

## The African Media Barometer (AMB)

The Friedrich-Ebert-Stiftung's Southern African Media Project took the initiative together with the Media Institute for Southern Africa (MISA) to start the African Media Barometer in April 2005, a self assessment exercise done by Africans themselves according to home-grown criteria. The project is the first in-depth and comprehensive description and measurement system for national media environments on the African continent.

The benchmarks are to a large extent taken from the African Commission for Human and Peoples' Rights (ACHPR) <sup>1</sup> "Declaration of Principles on Freedom of Expression in Africa", adopted in 2002. This declaration was largely inspired by the groundbreaking "Windhoek Declaration on Promoting an Independent and Pluralistic African Press" (1991) and the "African Charter on Broadcasting" (2001).

By the end of 2008, 23 sub-Saharan countries will have been covered by the AMB. In 2007 those countries which started the exercise in 2005 were revisited providing for the first time comparable data to measure developments in a country over a two-year period.

**Methodology:** A panel of experts is formed in each country, including representatives of media and civil society at large in equal numbers. They are serving as panel members in their personal capacities, not as representatives of their respective organisations. The panel should consist of not more than ten members. In a process of self-assessment they will meet bi-annually for a two-day-retreat to go through the indicators in a qualitative discussion and determine (quantitative) scores for each indicator. The meetings will be chaired by an FES consultant to ensure comparable results. The resulting reports are made public.

<sup>1</sup> The ACHPR is the authoritative organ of the African Union (AU) mandated to interpret the African Charter on Human and Peoples' Rights

## NIGERIA

Scoring system: Panel members are asked to allocate their individual scores to the respective indicators after the qualitative discussion in an anonymous vote according to the following scale:

- 1 Country does not meet indicator.
- 2 Country minimally meets aspects of the indicator.
- 3 Country meets many aspects of indicator but progress may be too recent to judge.
- 4 Country meets most aspects of indicator.
- 5 Country meets all aspects of the indicator and has been doing so over time.

Scores for each sector are determined as follows: Members of the panel will, after a qualitative group discussion, attach their individual point-score (1 - 5) to each sub-indicator of a sector. The sum of all individual scores will be divided by the number of panel members. The result will then be considered the final score for the sub-indicator.

This qualitative report, including the scores, serves the purpose of measuring over time (based on bi-annual repetitions of the panel meetings) the progress or otherwise of developments in the media landscape.

Rolf Paasch  
*Head of Media Project for Southern Africa*  
*Friedrich-Ebert-Stiftung*  
*Windhoek / Namibia*

## THE AFRICAN MEDIA BAROMETER - NIGERIA 2008

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**Sector 1: Freedom of expression, including freedom of the media, are effectively protected and promoted.**

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1.1 *Freedom of expression, including freedom of the media, is guaranteed in the constitution and protected by other pieces of legislation.*

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### ANALYSIS:

The 1999 constitution which is the one currently in force has been widely criticized as a product of its military antecedents. Its ambivalent attitude to media freedom, giving it with one hand, but taking away from it with the other hand illustrates the point. For example, while the constitution in broad terms guarantees media freedom and freedom of expression in Chapter IV, Section 39. Section 45 of the same chapter introduces limiting conditions to the exercise of these rights. The most explicit section on media freedom and implicitly freedom of expression is in Chapter II, Section 22, where the media are obliged to monitor governance and to hold the government accountable to the people.

This suggests that the constitution recognizes and crafts out a role for the media in the sustenance and enablement of democracy. The failure of the legislature to pass a Freedom of Information Bill (FOI) which was initially proposed by a coalition of civil society activists in 1999 is indicative of the tentative status of press freedom. Another indicator is the fate of yet another bill related to the media: the Journalism Enhancement Bill, not passed by Parliament.

Furthermore, the latest FOI draft was very bad. According to its Section II the media would have had to give reasons for why they require certain information that would satisfy the courts. This was felt to be unacceptable. Perhaps a good illustration of the status of freedom in the constitution is the failure of Media Rights Agenda (MRA) to get the court to uphold its request to have access to the

## NIGERIA

information supplied by public office holders regarding the extent of property they own.

To sum it up, the panel felt that the constitution guarantees Freedom of Expression, but not freedom of the media right down to single media organisations. And the courts seem to follow that interpretation which seems to give media more duties than rights.

### SCORES:

Individual scores: 2; 3; 3; 3; 2; 1; 2; 2; 3; 2; 2

Total score: 25

Average score: 2.3

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1.2 *The right to freedom of expression is practiced and citizens, including journalists, are asserting their rights without fear.*

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### ANAYLIS:

It is true in broad terms that journalists have become more assertive under the democratic dispensation, although the lack of definitive guarantees for media freedom as noted earlier is an obvious constraint. Censorship, organisational and other constraints exist in government owned media where loss of jobs is an obvious restraining consideration.

Even in privately owned media, journalistic forthrightness can be limited by deployment to beats like defence where government may come after you for treading on sensitivities. “You work”, one journalist said, “yet not without fear”.

Journalistic practice is also hedged in by such media owners who have political and business associations which journalists are not allowed to tamper with. There is also the pressure through advertisers, and the Nigerian government is an important advertiser. Com-

mercial interests allied to the employers make journalists think twice before they write certain things. “There is a whole web in which you don’t know how to navigate”, one member of the panel said.

