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# NIGERIAN BROADCAST MEDIA AND POLITICAL PLURALISM: A CRITICAL EVALUATION OF THE 2011 GENERAL ELECTIONS

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## **Abstract.**

The study looks at the role of the broadcast media in creating political pluralism in Nigeria. The Nigerian broadcast media has been largely criticized for its overtly biased and one sided posture in its political reporting. This research x-rays the 2011 polls in Nigeria and shares perspectives on the level of pluralism offered by broadcast stations during the elections. The paper notes that in spite of existing regulatory frameworks, many broadcast stations violated the laws and ethics of the industry with regards to fairness and access. Most guilty are the state-owned broadcast stations and including a few privately-owned stations. The paper concludes that political pluralism is a key element of democracy and Nigerian broadcast stations and regulatory bodies must imbibe and enforce this rule if they are to play their role of promoting democracy.

## **Introduction**

The Nigerian broadcasting industry has come a long way. From the era of the BBC to this era of the deregulation of the industry, the broadcasting industry has played a great role in stimulating development and promoting democracy in Nigeria. Egbon (20) states that communication plays a significant role in the process of political development. It is in view of this imperative that Section 39 of the 1999 Nigerian Federal Constitution categorical 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'.

This study examines the crucial dynamics of political pluralism in broadcasting in Nigeria. A pluralistic society, which was only in formation, can be defined as one in which groups of people holding differing political values can coexist and cooperate with other groups on some political issues while continuously differing in others. In a pluralistic society, it is commonly believed that the existing political differences are of a lasting, not of a temporary kind.

The Wikkipeadia (1) argues that political power in society does not lie with the electorate but is distributed between a wide number of groups, they argue then that 'Pluralism' is, in the general sense, the acknowledgment of diversity. Pluralism is often considered by proponents of modern democracy to be in the interests of its citizens, as it offers the citizens opportunities for diverse opportunities and access.

The term pluralism is also used to denote a theoretical standpoint on the ramifications of power; that is between state and power – which to varying degrees suggest that pluralism is an adequate model of how power is distributed in societies. In democratic politics, pluralism is a guiding principle which permits the peaceful coexistence of different interests, convictions and lifestyles (Wikkipaedia, 1).

Quite unlike totalitarianism or authoritarianism, pluralism 'acknowledges' the "diversity" of interests and considers it imperative that members of society accommodate

their differences by engaging in healthy debates and discussions. One of the earliest arguments for pluralism according to Wikkipaedia came from James Madison. In the Federalist papers, Madison feared that factionalism would lead to in-fighting in the new American Republic and devotes this paper to questioning how best to avoid such an occurrence. He posits that to avoid factionalism, it is best to allow many competing factions to prevent any one dominating the political system (Wikipedia, 1).

Another scholar, Nyamnjuh notes that two schools of thought have dominated debates and practice in the area of media pluralism. He notes that a key issue to the concept of media pluralism is the question of ownership and control. He adds that the whole debate is centered on how best the interest of the public could be served by communication, and also on whether public interest is seen as composite of individual interests, or as a marriage of individual and group interests. Nyamnjuh further argues that in the quest for a richer and more negotiated notion of democracy, African cultures have got an important contribution to make. He states that throughout Africa a common political culture in most indigenous communities 'demands the involvement of every one in promoting the common good' and that people participate 'not because they are individuals whose interest need not be asserted, but because they are part of an interconnected whole' (Nyamnjuh, 136).

It is Williams, cited in Nyamnjuh (122) who argues for policies that foster pluralism, though not commercialism in broadcasting. To him, it is possible for the broadcast media to be plural without being commercial and render public service without becoming mere mouthpiece of the government and mere State monopoly. Williams supports the idea of 'democratic pluralism' wherein power is shared by 'competitive political parties' in a way that is balanced and allows no particular interest to weigh too heavily on the state.

