limit it to matters of governmental responsibility and accountability. As the objectives – outlined in Chapter 2 of the constitution – are the essential articulation of the official state ideology of national development, this section aims to make the freedom of the mass media an instrument of that ideology. From this perspective, the freedom of the press recognised in Section 22 easily transmutes into a duty to serve the state ideology; indeed, it is significant that Section 22 is entitled *Obligation of the Mass Media*. Second, this statement of media freedom in Section 22 is in Chapter 2 of the constitution, entitled *Fundamental Objectives and Directive Principles*. This chapter contains numerous statements that could be construed as granting or recognising certain rights including, in addition to press freedom, the right to education, housing, employment, and the equitable distribution of social wealth. None of these is justiciable, however; i.e., they cannot be enforced in any court of law. This applies to the right to press freedom stated in Section 22: the statement has no force of law. The press has been operating in freedom therefore on the basis of Section 39, which grants every person the right to 'receive and impart ideas and information without interference.'

Regulation of media coverage The problem of access to official information is perhaps the most important confronting the Nigerian media in the performance of its function. Although Section 22 of the 1999 constitution charges the media with the responsibility 'to uphold the fundamental objectives contained in [Chapter 2 of the constitution] and uphold the responsibility and accountability of the Government to the people,' numerous pieces of legislation operate to defeat that purpose. In the constitution itself, Subsection (3)(a) of Section 39 – the very section that ostensibly recognises the right of free expression and of press freedom – permits the government to make laws 'for the purpose of preventing the disclosure of information received in confidence, maintaining the authority and independence of courts or regulating telephony, wireless broadcasting, television or the exhibition of cinematograph films...' The Official Secrets Act, first enacted in 1962, is an example of such a law to prevent the 'disclosure of information received in confidence'. This law denies the mass media and other unauthorised persons access to information in the possession of the government or its agencies, and provides for imprisonment for 11 years for the public official who releases such information without authorisation and for the person who receives it. Other legislation that restricts access to official information includes the Public Complaints Commission Act of 1975, the Statistics Act of 1987, the Criminal Code Act of 1990, and the Evidence Act of 1990.

Led initially by the Civil Liberties Organisation and then Media Rights Agenda, civil society organisations have since 1993 campaigned for greater access to official information. The Freedom of Information Bill that they initiated in 2000 passed in the House of Representatives on 2 September 2004 and in the Senate in November 2006, and only required presidential assent to become law. President Olusegun Obasanjo refused, in March 2007, to sign it into law, however, on the grounds of rejecting a provision for the judicial review of a refusal by any government agency to grant

access to information in its keep. Having run the six-year gauntlet of legislative passage from 2000 to 2006, the bill has to recommence the process with the new National Assembly that began sitting in May 2006.

The media are not barred from covering or reporting the activities or words of any social group or individual. Yet there is an unspoken understanding that the media should exercise 'caution and due consideration' in its reporting. This amounts to a demand for media self-censorship, and the practice of self-censorship is indeed widespread.

Section 39 grants every Nigerian the right of free expression and there exists no known law that specifically denies any person or category of person that right. The law, however, does regulate who may practise as a journalist. The Nigerian Press Council Decree No. 85 of 1992 as amended by Decree No. 60 of 1999 creates the Nigerian Press Council (NPC) to, among other things, register people who may practise as journalists. This law defines a journalist as any person who is 'paid for gathering, processing, publication, or dissemination of information' and requires such a person to be licensed to practise on pain of imprisonment. Civil society and media organisations have stoutly opposed the law and its purpose of registering journalism practitioners; but the law in fact goes way beyond merely compiling a register of journalists, dangerous to media freedom as that is. The law also provides powers to suspend a journalist from practising and actually lays down conditions under which a person may be registered as a journalist. These relate mainly to acquiring the necessary journalist training in accredited institutions, and this has allowed the government and the NPC to insist that the purpose of the law is only to raise the standard of professional practice and to weed out quacks from the profession. Civil society and media organisations have argued (correctly, in my opinion) that journalism differs from other professions in that it arises from the fundamental right of free expression and plays a systemic role unlike other professions. Moreover, the effect of allowing the state to determine who practises as a journalist are in the final analysis damaging to an order founded on democracy and human rights in a way that state determination of who practises as a lawyer or doctor is not.

All of these laws and policies establish a legal environment hardly conducive to media freedom. However, there is no legal requirement for media organisations to have their reports approved by state authorities before publication. This is not necessary in light of the vast array of laws that prescribe punitive sanction for various media infringements.