Ethnic and communal pressures do similarly constrain reporting. There is sometimes fear for life, fear to loose your job, “because anything can happen in terms of ethnic conflicts.”

On the other hand, people practice their freedom of expression but not without fear. Citizens increasingly take advantage of phone-in programmes on television and radio although the candour of these is limited by the tendency to ‘screen’ the views before airing them for fear of reprisals, or by ‘briefings’ given to moderators before the show. “But most citizens”, one panelist said, “have the guts to call”.

Live programmes on television are sometimes weakened in impact by efforts to set boundaries of discourse. It is noteworthy that Nigeria has many pressure groups engaged in the campaign for expanding the scope and frontiers of media expression.

#### SCORES:

Individual scores:	2; 2; 3; 2; 2; 3; 2; 1; 3; 3; 3
Total score:	26
Average score:	2.4

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1.3 *There are no laws restricting freedom of expression such as excessive official secret or libel acts, or laws that unreasonably interfere with the responsibilities of Media.*

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#### ANALYSIS:

There are laws, as noted before, that restrict freedom of expres-

## NIGERIA

sion. There is the Official Secrets Act which criminalizes both the provider and the receiver of information. The terms of what constitutes a threat to national security are not specified and can therefore be used arbitrarily. Also the Nigeria Press Council Act and the National Broadcasting Commission Act under which the National Broadcaster was set up contain several constraining clauses which limit freedom.

And there is the Criminal Defamation Law on the statute books. In the case of civil defamation courts have been known to award heavy punitive damages which hastened the collapse of some media institutions.

Although, it was once declared illegal by the courts, the colonial law of sedition has not been expunged from the statute books and was recently invoked against some journalists from the weekly magazine "Insider". The general feeling was that the constitutional framework for freedom of expression is rather weak. Many laws have been there for years and even decades but it has never been reviewed whether they are actually in line with the constitution. Many of them have also not been tested or challenged in the courts.

### SCORES:

Individual scores: 1; 2; 1; 1; 1; 1; 3; 2; 1; 2; 1

Total score: 16

Average score: 1.5

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1.4 *Entry into and practice of the journalistic profession is legally unrestricted*

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### ANALYSIS:

The 1992 Nigeria Press Council (NPC) Act in particular places restriction on the practice of journalism by stipulating that journalists

must be registered by the Nigerian Union of Journalists (NUJ). It implies that the body can also ‘de - register’ a journalist. Registration is contingent upon obtaining a degree or equivalent qualification in mass communication or being a practicing journalist for at least five years. These restrictions are, however, not being enforced.

In the past the Nigerian Union of Journalists (NUJ) has given out forms that foresaw a professional fee in an attempt to professionalise journalism but this “did not work” in the words of one panelist. The draft copy of a journalists’ constitution is also controversial because of the lack of agreement on the minimal standards for a practicing journalist. So far it is everybody who practises the trade. The NUJ is now trying to change its status from a union to a professional body. But the problem will remain: who sets the standards?

Panelists agreed that by now journalism has become an ‘all commerce profession’. It is all about commerce and profit while there is a lack of professional standards.

The panel noted that there is a contest between the professional perspective which insists on minimum qualification for registering journalists and a human rights perspective which would have the career thrown open to all aspirants.

#### SCORES:

Individual scores: 2; 4; 5; 1; 4; 1; 5; 4; 3; 3; 5

Total score: 37

Average score: 3.4

**1.5** *Protection of confidential sources of information is guaranteed by law.*

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**ANALYSIS:**

The near unanimous view is that protection of confidential sources is not guaranteed by law. Public information is not easily accessible as Nigeria does not have any legislation that guarantees the rights of journalists to protect their sources. In the case of Tony Momoh vs The Senate in the Second Republic, the position of the Court of Appeal was that Section 39 of the 1979 constitution whose provisions were basically the same as the 1999 constitution, does not confer any special privilege on the media to protect their sources. There also seems to be a draft bill pending before Parliament.

One can also approach the courts on the basis of the human rights section of the constitution. Some cases have even been won. Here the boundaries of the constitution needed further testing, one member of the panel summarized the general view.

**SCORES:**

Individual scores:	1; 1; 1; 1; 2; 1; 1; 1; 1; 1; 1
Total score:	12
Average score:	1.1

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**1.6** *Public information is easily accessible, guaranteed by law, to all citizens, including journalists.*

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**ANALYSIS:**

The vicissitudes of the Freedom of Information Bill (FOI) illustrates the lack of legally protected accessibility of journalist and others to information. Although the legislature whose life expired in 2007 passed the bill, it was not signed into law by President Olusegun



Obasanjo. The current assembly has been hostile to it as it has recently introduced certain sections into the bill that would defeat its essence if it became law in that form.

#### SCORES:

Individual scores: 1; 2; 2; 1; 1; 2; 2; 2; 1; 2; 1

Total score: 17

Average score: 1.6

#### 1.7 *Civil society in general and media lobby groups actively advance the cause of media freedom.*

#### ANALYSIS:

Civil society groups are active in the defence of media freedom. For example, the Freedom of Information coalition comprises over 200 NGOs which subscribe to its objectives. In Jos, the activity of the League of Human Rights has attracted attention while other lobbies such as the Community Radio Coalition advocate the extension of community radios beyond their current, restrictive scope. “But in the North of the country”, one panelist added, “you don’t really hear of civil society groups lobbying with media houses.