In his own contribution Bagdikan states that the media in addition to providing entertainment and selling merchandise must be in position to create 'a rich market place of ideas and serious information'. Bagdikan considers diversity and richness in the media as the most essential ingredients for the survival of democracy (Nyamnjuh, 127).

### **Nature of Media Pluralism**

There are many elements of media pluralism which are geared towards advancing and promoting democracy and citizen participation in politics. The essence of 'common good' remains a key character and nature of media pluralism.

### **THE COMMON GOOD**

The 'common good' element of pluralism is connected with the belief that diversity offers the platform for conflict or contrast of ideas and opinion which will lead to dialogue within the groups, till one group may eventually manage to establish its own view as the 'generally accepted view,' but only as the result of the negotiation process within the pluralistic framework which will subsequently lead to the realization of the common good that is best for all members of society (Wikipedia, 2). Therefore it is expected that the medium or operator be it private or government-owned must not take sides with any group or give undue privileges to one group and discriminate against another.

Those who argue on this element contend that the negotiation process is the best way to achieve the common good, since everyone can participate in power and decision-making (and can claim part of the ownership of the results of exercising power). This can also generate widespread participation and a greater feeling of commitment from society members, and therefore better outcomes. In contrast, in societies where political power is



concentrated and decisions are made by few members, these possibilities are hampered or limited.

For pluralism to function and to be successful in defining the common good, all groups have to agree to a minimal consensus regarding shared values, which tie the different groups to society, and shared rules for conflict resolution between the groups. The most important value is that of mutual respect and tolerance, so that different groups can coexist and interact without anyone being forced to assimilate anyone else's position in conflicts that will naturally arise out of diverging interests and positions. These conflicts can only be resolved durably by dialogue which leads to compromise and to mutual understanding (Wikipedia, 1).

The problem with this principle is that it raises a lot of questions with respect to consensus building. Some critics argue that the necessary consensus on rules and values should not unnecessarily limit different groups and individuals within society in their value decisions. They imply that everything that need not be regulated within the general framework should be left to decide for subordinate groups and, in turn, to individuals so as to guarantee them a maximum amount of freedom. In ultimate consequence, pluralism thus also implies the right for individuals to determine values and truth for themselves instead of being forced to follow the whole of society or, indeed, their own group.

### **Models of Media Pluralism**

Njamnjo (121) states that in France, the regulation of broadcasting is done through an independent authority. He explains that the CSA (the French regulatory body) grants television licenses and ensures that TV channels in particular respect the requirements for pluralism in information and assist in the production of French programmes. He further states that also in Britain the BBC was created to reflect the plurality of British society in politics and culture.

Plurality according to Eva Salmon (39) also reflects in deciding who is or is not eligible to hold a licence; a decision must be taken as to how many 'voices' should be heard. Plurality of media ownership acts to safeguard diversity to ensure that there is a sufficient range of sources of news, information and opinion necessary for the proper operation of democracy.

She further states that as a means of seeking to protect political impartiality and balance in broadcasting, many countries prohibit political bodies from holding broadcast licences. She notes that in the UK, the restriction extends to shareholder participation, such that political bodies cannot hold more than 5% of shares of license-holding companies. But Salmon also notes that in some Countries like Malta, Political Parties are encouraged to own their own stations. In Malta, the three political bodies run a radio license each and two have their own television station.

Furthermore, in Australia, the government introduced the 'five pillars' rule to maintain media diversity. This law will require at least five separately owned media companies in capital cities and four in rural areas. Subject to this test, a single media company will be permitted to own one television station, two radio stations and a newspaper in the same geographic market.

Perhaps the key issue in pluralism lies in what is considered most important socially. Is it the priority to curb potential power, or to provide the availability of choice? It is possible to combine these options, by ensuring both wide availability and the rigorous application of competition regulation. Another key question which applies to both ownership and plurality regulation is how to determine when someone controls a broadcast licensee?