Nevertheless, the law establishes regulatory bodies for the mass media. The National Broadcasting Commission is empowered by the National Broadcasting Commission Decree 38 of 1992 to, amongst other things, grant broadcast licences, regulate the broadcast industry, investigate and punish broadcast media misconduct, and establish and enforce a national broadcasting code. The Nigerian Press Council is established by the Nigerian Press Council Decree No. 85 of 1992 as amended by Decree No. 60 of 1999 to regulate the print media, register journalists, accredit journalism courses in tertiary institutions of learning, and investigate and punish actions by journalists that violate the press code.

There has been no change in the legal environment of the media industry in the past five years, despite spirited efforts by civil society and media organisations to change the legal framework to enhance media freedom. The most significant of such efforts was the campaign for the Freedom of Information Act: the bill was passed by the National Assembly but did not receive the assent of President Obasanjo and did not become law. A second campaign was for a Nigerian Media Law to harmonise and consolidate all media laws into one and to amend those with adverse implications for press freedom. That law remained stuck in the National Assembly until the end of the tenure of the last legislature.

Changes in the past five years

In the absence of these changes, the legal framework of the media in Nigeria has remained essentially the same for the past five years. The evaluation of the state of media freedom in the period would be, therefore, that there was no change (0). Although the government and its security agencies showed much concern about the terrorist attack of 9/11 and the security implications for

Nigeria, there was little movement for the enactment of anti-terror laws in the country. The 9/11 attack and its security ramifications therefore had little effect on media freedom in Nigeria.

There has been no significant change in media operation and coverage in the past five years. The evaluation of the state of media operation and coverage in the period would be, therefore, that there was no change.

Legal censorship There exists no single and specific law that may be described as a censorship law in Nigeria; however, there exists a battery of provisions in various laws that individually amount to censorship in their effect and collectively create a censorious environment for the Nigerian mass media. For example, Chapter 7 of the Criminal Code of 1990 outlaws what it describes as sedition and seditious or undesirable publications, these being the products of a 'seditious intention'. It defines a seditious intention in Section 502 as one to create, among other things, hatred, contempt, or disaffection against the government, the president, or the governor of a state, to create discontent in the populace, or to promote hostility between social classes. Chapter 21A of the same code forbids 'obscene publications' (these being specifically print publication). Section 233(1) of the code defines an obscene publication as one that in its effect tends 'to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it'. Section 88(a) of the law also forbids any publication 'likely to provoke or bring into disaffection any section of the community' and bans songs 'the words of which are likely to provoke any section of the community'. Finally, Section 58 empowers the relevant minister to ban the importation of any publication considered seditious or undesirable. Other laws with similar censorious provisions are the Obscene Publications Act of 1990, the Printing Press Regulation Act of the same year, and Offensive Publications Decree of 1993.

In respect of broadcast media, they have to obtain pre-broadcast approval from the NBC for their programmes. A list of these programmes along with a brief description of each has to be sent to the regulatory body for approval each quarter before they are put on air, on the pain of severe sanctions, including withdrawal or suspension of the broadcast licence. Further, television stations are required under the Press Law of 1993 to limit foreign programming to 40 per cent of their daily broadcast content. The same law also places a bar of 20 per cent foreign content for satellite broadcasting. All of these create a censorious environment for the mass media.

Furthermore, the Nigerian Press Council Decree No. 85 of 1992, as amended by Decree No. 60 of 1999, requires publications to register with the Nigerian Press Council, as part of which they have to submit their mission statement and the objectives of the publication. As the council has power to deny a publication registration if its mission and objectives do not meet its approval, this amounts to a means of systemic censorship. Similarly, the conditions for the grant of broadcast licences amount to systemic censorship. Section 9 of the Nigeria Broadcasting Commission Decree of 1992 requires a licence applicant to give 'an undertaking that the licensed station shall be used to promote national interest, unity, and cohesion and that it shall not be used to offend the religious sensibilities or promote ethnicity, sectionalism, hatred, and disaffection among the peoples of Nigeria'. According to the NBC law, the commission can revoke a station's licence where 'in the opinion of the Commission the station has been used in a manner detrimental to national interest or where a complaint from the public has been upheld after a public hearing instituted by the Commission and whose decision is upheld by a majority of members of the Commission'. It lies entirely with the commission to decide what the 'national interest' is and what offends 'religious sensibilities' or promotes 'ethnicity, sectionalism, hatred, and disaffection'. This effectively empowers it to take censorship action, including the revoking of broadcast licences, against media organizations of whose broadcast content it disapproves. Thus, the National Broadcasting Commission has been able to employ its regulatory powers in a manner that in many instances amounts to censorship. An example of this is the standing ban it has placed on the live broadcast of news and features programmes from foreign media organisations.