#### SCORES:

Individual scores: 5; 4; 5; 5; 4; 5; 3; 5; 4; 4; 4

Total score: 48

Average score: 4.4

**Overall Score for Sector 1: 2.4**

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**Sector 2: The media landscape is characterized by diversity, independence and sustainability**

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2.1 *A wide range of sources of information (print, broadcasting and internet) is available and affordable to citizens.*

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**ANALYSIS:**

There is a fairly high diversity and plurality of print and electronic media as there are about 100 newspapers as well as about 150 radio and television stations. FRCN owns a network of 37 radio stations, with a headquarter station located in Abuja, four national stations in Lagos, Kaduna, Enugu, and Ibadan, while the remaining 32 are in each of the states. NTA runs effectively 90 channels in the states and the Federal Capital, Abuja.

Local newspapers in the states are an additional feature. At least 20 states own newspapers run as departments of the Ministry of Information while a federal newspaper, the “New Nigerian” survives. In terms of accessibility urban areas are greatly favoured compared to the rural areas as rural decay is both cause and effect of the lack of media penetration.

The costs for one hour of internet use is around 100 NRN (about 0.90 US-\$)

**SCORES:**

Individual scores: 3; 3; 4; 4; 3; 4; 2; 4; 3; 4; 3

Total score: 37

Average score: 3.4

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## 2.2 *Citizen's access to domestic and international media sources is not restricted by state authorities.*

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### ANALYSIS:

It is true in broad terms that citizen's access to domestic and international media sources is not restricted by State authorities although this must be qualified by occasional irritation shown to critical foreign media like CNN as well as restrictions placed on privately owned broadcast media. For example, the Act establishing the News Agency of Nigeria (NAN) gives it a monopoly on the distribution of international news although this is not being executed in practice. Similarly, broadcasting stations wishing to relay foreign news require permission from the broadcasting commission.

### SCORES:

Individual scores: 4; 5; 5; 4; 4; 4; 5; 4; 4; 5; 5

Total score: 49

Average score: 4.5

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## 2.3 *Efforts are undertaken to increase the scope of circulation of the print media particularly to rural communities.*

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### ANALYSIS:

Circulation of newspapers in rural communities poses a particular challenge because of the lack of a good road network and the high level of illiteracy. Newspapers have problems circulating in urban areas like Enugu not to mention the rural hinterland. Some national newspapers are cutting back on the number of copies.

In general, due to the fact that money earned from adverts is more important than money earned from selling copies, a focus on the economic centres is more profitable than wide distribution.

## NIGERIA

### SCORES:

Individual scores: 1; 2; 2; 2; 2; 2; 2; 3; 2; 2; 3

Total score: 23

Average score: 2.1

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*2.4 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.*

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### ANALYSIS:

Broadcasting legislation is particularly deficient as the Nigerian Broadcasting Commission (NBC), the monopoly regulator, operates under a code that restricts the operation of private broadcast stations.

The NBC has the power to recommend to the president on the issuance of licenses and many of its recommendations have been turned down. Also the licensing fees are so high that only the very rich can afford them. This is conducive only to commercial broadcasters but prevents community broadcasters from coming up or establishing themselves.

On the positive side, however, the NBC Act as amended, limits cross ownership while its fee structure promotes diversity through incentives for establishing media in certain deprived areas.

### SCORES:

Individual scores: 4; 2; 2; 4; 3; 3; 3; 3; 3; 3; 2

Total score: 32

Average score: 2.9

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2.5 *Community broadcasting enjoys special promotion given its potential to broaden access by poor and rural communities.*

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ANALYSIS:

There is no defined, explicit framework for licensing community broadcast stations hence campus radios are sometimes regarded as community radios despite their restriction to educational broadcasts. The extremely tardy development of community broadcasting is traceable to the sensitivity of the state to grant licenses as radio stations have played a dramatic role in the broadcasting of military coups.

In general the NBC does not favour community radio which it defines as a station owned and operated by the community for the benefit of the community, be it geographical, interest or cultural.

SCORES:

Individual scores:                    1; 1; 1; 1; 1; 1; 1; 1; 1; 1; 1

Total score:                            11

Average score:                        1.0

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2.6 *The editorial independence of print media published by a public authority is protected adequately against undue political interference.*

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ANALYSIS:

The State owned media comprise the “New Nigerian” and a number of papers at state level. Some panelists believed that the majority of states have their own papers, others stated only nine state papers are currently operating at state level. The budget for these newspapers is included in the budget of the Ministry of Information and is often rather ad-hoc than reliable.

## NIGERIA

State owned print media whether owned by the federal or sub-national authorities are basically seen as tools of propaganda by their proprietors. The managers of the media are appointed and changed by the state and are civil servants and not independent journalists. The recent dismissal of the editor in charge of ‘Legacy’ a newspaper owned by the Zamfara state government in the wake of its publication of a story critical of the federal government is a case illustrating the narrow limits of editorial independence. In most cases, one panelist said, “self-censorship and phone calls from authorities happen regularly”.

