

Communication

Ownership Interference and the Principle of Fairness in the Nigeria Broadcast Industry

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Abstract: This paper examines how ownership interference affects a fair, pluralistic and objective press in Nigeria especially the broadcast media. It exposes that the press must be balance and provide opportunity for all shades of opinions on every raging issue of national interest in line with the social responsibility theory of the press. It concludes that ownership interference whether government, institution or individuals is one pivotal issue that impedes the press from achieving the above objective and admonishes that they should be limited inferences from media owners on the activities of media organization. This work, therefore, highlights on how ownership interference impedes on achieving a fair, objective and reliable press in Nigeria, especially the broadcast media.

Keywords: fairness doctrine; balance; media ethics, broadcast industry, Nigeria

1. Introduction

The right to fair hearing has been said to be as old as mankind, as even biblical account reports that God gave Adam and Eve the opportunity to defend themselves when he found out they had sin. What constitutes a fair hearing depends on the circumstances of each case. However, it is the accepted law that the basic procedural and other requirements of the rule of natural justice must be served by every tribunal or authority whose decision will affect the right of another (Bielu, 2018)

The fairness doctrine was first introduced and popularized by the United State Federal Communications Commission (FCC), in 1949, it was a policy that required the holders of broadcast licenses both to present controversial issues of public importance and to do so in a manner that was in the FCC's view honest, equitable, and balanced. The fairness doctrine had two basic elements: it required broadcasters to devote some of their airtime to discussing controversial matters of public interest, and to air contrasting views regarding those matters. Stations were given wide latitude as how to provide contrasting views: it could be done through news segments, public affairs show, or editorials. The doctrine did not require equal time for opposing views but required that contrasting viewpoints be presented. The main agenda for the doctrine was to ensure that viewers were expose to a diversity of viewpoints.

In Nigeria although they are no laws that demands specifically that broadcasters devote some airtime to discuss controversial matters of interest and to air contrasting views regarding those matters, ethical code of conduct demands such. In fact, the code specifically demands that; for political campaign the broadcast media must provide equal time and space for all political parties participating in the elections (Olufemi, 2021). Also giving tacit support to this doctrine is the Nigeria Constitution in section 36(6) the 1999 Constitution which provides thus: "in determination of this Civic Rights and Obligations, including any question or determination by or against any government or authority, a person shall be entitled to fair hearing within a reasonable time by a court or tribunal established by law and constituted in such a manner as to ensure its independence and impartiality". This doctrine is expected to be applied on every stratum of society, especially the broadcast media circle this principle is described as balance and impartial. The aim is the same which is: to give equal opportunity to every party involved in a feud to give their own side of the story.

Even while discussing topical issues of great importance, it is expected that the media should be impartial by presenting different shades of opinions that allow the public form their

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own opinion about the issue. According to Hendy (2013), “ensuring impartiality, then ideally entails the provisions of a broad view of range and weight of opinion on a particular topic. It means that journalists play an active role in constructing the narrative surrounding the range of opinion on a particular topic, as they seek to reflect the diversity of public(s) they represent, while at the same time attempting to ‘bind the nation and nurture a collective climate of rational opinion formation”

They are no gainsaying about the strong influence that media messages have on its audience, this extols so much power to the media in shaping people’s opinion and perception about a person, group, organization, brand things, etc. Many people career, business, marriage have been destroyed because of bias and malicious activities of the media. This explains why the various law, code of conduct and ethics governing media practice in Nigeria demands balance and impartial media. But one of the major impediments in ensuring this all-important task is ownership. The popular mantra of “he who pays the piper dictate the tune” is very much inherent in media practice in Nigeria and that is why objective, balance and unbiased media activity may continue to be a mirage in Nigeria.

Ownership interference in media activities involves both private and public media organizations, in fact ownership interference and the lack of fair hearing was what led to the establishment of the first indigenous television station in Africa by late Sage Chief Obafemi Awolowo in 1959. The late Sage had been accused of treason without given any opportunity to defend himself, so he setup the Western Nigerian Television Authority as a medium to tell his own side of the story.

This work will, therefore, seek to highlight on how ownership interference impedes on achieving a fair, objective and reliable press in Nigeria, especially the broadcast media.

Research Problem

According to Nwanne (2017) one of the most contentious issues in journalism and mass communication generally is the concept of objectivity. This is because the term, like many other words, is interpreted differently by scholars, practitioners and other interested persons. But the question is who and what determines objectivity? Many scholars have tried to give their opinion of what objectivity should be. According to Hackett (1984), “the ideal of objectivity holds that facts can be separated from values and opinions and that journalist acts as neutral transmitters who pass along events to an audience., he went further to state that news can, and ought to be objective, balanced and a reflection of social reality”.

According to Lichtenberg (1996) objectivity is inextricably by intertwined with truth, fairness, balance and neutrality, supporting this assertion McQuail citing Boyer (1994) listed five elements which he considers ideal for the objectives reports should be, and they as follows:

- (1) Balance and even-handedness in presenting different sides of an issues;
- (2) Accuracy and realism of reporting;
- (3) Separation of facts from opinion, but treating opinion as relevant;
- (4) Minimizing the influence of the writers’ own attitude, opinion or involvement;
- (5) Avoiding slant rancor or devious purpose.