In the absence of a consolidated censorship law, it may not be appropriate to speak of the consequences of acting in breach of such a law. There are various laws with censorious provisions,

though, and these include punitive provisions for breaches. Chapter 7 of the Criminal Code Act of 1990 forbids sedition and the importation of seditious or undesirable publications. A first offender who produces a seditious publication under this law is subject to a two-year prison sentence, a fine, or both, while a subsequent offender is liable to imprisonment for three years. Possession of a seditious publication is punishable under the law by imprisonment for one year, a fine, or both. Various acts (including the importation, possession, publication, sale, offering for sale, distribution, or reproduction of a publication banned under this law) attract a term of imprisonment, a fine, or both. Production, distribution, or reproduction of a publication categorised as obscene under Chapter 21A of the Criminal Code of 1990 is punishable by imprisonment, a fine, or both.

As stated above, some of the licensing conditions under NBC law amount to systemic censorship. The law empowers the commission to revoke the licence of a station that violates its licence conditions or the NBC code. The commission has employed this power in numerous instances. For example, it applied a range of sanctions against privately owned Freedom Radio on 28 March 2006, allegedly for violating the broadcasting code. These included bans on broadcast operations between 5 pm and 10 pm daily, on broadcast of political programmes, and on certain specific programmes (Special Programme, and the Hausa-language programmes *Kowa Ya Tuna Bara*, *Kowane Gauta*, and *Kowane Tsuntsu*). The station was fined N200,000 and ordered to pay up within 48 hours. Explaining the action, the NBC alleged that it found the station's political and talk show programmes lacking in 'the maturity required of such programmes' and that programme guests and callers made 'unguarded comments that violate provisions of the NBC Code, always tending to overheat the polity'. This is a clear instance of censorship.

Media establishments have to be registered by state authorities. Quite apart from registration as legal business entities, media organisations have to be registered with either the Nigerian Press Council (for print publications) or the National Broadcasting Commission (for broadcast media).

Media licences

The Nigerian Press Council Decree No. 85 of 1992 as amended by Decree No. 60 of 1999 provides for the 'Documentation of Newspapers', under which publications must register with the Nigerian Press Council. Registration requires submission of the mission statement and objectives of the publication. Publishing without registration attracts a punishment of three years imprisonment, a fine of N250,000, or both. Every additional day of the offence attracts a fine of N5,000. The National Broadcasting Commission Decree No 38 of 1992 similarly forbids a radio or television station from broadcasting unless it is granted a licence by the National Broadcasting Commission. The conditions that applicants for licences must satisfy include majority ownership of the business entity by Nigerians and the payment of various fees. Meeting all the conditions does not guarantee a successful application, however; the NBC law leaves the decision to grant broadcast licences completely at the discretion of the president.

These regulatory bodies are not independent of the state authorities, and are in fact administrative extensions of the federal government. The executive secretary of the Nigerian Press Council is a presidential appointee on the recommendation of the minister of information and culture. Although other members of the council are supposedly drawn from the media industry, the NPC law transforms them into government functionaries: Section 5A(2) of the law says they are to enjoy the same conditions of service as those of people serving in equivalent positions in the federal civil service. Similarly, the chairperson and director-general of the National Broadcasting Commission are appointees of the president on the recommendation of the minister of information. The members of the committee are appointed by the president. Although the NBC law requires that they be drawn from various interest groups including civil society, the mass media, the Ministry of Information, and the state security agencies, it makes no provision for consultation with these sectors in respect of the selection of their representatives. Further, the law empowers the minister of information to issue directives to the commission and puts the latter under obligation to implement such directives.