### SCORES:

Individual scores: 1; 1; 2; 1; 1; 1; 1; 1; 1; 1; 1

Total score: 12

Average score: 1.1

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### *2.7 Local or regional independent news agencies gather and distribute information for all media.*

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### ANALYSIS:

In theory, the “News Agency of Nigeria” (NAN) has a monopoly of news gathering but in practice this is not respected. There is also the “Pan African News Agency” which is warehoused at the NAN office in Lagos and operates through the auspices of NAN. All media institutions are expected to subscribe and pay fees to NAN for its services.

## SCORES:

Individual scores: 2; 5; 4; 5; 5; 4; 2; 3; 5; 5; 4

Total score: 44

Average score: 4.0

### 2.8 *Media diversity is promoted through adequate competition regulation / legislation*

## ANALYSIS:

Relative media diversity and plurality of views exist in the media while monopolization has not been a big issue in the Nigerian media landscape. As mentioned, the NBC-Act limits cross-ownership and encourages geographic spread by having lower license fees for the regions. But there is still a lopsidedness between urban centres and the countryside. The enforcement of the Act also depends on the definition of ownership and is often used to protect the state while disadvantaging private stations.

Nonetheless, a low-key debate exists on the so-called concentration of media in South West Nigeria, a concentration, however, not supported by ownership patterns.

## SCORES:

Individual scores: 3; 3; 3; 4; 3; 3; 1; 3; 3; 3; 3

Total score: 32

Average score: 2.9

**2.9** *Government promotes a political and economic environment which allows a diverse media landscape.*

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**ANALYSIS:**

In a ‘one party’ State where the government controls 28 states (out of 32) there is no active effort to promote a diverse media landscape. Yet, there is also no restriction which may be leading to more opposition stations. But even they would only work under a strong patronage system.

There is a healthy competition with advertisers going to private media.

The panel felt that license fees in broadcasting are too high to encourage the establishment of more stations. The Value Added Tax (VAT) as well as certain taxes and tariffs increase the prices for importing media equipment. In general the economic environment is rather hostile towards the media. Yet the introduction of VAT to newspapers is still resisted by the owners.

The policies of the NBC which encourage diversity in some respects were noted in the earlier discussion.

**SCORES:**

Individual scores:	2; 2; 3; 3; 3; 3; 1; 3; 3; 2; 2
Total score:	2.4
Average score:	2.2



## 2.10 *Private media outlets operate as efficient and professional businesses*

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### ANALYSIS:

In general and despite an adverse economic climate, the media have struggled to stay afloat by being profitable and efficient. Yet, high interest rates and continuous electricity problems shoot up the overhead costs and make it difficult to break even. Some media are making compromises in order to survive, for example by offering poor staff welfare.

Efficiency is sometimes limited when family considerations rather than competence determine top appointments; as in the case in one newspaper where the managing director is the wife of the publisher.

Injecting professional management into the running of private media remains a continuing challenge as managerial deficiencies in the shape of irregular payment of salaries, poor staff welfare and weak business ethics exist. Many media have started with ambition and ethics but the reality of the business has made some of them to change their orientation towards a more survival-oriented mode. They run newspapers as real businesses. But some also struggle because of a lack of managerial capacity. In particular where journalists alone have established newspapers like the “Citizen Magazine”, their lack of administrative skills shows.

### SCORES:

Individual scores: 2; 2; 3; 3; 3; 3; 1; 3; 3; 2; 2

Total score: 27

Average score: 2.5

2.11 *State print media are not subsidized with tax payer's money*

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ANALYSIS:

State newspapers sometimes enjoy the advantage of receiving subsidies or monthly subventions. For example, sub-national governments in the northern part of the country subsidize “The New Nigerian”, a federal government owned paper which caters especially for northern interests. State media are usually sponsored directly through the budget of the state Ministry of Information.

It should be noted that subsidies may take the form of bigger advertising which are of course paid for by the state. On the other hand, even private papers get money from state governors.

SCORES:

Individual scores: 1; 1; 1; 1; 1; 1; 1; 1; 1; 1; 1

Total score: 11

Average score: 1.4

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2.12 *Government does not use its power over the placement of advertisement as a means to interfere with media content.*

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ANALYSIS:

Influencing media content through the power of advertising is fairly prevalent. Be it in the private or public media, governments are the biggest advertisers and they use this power to influence editorial content or sanction sections of the media that are critical of government. As an example for the influence of governors the South-West was cited, where the “Tribune” is supported by advertising for which the local governor expects compliance or confor-

mity in return.

## SCORES:

Individual scores: 1; 1; 1; 1; 1; 1; 4; 1; 2; 1; 1

Total score: 15

Average score: 1.4

### 2.13 *The advertising market is large enough to maintain a diversity of media outlets.*

## ANALYSIS:

There is the challenge of reliable data to determine the actual circulation figures of newspapers. Hence, advert agencies which are normally very selective work on the basis of predetermined criteria; owners of products do sometimes give instructions to advertisers as to their preferred media. In many cases no use is made of advertising agencies. Some panel members claimed that in Nigeria the advertising market cannot be called a ‘market’ since sometimes money is involved. Sometimes ads appear in exchange for particular services or because of personal relations.