Generally, 'control' means having over 50% of a company. However, many countries provide for the regulator to be able to determine that someone 'controls' with under 50%, or that the ownership and plurality rules take effect at a limit well under 50% (in the UK, for instance, the rules take effect from 30%).

Again Eva Salmon cautions that when looking at control, it is important for the regulator to have the powers to consider shares held by associates and relatives. In some countries, such as Turkey, relatives are not permitted to own shares in the same Radio or Television Company at the same time (40). It is also beneficial if the regulator can look behind apparent structures and holdings if they suspect that someone, even if not the majority shareholder, is actually the person running the company. This is important to ensure that the rules are not being abused and that an otherwise disqualified person is not actually controlling a broadcaster.

### **Role of the Regulator**

In countries where ownership and plurality of the broadcast media is governed simply by competition law, the broadcasting regulator will have little or no role to play. However, there are usually some restrictions specific to broadcasting, even if they are only to do with nationality. Salmon states again that whatever the details of the regime, it is wise to ensure that the broadcast regulator has a role in approving the ownership considerations for new licence applicants, and approving any transfers or changes of ownership. For this purpose, it is sensible to require licensees to inform the regulator of any significant changes in the ownership or structure of the licensed company (41).

It is worth making a specific point about very small countries that do not have either the spectrum or the funding capacity to support a plurality of broadcasters. Indeed, in some countries there is only one broadcaster, which is funded by the State. Clearly in such circumstances it is not possible to provide a plurality of voices through the number of broadcasters. Instead, the onus falls on the regulator to ensure that the sole broadcaster provides plurality through its programming. The focus of regulation should shift from ownership to content; the broadcaster should be required to provide access from a representative variety of opinions and, if possible, sources of news.

### **Election Guidelines**

Elections and the democratic process is a major reason for the campaign for pluralism. In many countries, election coverage and the carriage of political broadcasts involve some of the most complex rules of broadcast regulation. This is hardly surprising, given that many people turn first to their televisions or radios to learn how election campaigns are progressing, and to discover the candidates' views. So, it is imperative that broadcasters behave fairly during election periods, and that the regulator monitors their output rigorously and responds to complaints quickly.

Regulation is designed to ensure that each Political Party gets proper coverage. 'Proper' does not necessarily mean 'equal'. It is accepted that major Parties, which already hold the most seats and are fielding the most candidates, are entitled to greater coverage than minor parties or single-issue candidates. But when election issues are being discussed, a wide range of Party political views should be represented.

In some jurisdictions, there are provisions for certain amount of broadcast airtime to be devoted specifically to Party Election Broadcasts (PEBs) during election periods. A source of conflict can be the amount of time to be devoted to each Party or candidate. To



solve this problem, Salmon (43) recommends that the regulator should allot specific amounts of airtime to each party according to a clear and pre-determined formula.

In South Africa, an excellent example of countries that allow PEBs, every broadcaster who transmits PEBs must make available every day, during the election period, four time-slots of two minutes each for PEBs. The regulator can increase this number if necessary. All PEBs must be clearly identified as such at the beginning and at the end of the broadcast. PEBs must not be longer than two minutes in length. The criteria used by the regulator to determine who is entitled to a PEB and how many include: the number of existing seats held by each Party and the number of seats each party is currently contesting. The major political Parties are all allocated the same number of PEBs, with smaller or untested political Parties getting fewer. In the case of regional or local elections, local television and radio stations are also expected to carry PEBs.

### **Broadcast Pluralism in Nigeria**

As a fledgling democracy, the imperative of media pluralism is very crucial. The Nigeria Broadcasting Code (9) states that 'Broadcasting shall contribute to the development of national unity and participatory democracy. Therefore the political objectives of broadcasting shall:

- a) create and promote political awareness amongst the people in order to achieve a democratic society.
- b) inculcate in the people the spirit of tolerance of all shades of opinion and
- c) promote social justice based on the responsibilities and rights of individual in society'.