The NBC may revoke broadcast licences where it believes that a broadcast station 'has been used in a manner detrimental to national interest or where a complaint from the public has been upheld after a public hearing instituted by the Commission and whose decision is upheld by a majority of

members of the Commission'. This is most vague and subjective, leaving room for the NBC to employ its powers arbitrarily. The commission has defined three categories of sanctions for erring stations but has not been specific on what particular offence would earn them. Thus, for instance, it says a broadcast licence may be revoked for 'a serious breach' of the NBC code but does not explain what is considered 'a serious breach'. Apart from this, Section 8 of the NBC law provides that: 'A licence may be revoked by the Commission in the following cases, that is –

- Where the prescribed fee has not been paid on the due date,
- Where the licence has not been put to use within a period of one year after issuance,
- where it is found that the licence was obtained in breach of the provisions of section 13 of this where it is found that the provisions of the said section are not being complied with, and
- where in the opinion of the Commission the station has been used in a manner detrimental interest or where a complaint from the public has been upheld after a public hearing instituted by the commission and whose decision is upheld by a majority of members of the Commission'

There have been very few actual cases of licence revocation and these have been in connection with non-use of the licence or the non-payment of the required fees. The commission has more frequently imposed lesser sanctions such as a warning or the suspension of a licence.

Journalists' legal status Section 17 of the Nigerian Press Council Decree No. 85 of 1992 as amended by Decree No. 60 of 1999 requires that every practising journalist be registered with the Nigerian Press Council. A person is qualified for registration under Subsection 1 of this section if:

- He has attended a course of training recognised by the Nigeria Union of Journalists so acquired with the cognate experience recognised by the Nigeria Union of Journalists; or
- The course was conducted at an institution so approved, or partly at one such institution and partly at another or others; or
- He holds a qualification as approved; or
- He holds a certificate of experience issued in pursuance of article 22 of this Decree.

He or she may also qualify if, according to Subsection 2, 'if he satisfies the Council that immediately before the commencement of the Decree he had not less than five years experience as a journalist'. In addition, Subsection 3 requires him or her to satisfy the council that:

- He is of good character;
- He has attained the age of 18 years;
- He has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty;
- He has been trained at an approved mass media institution;
- He has a general professional orientation which covers the basic requirement of information leading to a qualification not less than a diploma; and
- He has good knowledge of the politics and socio-economic affairs of his society acquired from an approved institution.

A person may be denied registration unless they meet these and other conditions, and a registration may be withdrawn from a practising journalist if they infringe the Journalists Code of Conduct drawn up by the council. The media and civil society have put up stiff resistance to this law requiring the registration of journalists and the MRA and NPAN have filed different suits in court to stop its implementation. There has been no instance, therefore, of the actual denial or withdrawal of registration.

Only journalists accredited by the government agency concerned are allowed to observe its meetings; that includes the legislature at both the national and state levels. As this accreditation is discretionary, journalists cannot be said to have a right to be present at such meetings. Thus, for example, on 22 August 2005 a presidential committee investigating jailbreaks at two prisons shut the door against journalists and prevented them from observing and reporting on its proceedings. Committee chair Senator Stella Omu explained that the proceedings were not yet for media reporting and that the presence of the media could prevent witnesses from testifying.

Journalists or media organisations that fall out of favour with a government agency may be denied accreditation to cover its activities. For example, the National Assembly on July 26, 2006 revoked the accreditation of all journalists covering the activities of the national legislature and set new conditions for re-accreditation. These included presentation of current tax clearance certificates and evidence of legal registration of their media houses.

As a result, such agencies mostly grant accreditation to state media and to journalists from private media seen to be cooperative with the government. There is therefore no equal access in practice for all journalists to government meetings.

Some meetings are broadcast, however, with various legislatures and government agencies allowing even live broadcast of some of their activities. However, as in the case of accreditation, certain 'unfriendly' stations may not be allowed the right to broadcast them.

Journalists enjoy the same constitutional right as other citizens to challenge violations of their rights, including repressive actions or policies by state authorities. According to Section 36(1) of the 1999 constitution: 'In the determination of his civil rights and obligations, including any question or determination by or against any government or authority, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such manner as to secure its independence and impartiality.'

Acting under this right, media organisations and practitioners have challenged state actions they consider repressive. For example, both the Media Rights Agenda (MRA) and the Newspapers Proprietors Association of Nigeria (NPAN) went to court in 2001 to stop the implementation of the Nigerian Press Council Decree No. 85 of 1992. The MRA also filed suit in 2000 to challenge the government's long practice of not appointing government boards for state media as required by law.

Section 9(5) of the National Broadcasting Commission Decree No 38 of 1992 provides against the development of media monopolies and cartels. It states that, 'It shall be illegal for any person to have controlling shares in more than two television stations'.