It was noted that some newspapers like “The Guardian” and “This Day” often have up to 60% of content as advert pages. There is need, too, for reliable data on audience ratings, percentage market share of viewers and readers for a more scientific understanding of the impact and reach of advertising. Only without reliable figures can the National Broadcaster claim a viewership of 100 Million.

## NIGERIA

### SCORES:

Individual scores: 2; 3; 3; 2; 2; 3; 2; 3; 3; 3; 3

Total score: 29

Average score: 2.6

Overall Sector Score for Sector 2: 2.4

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**Sector 3: Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster.**

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3.1 *Broadcast is regulated by an independent body adequately protected against interference, particularly of a political and economic nature.*

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**ANALYSIS:**

In this section and in virtually all the discussion on the other sections in this sector, it was suggested that broadcasting regulation as well as the lack of true public broadcasting represent the lowest ebbs of journalistic practice in contemporary Nigeria. For example, under the first question, it was pointed out that all members of the National Broadcasting Commission (NBC) are appointed by the President on recommendations of the Minister of Information. Furthermore, the Minister of Information has the legal power to give directives to the managers that they have to comply with. Matters are not helped by the slowness of law reform in this area as evidenced by the fact that two bills (the NBC Bill, and the Nigerian Media Bill) introduced in the National Assembly on the matter have remained pending for years.

**SCORES:**

Individual scores: 2; 1; 1; 1; 1; 1; 1; 1; 1; 1; 1

Total score: 12

Average score: 1.1

**3.2** *The appointment’s procedure for members of the regulatory body is open and transparent and involves civil society.*

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**ANALYSIS:**

There is hardly any deference to transparency or civil society with the exception of one of the states in which members of the National Union of Journalists (NUJ) are appointed to the board of state broadcasting.

The Acts establishing National Television and Radio stipulate how their boards should be constituted, but it is the minister’s appointees, representing government that get on the board.

**SCORES:**

Individual scores: 1; 1; 1; 1; 1; 1; 1; 1; 1; 1; 1

Total score: 11

Average score: 1.0

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**3.3** *The body regulates broadcasting in the public interest and ensures fairness and a diversity of views broadly representing society at large.*

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**ANALYSIS:**

Governmental rather than public interest prevails here. The broadcasting code for example has a sanctions procedure that requires inquiry, explanations and the right to reply on the part of “offending” stations. But often these processes are not being followed as in the case of the recent closure of a TVstation . Similarly, although a station suspended by the regulatory body can in theory seek redress in the courts, the length and cumbersome nature of this option makes it unsatisfactory. As part of its obligations, the NBC listens to

radio programs and television broadcasts and in theory investigates complaints although several complaints alleging partisanship or unfair blackouts, say of election candidates, were ignored. In one particularly striking case, the party jingle of the ruling party PDP has been used as the broadcasting opening and closing signature tune by a state broadcasting station (Osun state). This hardly represents fairness and respect for a diversity of views.

#### SCORES:

Individual scores: 2; 1; 3; 1; 2; 3; 1; 2; 2; 1; 2

Total score: 20

Average score: 1.8

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3.4 *The body's decisions on licensing in particular are informed by a broadcasting policy developed in a transparent and inclusive manner.*

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#### ANALYSIS:

Policies are not developed in an inclusive or transparent manner in that there is regular interference by the government in the state media where administrators are sometimes appointed to run their affairs. The Boards appointed by government exist to protect and promote the interests of government. The composition of the board as well as manner of appointment contradicts transparency and inclusiveness.

There is also no right of appeal against the non-issuing of licenses and not even a right for information. In the end the President has the prerogative to decide.

## NIGERIA

### SCORES:

Individual scores: 1; 1; 1; 1; 1; 1; 1; 1; 1; 1; 1

Total score: 11

Average score: 1.0

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3.5 *The public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner.*

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### ANALYSIS:

Again, there is no question of public accountability since the public is hardly, if at all, involved in the composition of the board of directors of state owned broadcasters. The board of the Nigerian Television Authority (NTA) is appointed by the government and consists of party members with a media background. Neither civil society nor the journalistic profession or even NUJ usually have representatives on the board.

Examples from different parts of the country were given to buttress the top-heavy, centralized and state-directed decision making processes such as the appointment of boards by the governors of the respective states.

Although the Federal Radio Corporation of Nigeria (FRCN)-Act specifies the members of the board often a sole administrator has been appointed by the President on recommendation of the Minister of Information.

In 2003 the NTA board had started to show signs of independence but was sacked for that reason.



## SCORES:

Individual scores: 1; 1; 1; 1; 2; 2; 1; 1; 1; 1; 1

Total score: 13

Average score: 1.2

3.6 *Persons who have vested interests of a political or commercial nature are excluded from possible membership in the board i.e. office bearers with the State and political parties as well as those with a financial interest in the broadcasting industry.*

## ANALYSIS:

Indeed, only citizens with identifiable political leanings and views tend to get appointed to the boards. In other words, partisanship on behalf of the government is almost a prerequisite of appointment.

## SCORES:

Individual scores: 1; 1; 1; 1; 1; 1; 1; 1; 1; 1; 1

Total score: 13

Average score: 1.2

3.7 *The editorial independence of the public broadcaster from commercial pressure and political influence is guaranteed by law and practised.*

## ANALYSIS:

The law establishing state broadcasting stipulates that they should not yield to commercial pressures although it is far from clear that this is observed in practice. As far as political pressure is concerned,

## NIGERIA

it is so direct that notions of editorial independence are out of the question although this has not prevented flashes of editorial courage or heroism.