### **The Laws and Regulations**

Section 7.6.6 of the Nigeria Broadcasting Code states that:

Equal opportunity shall be given to every political party

7.6.11: Air time shall be allotted equally among the political parties at similar hours of the day.

7.6.12: All stations shall allot equal airtime to all political parties during prime times at similar hours each day, subject to payment of appropriate fees.

7.6.13: All stations shall ensure equal coverage and prominence to all political parties.

7.6.14: No broadcasting station shall be employed or used to the advantage or disadvantage of any political party or candidate at any election.

5.2.6: In adherence to the principles of pluralism, equal airtime shall be provided to all political parties or views with particular regard to the amount of time and belt, during electioneering campaign period.

5.2.7: At campaign periods, a log shall be kept by each station's news division at a level not below controller or its equivalent showing the allocation of time to each party with dates, title of programme and other information as may be requested by the Commission to ensure fairness.

5.2.12: In the interest of fairness and balance any form of commercialization of political news is prohibited.

5.12.15: It is the responsibility of every station to produce and broadcast activities in the political arena and such productions shall be objective, fair and balanced.

5.2.18: Panelists shall be of comparable status and relevance.

5.2.20: A station shall set up a standing electoral committee to resolve all disputes within 24 hours of receipt of complain.

## 2011 Elections

The National Broadcasting Commission in its first official comment at a Press Briefing in Abuja on the 2011 Elections stated that it received complaints from some Political Parties alleging denial of access by some broadcast stations. The Commission also observed that as the elections drew near, the issue of access to all other parties including those in opposition became an obvious impediment to the neutrality of the electoral space (Bolarinwa, 3). The Commission had to intervene and insist that stations gave or granted access to opposition parties. Stations also began to exhibit desperation and to show loyalty to their sponsors. Their programme content began to indicate an obvious slant towards their owners. The following details provide a breakdown of documented cases of access denial against broadcast stations:

- The Shekarau campaign organization petitioned the NBC that NTA rejected its jingle without good reasons.
- Rima Radio/TV (Sokoto State Media Corporation) was queried by the NBC for denying DPP access. The station was later fined by the NBC.
- In Gombe, Gombe State, the DPP petitioned the NBC that Gombe Media Corporation denied DPP access.
- NCP petitioned NBC that Channels TV Lagos denied the Party opportunity during the gubernatorial debate in Lagos.
- At Ibadan, ANPP and CAN petitioned against Splash FM, alleging denial of opportunity at gubernatorial debate.
- Accord Party alleged denial of access by the BCOS (Broadcasting Corporation of Oyo State) Ibadan.
- In Umuahia, Abia State, Change Organization and Labour Party petitioned the NBC over denial of access by Broadcasting Corporation of Abia (BCA).
- In Jos, Plateau State, Labour party petitioned NBC alleging that Plateau Radio and TV (PRTV) station denied them access.

Bolarinwa (2) notes that many opposition Parties particularly in the States were shut out completely. In some States, even where the so-called opposition Parties were willing to pay for airtime, they were turned away. He however pointed out that where the Commission received complaints and petitions on denial of access, it intervened and insisted on fair access to all. But he noted also that a more serious challenge is the lack of willingness of Parties to complain to the Commission only to go to the press to complain of marginalization. Media pluralism was therefore frustrated or completely abandoned by several broadcast stations during the April 2011 elections in Nigeria.

## Conclusion

It is apparent from the discussions generated in this study that though the deregulation of the broadcast industry has opened up a lot of opportunities for pluralism of political participation in the Nigerian media, (that is through the proliferation of media houses), the scourge of media ownership and control, and the usage of the media for self interest or owners' interest, has continued to diminish the gains that media pluralism can offer to the enhancement of political development in Nigeria. Government owned stations especially must allow equal opportunity and access in Nigeria. The NBC should also be

strengthened to carry out its oversight and regulatory functions more effectively. In future, more stringent penalties should be considered for defaulters to serve as deterrent to others.

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