Monopolies and cartels

The existing media monopoly is held by the government, which controls more than 70 per cent of media channels in the country. However, some media organisations – notably DAAR Communications, owners of RayPower Radio and Africa Independent Television, the leading broadcast media stations in the country – have been attempting to build a network for simultaneous national broadcast. While this is not in itself an attempt to build a monopoly, it does evince a tendency to enlargement that could in future lay the foundation for media monopolies. The NBC has opposed such attempts and threatened to withdraw the licences of media organisations involved. This phenomenon is at present limited only to the electronic media. Hampered by the problems of low national literacy, the inadequate communication infrastructure for distribution, and the harsh economic environment, print media organisations have not shown any tendency to develop monopolies.

3. POLITICAL CONDITIONS

There is no legal provision forbidding media reporting of political issues concerning any particular section of the population or any social strata. However, certain factors (including the social distribution of wealth, the rate and distribution of literacy, and the structure and distribution of the media itself) predispose the media to focusing its attention on certain social sectors and issues. Thus, the media in general tend to give more attention to urban matters than to rural ones. One reason is that the communication system is generally better in the cities and towns, enabling easier collection and dissemination of information. Second, the private media depend principally on advertising and sale revenues: since the distribution of social wealth concentrates most resources in the urban areas, that is where the greatest advert and sales revenues come from. Third, the literacy rates are far better in the urban areas, making the cities and towns the most promising markets for the print media and a large portion of the electronic media.

Coverage of marginal groups

For these reasons, issues of concern for rural dwellers (including political ones) tend to receive little attention in the mass media. Such issues include land dispossession by state officials and business interests, disenfranchisement by politicians, and the embezzlement or misuse of public resources by political office holders.

With the exception of people in prison or in police custody, there are no sections of the general population deliberately prevented by state action from exercising their right to freedom to receive or disseminate information. As regards prisoners and people in detention, both the Prisons Act and penal practice deny prisoners access to published information.

Self-censorship Self-censorship is an unspoken but widespread practice in the Nigerian mass media. The panoply of laws inhibiting free expression and the regulatory laws enforced by the NBC and the NPC have created a culture of 'caution and due consideration' in media reporting. This amounts in practice to self-censorship. Beyond determining the veracity and newsworthiness of stories, media channels also have to weigh their implications in terms of the displeasure of the government and its regulatory agencies. Publishing without such due consideration could lead to punitive reprisals by such agencies. The experiences of RayPower Radio, AIT, and Freedom Radio provide a good example of this. The NBC shut down Freedom Radio in March 2005 for two weeks, allegedly for violating the NBC broadcasting code. Civil society activists and journalists insisted, however, that the closure was for airing a song critical of President Obasanjo's unconstitutional bid for a third term in office. The regulatory body also shut down RayPower Radio and AIT, the country's leading private radio and television stations, on 23 October of that same year, allegedly for 'unprofessional coverage' of a plane crash that claimed the lives of all 117 passengers and crewmembers. Gbenga Aruleba, deputy general manager (news) of DAAR Communications (owners and operators of the broadcast media), denied this allegation, however, and said the shutdown was for countering the official line on the crash broadcast by the state-owned NTA and for criticising aviation authorities for negligence of duty. Such punitive measures encourage media self-censorship.

This pressure towards self-censorship applies not only to the private media but also to the state media. Operating as media arms of the government, the state media are under the more or less direct control of government officials and take care not to report matters that might embarrass the government or otherwise displease state officials. They therefore operate principally as propaganda instruments of the government and cannot report events and issues freely.

This culture of self-censorship embraces all sectors of the mass media but is most evident in respect of political issues and those concerning ethno-religious and similar social conflicts.

State repression Unlawful attacks on journalists and media organisations are very common in Nigeria despite the advent of civilian rule in 1999. Such incidents include physical assaults on journalists, seizure or destruction of journalistic equipment, raids on or sealing up of media offices, and confiscation of publications. The following cases are a selection from hundreds reported in the media and collated in Media Rights Monitor, organ of Media Rights Agenda:

- **14 October 2003:** A team of police officers beat up Suleiman Osasuji, a sports journalist with All Sports newspapers, using their hands, whips, and gun butts. The incident occurred at the Abuja Stadium, venue of the All Africa Games where he was on assignment as media officer with the organisers of the games
- **17 May 2004:** Soldiers from the 81st Division Garrison, Dodan Barracks in Ikoyi, Lagos, assaulted, arrested, and detained Savannah Peters, a reporter with Island News, and seized her camera. Miss Peters was on assignment to investigate a report of a luxury bus filled with valuables
- **22 June 2005:** Police in Lokoja, the Kogi state capital, arrested Segun Omolehin, state chair of the Nigeria Union of Journalists (NUJ), at a meeting initiated by the police to improve police-media relations in the state. Relations had soured and the police had launched a campaign of harassment against the media following media stories on 20 June of an encounter between Kogi State Commissioner of Police Thomas Bamidele and armed robbers