### SCORES:

Individual scores: 1; 5; 2; 1; 2; 3; 1; 2; 1; 1; 2

Total score: 21

Average score: 1.9

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3.8 *The public broadcaster is adequately funded in a manner that protects it from arbitrary interference with its budget.*

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### ANALYSIS:

State broadcasting is owned and funded by the State but that does not translate into adequate funding.

Funding comes from the Ministry of Information and is often a subject of long and complex processes of negotiation and supplication given that release of fund is separate from allocation of funds. There is a legal conflict about who gets the license fees. The constitution foresees the local government as the sole receivers whereas the NBC-Act stipulates that the State broadcaster NTA should get the fees. As a result nobody really pays a fee and the NTA does not receive any revenue from licenses.

### SCORES:

Individual scores: 1; 1; 2; 1; 1; 1; 1; 1; 1; 1

Total score: 12

Average score: 1.1

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3.9 *The public broadcaster is technically accessible in the entire country.*

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ANALYSIS:

FRCN covers 80-90% of the country. NTA is also largely accessible but less so than radio. It also caters less for the diversities in language and culture than State radio.

Both NTA and FRCN are broadcast via satellite and FRNC has five stations live streaming over the internet.

SCORES:

Individual scores: 4; 3; 3; 3; 3; 4; 2; 3; 4; 2; 4

Total score: 35

Average score: 3.2

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3.10 *The public broadcaster offers diverse programming for all interests.*

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ANALYSIS:

Ethnic minorities have programmes targeted at them but they sometimes have to pay to hear broadcasts in their own languages. As mentioned, attempts are made to build an inclusive template that to a large extent includes children, sexual, ethnic and other minorities. With 250 ethnic communities, the programming of the State broadcaster is diverse but still does not cater for all interests.

## NIGERIA

### SCORES:

Individual scores: 3; 4; 4; 3; 3; 3; 2; 3; 3; 2; 4

Total score: 34

Average score: 3.1

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3.11 *The public broadcaster offers balanced and fair information reflecting the full spectrum of diverse views and opinions.*

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### ANALYSIS:

A lot of effort is being made to have local content programmes. For example, the FRCN (Federal Radio Corporation of Nigeria) has a programme called the grassroots while state radios have local forum programmes. Of course local content programmes are affected by politics, culture, social taboo, resources and religion; they nonetheless constitute an important aspect of state broadcasting. People from the Niger Delta complain about lack of access to public media. Attempts to improve this situation are made but so far without great success.

Some members of the panel noted that the mindset of the people towards what to expect from State media also matters: they think that it is state propaganda anyway and they do not believe in it anymore.

### SCORES:

Individual scores: 2; 2; 3; 2; 3; 3; 2; 3; 2; 2; 2

Total score: 26

Average score: 2.4

3.12 *The public broadcaster offers as much diverse and creative local content as economically achievable.*

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ANALYSIS:

To a large extent they do, partly because diversity, commercial considerations and a range of other factors more or less compel it. The panel was of the opinion that many try and do much with meagre resources.

It was also said that local content programmes are often presented from an 'official angle'. That means that if the governor's wife gives a talk on reproductive health it is being reported. But more critical issues such as the status of reproductive health or access to potable water are not being taken up.

It was also noted that programmes or topics that are considered 'safe' are often dealt with in a diverse and creative way but not those that are culturally more sensitive.

SCORES:

Individual scores: 3; 2; 3; 2; 3; 3; 1; 2; 3; 2; 2

Total score: 26

Average score: 2.4

**Overall score for section 3: 1.7**

**Sector 4: The media practice high levels of professional standards**

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**4.1 *The media follow voluntary codes of professional standards which are enforced by self-regulatory bodies.***

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**ANALYSIS:**

The consensus on this question was that while codes of ethics and professional standards exist in the media (as well as outside) they are designed as quality control and quality assurance mechanisms, but weakly enforced. For example, although the Nigerian Press Council is the statutory body established to enforce ethics, the manner of its composition led to controversy which greatly diminished its potential effectiveness. The Nigerian Broadcasting Commission (NBC) seeks to regulate ethics and professional standards in the broadcast media especially on issues of election coverage but its use as a mechanism of censorship has been noted in earlier sections.

More to the point are the ethics committees of the Nigerian Union of Journalists which are expected to sanction journalists who breach ethics and professional standards. It was observed, however, that for over a decade, these auspices have not been active, hence the failure to discipline egregious cases of misconduct as that of a slanderous publication regarding the alleged HIV-positive status of a female legislator. Both state and privately owned media have voluntary codes of conduct and standards but enforcement mechanisms have been quite weak. In-house codes also feature in quality newspapers like “The Guardian” and “This Day” but some of these are not put into practice.

## SCORES:

Individual scores: 2; 3; 3; 3; 2; 3; 3; 3; 2; 2; 3

Total score: 29

Average score: 2.6

4.2 *The standard of reporting follows the basic principles of accuracy and fairness.*

## ANALYSIS:

The discussion in this section acknowledges that the media have been making strong and commendable efforts to be accurate and fair but it was noted that constraints such as employer's influence, dearth of resources, political and corporate interference as well as the lure of gratification tend to subvert the drive for accuracy and fairness.

Hence, it is hardly surprising that the systematic monitoring of media coverage of the reporting of corruption, budget and politics by Media Rights Agenda (MRA), a non-governmental organization, reveal that basic standards were not followed.

## SCORES:

Individual scores: 2; 3; 2; 3; 3; 4; 3; 3; 3; 3; 2

Total score: 31

Average score: 2.8

4.3 *The media cover the full spectrum of events, issues and cultures, including business/economics, cultural, local and investigative stories.*

ANALYSIS:

It was pointed out in response to this question that despite well known limitations, several newspapers and broadcasting institutions have beats that more or less effectively cover a diverse spectrum of events, locales and issues across the economic, cultural and ecological map of the nation.

In other words, taken as a whole, it can be said that the media do reasonably cover a substantial range of issues and personalities including minorities.

SCORES:

Individual scores: 4; 4; 5; 4; 4; 4; 4; 4; 3; 4; 4

Total score: 44

Average score: 4.0

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4.4 *Gender mainstreaming is promoted in terms of equal participation of both sexes in the production process.*

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ANALYSIS:

Gender mainstreaming is rather weakly promoted in the media although there are a few exceptions such as the production editor of the “Sunday New Nigerian” and a former well known editor of the “New Nigerian”, Hajiya Bilikisu Yusuf. On the whole, women journalists tend to feel that they are not given opportunities to rise and excel on the job although it was pointed out also that several women journalists deliberately request to be posted to relatively



anonymous or less demanding beats and positions so that they can have time for their families.

On the whole, the values of a patriarchal society are also reflected in the media.

#### SCORES:

Individual scores: 2; 3; 2; 4; 3; 3; 3; 1; 2; 2; 3

Total score: 28

Average score: 2.5

#### 4.5 *Gender mainstreaming is reflected in the editorial content.*

#### ANALYSIS

Here again, it was felt that editorial content is weakly reflective of gender mainstreaming. Reference was made in the discussion to a research report conducted by the Women Advocate Research and Documentation Centre (WARDC) which shows that women candidates and aspirants received less coverage than men while more negative stories on women were featured. Some women politicians featured only as “wife of”.

Another study conducted by Media Rights Agenda showed women as sources in only 5 to 10% of the cases on State owned broadcast media during the 2007 elections.

#### SCORES:

Individual scores: 1; 2; 2; 3; 2; 2; 1; 1; 1; 1; 2

Total score: 18

Average score: 1.6

4.6 *Journalists and editors do not practise self-censorship.*

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ANALYSIS:

Self censorship is prevalent in both State owned and privately owned media principally because journalists fear such consequences such as loss of job, lack of promotion, official reprisals, physical attacks and libel cases. The fragility of the business environment as well as the rapid demise of media have a negative effect on journalistic audacity.

SCORES:

Individual scores: 2; 2; 1; 1; 1; 1; 1; 1; 1; 1; 2

Total score: 14

Average score: 1.3

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4.7 *Owners of private media do not interfere with editorial independence.*

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ANALYSIS:

It was felt that given the prevailing trend where politicians found media institutions to prosecute their political objectives, it is inevitable that these kinds of proprietors would interfere with editorial independence. Corporate governance is weak in many privately owned media and interference can sometimes assume blatant forms. “The Sun”, “The Daily Independence”, “The Compass” and “The Nation” , for example, are all owned by former politicians.

## SCORES:

Individual scores: 1; 2; 1; 1; 1; 1; 1; 1; 1; 1; 2

Total score: 13

Average score: 1.2

4.8 *Salary levels and general working conditions for journalists and other media practitioners are adequate to discourage corruption.*

## ANALYSIS:

Working conditions and welfare of journalists in terms of salaries, allowances and benefits are generally poor, although there are variations between a relatively more institutionalised government media and the private sector where defaults on salaries for several months are common. In public media journalists enjoy the status of the civil service. In the private media journalists work so hard that they sometimes sleep in their offices; for little money. The entry level for a graduate in State media would be around Naira 25.000 (US \$ 220), but even here it can go down to only Naira 8.000.

When journalists from private media change into the corporate sector or banks they can double or quadruple their salaries.

Consequently, corruption, known in Nigeria as ‘the brown envelope syndrome’, is prevalent and almost considered normal as survival strategy. Journalists have been known to die from illnesses because they could not afford the cost of medical treatment, a situation made worse by the failure of NUJ to negotiate better working conditions.

## NIGERIA

### SCORES:

Individual scores: 1; 1; 1; 1; 1; 1; 1; 1; 2; 1; 1; 1

Total score: 12

Average score: 1.1

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#### *4.9 Training facilities offer formal qualification programmes for journalists as well as opportunities to upgrade their skills.*

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### ANALYSIS:

Several media institutions both governmental (NTA and FRCN) and private- manage and support their own training institutions and a number of them are of good quality. There are several others, however, whose quality is very much open to question. The problem is that publishers and editors find it hard to find replacements during the courses. There is a very high leave rate in journalism which makes training a risky investment.

Several universities and polytechnics also offer degrees and other qualifications in mass communication, but the quality of the output is not the best as only few facilities are up to date. Most journalists on the panel felt that the graduates only get their proper training inside the media houses.