- **14 May 2006:** State security agents raided the office of DAAR Communications Limited in Abuja and confiscated the master tape of a documentary on failed efforts by past Nigerian leaders to perpetuate themselves in office. The company owns and operates RayPower radio and the Africa Independent Television (AIT). The documentary was on-air at the time of the raid and the security agents terminated its further broadcast
- **16 August 2007:** Yomi Onashile, Ekiti state commissioner of police in south-west Nigeria, threatened journalists with arrest, detention, and prosecution for what he described as 'sensational reporting', accusing some print media journalists of bias in their crime reporting since his assumption of office
- **10 January 2008:** Security agents in Ibadan, the Oyo state capital in south-west Nigeria, arrested and detained Fidelis Mbah of the BBC and Tade Oludayo of Silverbird Television and Rhythm FM radio for photographing a statue of the 'Unknown Soldier' recently unveiled in front of Government House in the city.

Hundreds of such incidents are on record on the website of MRA (www.mediarightsagenda.org) and occur very often.

Internet access is not hindered by state measures.

Obstacles to internet access

The threat of formal or informal state repression of the media and the frequency of actual instances have not changed significantly in the past five years. The reason for this lack of change is that the structural functions of the media and the state (and, therefore, their structural relation to each other) have not changed in any significant respect in the past five years of civilian rule. The essential function of the existing state machinery is the protection of the existing social order founded on relations of inequality and exploitation between ethnic nationalities, genders, and social classes. The growing atmosphere of conflict in the country since the late 1970s and especially in the late 1980s indicates the growing crisis of the social order, and the role of the Nigerian state has been to manage this conflict. The basic strategy in this respect has been the repression of the forces striving for the transformation of the present social order on a radically democratic basis. While the ruling groups have come to accept the inevitability of such change, they fear that it may proceed at a pace and in directions that threaten their strategic interests. They use the state, therefore, to manage the process of social change in a manner that accords with those interests.

Changes in the past five years

In contrast, the media (especially the private media) have predominantly – if not consistently – represented the forces of change. As was glaringly obvious in the struggle against military rule, its choice of issues and events to report could and often did have political implications that could be wielded against the state and the ruling groups. Thus, when the press gave abundant media space and time to the Civil Liberties Organisation in its campaign on prison conditions in the early 1990s, it was an unspoken yet trenchant criticism of the military regime of General Ibrahim Babangida at the time. Similarly, media reports of the state of affairs in various aspects of life today could translate into a criticism of the present ruling groups, which they see as acts undermining their legitimacy.

For these reasons, the state and the media find themselves more or less on opposite sides of the social divide. This is despite (in fact, it explains) efforts by the state to co-opt the media and build friendlier relations with them. The stringent regulatory regime described in previous sections of this report indicate, however, that control and repression are the state's strategic approach to relations with the media. The repressive practices of state agencies such as the police, the army, and the state security organs derive from and feed into this strategy, creating a general atmosphere of media repression.

There exists no legal provision for state monitoring of the production and distribution of print media products. The print media do not have to submit their contents for state vetting; they obtain newsprint on the general market, and the security agents have no legal powers to monitor the distribution of newspapers or magazines. However, the law makes the production, importation, or distribution of seditious or obscene materials a criminal offence. State security agencies and the

Government control over print media

police often take advantage of these and other laws to attack vendors and seize newspapers and magazines they consider offending. The following is a selection of cases:

- **8 May 2004:** Officers of Kick Against Indiscipline (KAI), a paramilitary organisation of the Lagos state government confiscated from vendors and destroyed newspapers and magazines, accusing the vendors of street hawking. Some vendors were beaten up.
- **10 February 2005:** State security agents raided vendors on Old Market Road, Onitsha in Anambra state and confiscated large numbers of copies of a number of publications including TheNews, The Source, and The Week (all news magazines), and Hallmark newspaper. The State Security Service (SSS) explained that the publications had stories on the Movement for the Actualisation of Sovereign State of Biafra (MASSOB), an organisation banned by the government. A vendor was arrested and detained at an unknown place.
- **28 January 2008:** A magistrate's court in Uyo, in the Akwa Ibom state, remanded Samuel Asowata, editorial board chairman of Fresh Facts newspaper, to prison custody after his arrest by police on 21 January for alleged sedition. The police had also arrested Bright Essien Ewoh, a newspaper distributor, on 24 January and arraigned him before a similar court the next day. Mr Asowata's arrest was in connection with a 21 January story in the newspaper captioned 'Akpabio in N5.5bn Housing Scam?' Mr Ewoh was arrested for alleged sedition and conspiracy in connection with the distribution and sale of the Fresh Facts edition containing the story. Godswill Akpabio is the governor of Akwa Ibom state.

Such incidents occur very often. Although state authorities do not directly employ such methods to exert editorial control on the private media, the practice does encourage self-censorship amongst private newspapers and magazines.

4. ECONOMIC PRESSURES

State subsidies There is no formal or regular system of subsidisation of the private media by state authorities. Some private media do pursue and get adverts from the state, albeit on a very irregular basis. Such media cut across all sectors: television, radio, newspapers, and magazines. In the absence of financial figures from the media or the government in this respect, it is not possible to determine the amounts of money involved in such political adverts or how it compares with commercial adverts by business organisations. It is clear that private businesses are a greater source of advertising revenues for the private media. Advertising revenue from the state is too infrequent and irregular to constitute a major source of income for the private media.

State adverts, therefore, do not constitute a serious means of editorial control of the private media. While this does act as a not-insignificant source of pressure towards editorial friendliness towards the state for media establishments that do receive such adverts, it does not significantly change the general attitude of the private media sector towards the state. The media audience expects the media to be neutral if not critical of the government. For this reason, a private media organisation seen as friendly towards the state runs a very serious risk of losing a significant portion of its audience. Most media establishments therefore balance between neutral objectivity and critical objectivity, with the electronic media tending towards the former and the print media towards the latter.

This difference between the electronic and the print media is explained in part by the fact that radio and television are subject to greater and stricter monitoring by the NBC than the newspapers and magazines are by the NPC. In addition, though, it is due to the character of the audience of each media sector. Consumption of print media products (newspapers and magazines) tends to require a higher level of literacy and general education than consumption of radio and television programmes. Print media consumers tend on the average, therefore, to be more politically sophisticated and active than electronic media consumers. This feeds into the fact that the print media audience live predominantly in towns and cities, where the major and most intense social conflicts tend to occur, and consist of a relatively higher ratio of radicalised critics of the government and the ruling groups. All of these factors predispose the print media to a more critical attitude toward the state.

The dependence on advertising revenues is the principal economic factor undermining the editorial independence of the mass media. Relatively low literacy rates and adverse economic conditions in Nigeria have resulted in low and economically unprofitable rates of subscription and newsstand sales for media organisations. They are compelled, therefore, to rely on advertising revenue to sustain their operation and to make a profit sufficient to justify their investment.

This gives business organisations that provide these adverts a degree of influence that is unspoken yet significant enough to influence the editorial decisions of media organisations. Further, it also provides room for clandestine government influence over such decisions. This is because most business operations in Nigeria depend in one degree or another on government goodwill. While it is impossible to ascertain this in the absence of admission by such businesses, it is a common-place perception that in periods of acute conflict between the state and other sectors of society the government applies pressure on big business to channel their adverts to government-friendly media houses. This would pressure or encourage more media establishment to adopt a neutral or friendly attitude toward the state.

5. NON-STATE REPRESSION

Nigeria has experienced a proliferation of militias and militant non-state groups since 1993. However, these groups have generally refrained from attacking journalists or media organisations. One of the relatively few incidents in which they attacked the media took place on 11 August 2007 in Port Harcourt, the capital of Rivers state in the Niger-Delta region. On that day, members of a militia in that city bombed the offices of the state-owned Radio Rivers, destroying a section of the administrative block and a number of lives. This was apparently in response to state security and military operations against the rival militias in the state, who had been engaged in a violent confrontation that had claimed scores of innocent lives. Another case that may or may not be one of an attack by a militia group occurred on 5 June 2007 when two gunmen attempted to kidnap Christian Madueke, a staff member of privately owned newspaper Punch, when they could not find another staff member whom they sought. They threatened the staff with their weapons and Madueke escaped only by jumping out of a second-floor window.

Repression by non-state groups

Generally, however, thugs allied to politicians and political parties have been the greater source of attacks on the media in the past five years. The following is a selection of such attacks.

- **30 January 2008:** Thugs in Lagos beat up Bayo Onanuga, managing director of TheNews magazine, after he gave evidence in a libel suit brought against the magazine by Bode George, the south-west chairman of the ruling party, the Peoples Democratic Party.
- **23 May 2007:** Suspected political thugs armed with axes, machetes, and guns disrupted transmission, and vandalised and looted broadcast equipment after invading the premises of the Broadcasting Corporation of Oyo State (BCOS) in Ibadan, the Oyo state capital in south-west Nigeria. They also injured workers of the media establishment

Politicians and political parties are usually behind such attacks; they are usually politically motivated, therefore, and occur when a politician or a party perceive a media establishment or a particular journalist to be undermining their political interests. Such attacks are less frequent than those by various state agencies but they occur very often enough to be a real threat to media freedom. This is especially as the state has not shown any capacity to protect journalists and the media from them. This is in part because these thugs are faceless and are not easy to identify for prosecution; it is also due in part to the fact that their sponsors are powerful political figures able to manipulate the police and the judiciary.

There have been no significant changes in this situation in the past five years. Although non-state attacks on the media are not as serious or frequent as attacks by state agencies they are a significant enough to threaten the free operation of the media, especially in their coverage of political matters. In terms of frequency of such attacks, the impression is that there has been little change.

Changes in the past five years

6. CONCLUSIONS

Freedom of the media: general situation The general state of media freedom in Nigeria today is ambiguous. Without doubt, the press operates with a great degree of freedom; yet, both the legal framework and the worsening social conflict portend and allow much room for state restriction on that freedom. The media operate relatively freely, but it is freedom within what we might think of as a very large but shrinking cage framed by existing media laws, with state agencies and adverse economic conditions striving to cripple the media even within the cage. We may best categorise the state of the media as freedom with major restrictions.

Changes in the past five years The degree of media freedom has not changed significantly in the past five years. The former government of President Obasanjo was very antagonistic to the media and to media freedom, as may be seen in the great frequency of attacks and restrictions on the media, as well as in the president's refusal to sign the Freedom of Information Bill into law. That antagonism lasted all eight years of his government (1999–2007). The new government of President Umar Musa Yar'Adua has expressed its intention to uphold the rule of law and the constitution, and to respect human rights. In the ten months since May 2007 in which it has been in office, it has taken certain actions that many consider encouraging in that respect. These have included respect of rulings by judicial bodies and measures to effect electoral reform. However, the actual state of media freedom has not improved in any significant manner. We may only speak of a promise of greater media freedom, if the government talk of respect for the rule of law, human rights, and the principles of democracy is more than just a posture. A convincing indicator of this would be the fast-track passage into law of the Freedom of Information Bill and a radical review of all media laws to remove undue restrictions on media freedom and free expression.

Major obstacles to free media coverage Among the major obstacles to media freedom in Nigeria are obstacles preventing access to information in the possession of state and governmental agencies; adverse conditions of service, often including the non-payment of wages for up to six or seven months; attacks by state agencies on journalists and media organisations; an increasingly restrictive legal framework in which the government exercises undue control over the mass media through the regulatory agencies, the National Broadcasting Commission and the Nigerian Press Council; excessive interference and even control of editorial policy by media owners, including the state and private owners.

The generally low rate of literacy in the country and the decline in the quality of education across all levels of the educational system is another obstacle. A poorly educated populace results, in the final analysis, in a weak mass media. The state and powerful social groups easily subjugate and co-opt such a body of mass media, rendering it unfit to play its structural role in the defence and development of democracy.

Osaze Lanre Nosaze

FURTHER READINGS

- Berger, Guy (2007): *Media Legislation in Africa – A Comparative Legal Survey*. Grahamstown: UNESCO.
- Nosaze, Osaze Lanre (2005): *Clear and Present Danger – The State of Human Rights and Governance Year 2004*. Lagos: Civil Liberties Organisation.
- Okigbo, Charles C. / Eribo, Festus (2003): *Development and Communication in Africa*. Lanham: Rowman & Littlefield.
- Servant, Jean-Christophe (2003): *Which Way Nigeria? Music under Threat: A Question of Money, Morality, Self-Censorship, and the Sharia*. Copenhagen: Freemuse.
- Soyinka, Wole (1996): *The Open Sore of A Continent: A Personal Narrative of the Nigerian Crisis*. New York: Oxford University Press.