Mass Communication is also affected by the general educational decline.

### SCORES:

Individual scores: 3; 3; 4; 4; 4; 3; 3; 3; 4; 3; 4

Total score: 38

Average score: 3.5

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4.10 *Journalists and other media practitioners are organized in trade unions and/or professional associations.*

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**ANALYSIS:**

Emphatically so. There are several active media associations and trade unions which organize to protect the interest of their members and even partner with donor agencies to organize training for their members. The Nigerian Union of Journalists and the Nigerian Association of Women Journalists (NAWJ) are prominent and visible associations in this respect. The “Nigerian Guild of Editors organises an annual All Editors Conference with workshops paid for by sponsors.

The NUJ is still embroiled in an internal argument about an accreditation system with a fee between 5.-10.000 NRN and the mentioned dispute about it becoming a professional association rather than a mere union.

**SCORES:**

Individual scores: 4; 4; 5; 5; 4; 5; 4; 5; 5; 5; 4

Total score: 50

Average score: 4.6

**Overall score for section 4: 2.5**

**Overall Country Score: 2.3**

**FOLLOW-UP QUESTIONS IN ROUND TWO:****Brief background:**

At the end of the discussions and the scoring of the indicators, the panelists brainstormed on a set of questions and answers which are intended to guide the course of action in the next two years. Below is the summary of responses.

- 1. Have there been changes in the media environment over the last two years?**
  - There has been deterioration in the economic environment, making it a lot more difficult for media organisations to muster resources to sustain and improve media operations and workers' welfare although there is relative change in the welfare condition of senior journalists. For example, the price of newsprint has gone up from N120000 per ton to N215, 000 per ton.
  - There has been an increase in the number of media houses with more newspapers in particular coming into existence thus also increasing the number of journalists
  - The technological environment has changed, more journalists use laptops while there is a national target for the digitalisation of broadcast media by 2012
- 2. If positive changes: Who or what has been the main cause?**
  - Competition (political), technological development and globalisation
- 3. What are the main obstacles for (further) positive change?**
  - Resource availability, lack of FOI, culture of secrecy, hostility towards journalists by the political class.
  - The lack of political opposition creates the impression that the media is the opposition and therefore treated as such.

- The government's desire to retain control over the media through disabling legislations
  - Lack of political will to create enabling environment for media independence
- 4. If negative changes: Who or what has been the main cause?**
- National and global economic downturn
  - Mismanagement of the economy leading to prohibitive costs of doing business
  - Absence of national infrastructure such as power supply and mass transportation to support media business
  - The weak regulatory environment
  - Lack of economic incentives for the media
  - Low level of literacy and reading culture in the country
- 5. Who could be the drivers/actors for change in the future?**
- The civil society (human rights NGOs)
  - Media professional bodies
  - Media development organizations
  - The legislature
  - The regulatory bodies
  - The Media training institutions
- 6. What kind of activities are needed over the next two years?**
- The Reform of existing media legislation
  - The passage of the FOI bill
  - More support for media development groups (only a fraction of development funds goes to the media) for training, research, advocacy, monitoring etc
  - Identify activities and develop strategies including civil society mobilisation,
  - Developing a general strategy to support media
  - Target donor bodies like Ford Foundation, OSIWA, OSJI, EU, DFID, FES, FES, HB, USAID, World Bank etc for more funds
- 7. How can things move forward in such a hostile environment?**
- The main weakness of past efforts is the absence of a long term coherent and comprehensive strategy with a minimum of three years life span. For example legal reforms cannot

## NIGERIA

happen within a year.

- Different sectors will need different actors and different entry points and therefore a comprehensive strategy that reinforces one another should be developed.

### Other general observations:

- The programme has been well organized both in terms of logistics and the process. The discussions have particularly helped to erase certain mindsets
- The copies of the report should be distributed to members.

**The panel meeting took place in Ibadan, October 17th to 19th, 2008.**

### The Panel:

#### Media:

- Mrs Ayukwu Pwaspo, Television Journalist, Plateau Radio and Television Corporation , Jos , Plateau State
- Iliya Habila, Senior Correspondence, News Agency of Nigeria , Bauchi State
- Ms. Juliana Taiwo, Journalist, “This Day” newspaper, Abuja
- Tukur Abdulraham, Editor, “New Nigerian” newspaper, Kaduna
- Chijioke Madumelu, Political Editor, Daily Star Newspaper, Enugu State
- Mrs. Miriam Menkiti, Controller Reportorial Unit, Radio-Journalist, Federal Radio Corporation of Nigeria , Enugu , Enugu State

#### Civil Society:

- Emmanuel O. Anyaegbunam, Parliamentary Institute, Ikoyi, Lagos
- Lanre Arogundade, Executive Director, International Press Center [IPC], Ogba, Lagos State
- Dr. Nureni Aderemi Adeniran, Lecturer in Mass Communication, Lead City University, Ibadan



- Edetaen Ojo, Executive Director, Media Rights Agenda, Lagos
- Innocent Igwe, IBC, Imo Broadcasting Corporation, Owerri, Imo State

**The Rapporteur:**

- Prof. Ayo Olukotun, Lead City University, Ibadan , Oyo State

**The Moderator:**

- Dr. Ibrahima Sane, Media Consultant, Senegal