In explaining the benefits of objectivity McQuail (1994) said, “media audiences appear to understand the concept of objectivity well enough”, and its practice helps to increase their credential and trust for the information and opinion which they offer.

2. Theoretical Framework

Fairness and balance are one aspect of objectivity this study is concerned about; the concept is built around the fairness doctrine which espouses that every opposition be given a fair hearing (Nwanne, 2017). Of all the regulations that deal with broadcasting, the two that tend to generate the most controversy and also seem to be misunderstood are the equal opportunities and the fairness doctrine (Dominick, 1987). According to Nwanne (2017) balance and fairness are classic buzzword of journalistic ethics in objective journalism, stories must be balanced in the sense of attempting to present all sides of a story. fairness means that a journalist should strive for accuracy and truth in reporting and not slant a story so a reader draws the reporters desired conclusion.

Broadcasters best serve the public when it functions as public forum and present different sides of controversial issues, at such they are expected to be balanced and impartial. said: Some critics argue that journalists never succeed in being completely balanced and fair- in telling all sides. News coverage often represents the voices of those on both extremes of the spectrum or voices of those who are the most powerful. Election coverage is a good

example of this, in many countries, candidates from non-mainstream parties garner little news coverage. This critic argue, leads to candidate never building recognition and therefore never getting elected". Balanced in journalism is considered one of the most important elements in any news piece. Balance means a lack of bias, and it is the ethical imperative of a journalist to transmit the news in an impartial manner. This means that a reporter should always, whenever possible, demonstrate the opposing viewpoints at play in a story's dynamic. It is important to note that they are often more than two sides of story. A lot of people tend to confuse impartiality with balance, explaining a significant difference in the two terms explained that while balance is the allocation of equal time space to opposing views impartiality involves no more than an attempt to regard different ideas, opinions, interest or individuals with detachment (Sambrook, 2012). He further explained that; ensuring impartiality will require the provision of a broad view of the range and weight of opinion on a particular topic which makes a journalist a critical factor in constructing the narrative surrounding the range of opinion on the topic. This goes further to show the power that a journalist wields over how an opinion is shaped hence the need for responsibility.

3. Review of Ownership Influence On News Content

The influence of media ownership and news content has continued and will continue to be a recurring decimal in communication research. various scholars have proven that ownership influence does affect how journalist covers stories. The said influence takes various forms including direct censorship and coercion of editorial staff (Okech, 2018).

Golding and Murdock (1978) posit that media proprietors do determine the editorial line and cultural stance of the newspapers and broadcast stations they own. They operate within structures that constrain as well as facilitate their said influence, imposing limits as well as offering opportunities for editorial control.

Analyzing the nature and sources of these limits is a key task for critical political economy of culture. Golding and Murdock (2000) further argue that the steadily increasing amount of cultural production accounted for by large cooperation has long been a source of concern to theorists of democracy. They see a fundamental contradiction between the ideal that public media should operate as a public sphere and the reality of concentrated private ownership. They explained that proprietors used their property rights to restrict the flow of information and open debate on which the vitality of democracy depended. These concerns, they argue, are fueled by the rise of the great press barons at the turn of the 20th century. Not only did proprietors like Pulitzer and Hearst in the United States and North Cliffe in England own chains of newspapers with large circulations, they clearly had no qualms about using them to promote their pet political causes or to denigrate positions and people they disagreed with (Golding & Murdock, 2000).

According to Doyle (2002) excessive ownership influence on media organizations interferes with media pluralism which she explains is associated with diversity in media opinions, which is having a number of different and independent voices, and of differing political opinions and representations of culture within the media. Doyle (2002), cited by Okech (2018), went further to argue that: excessive concentration of political viewpoints or values of certain forms of cultural output is at the detriment of others.

The reason why diversity of ownership is important for pluralism is because media ownership can translate into media power (Meier & Trappel, 2003). Since it is difficult to monitor the intentions of media owners to fully regulate their conduct in respect of editorial matters, the single most effective way of ensuring a healthy diversity of voices in the media is to prevent media power from being monopolized, i.e. by ensuring that the supply of media involves a range of autonomous and independent organizations (Doyle, 2002). Some scholars have argued that the idea of a totality free press is an illusion believing no press can be totally free from any form of control. Others opined that the press should reevaluate. Supporting this assertion Kaul (2012) remarked, "To win the public trust in a democracy, the media can no longer cling to 'traditional catch cries' about a free press. The media must be prepared to reevaluate the substance of those catch cries and reexamine their own operations and the nature of the implicit contract they make with their audience".

Merril (1997) opines that in America people focus more on political and economic interference neglecting interference by corporate powers advertisers, civil pressure groups, publishers, etc. In Nigeria the major motivation for ownership interference is politics. Most of the owners and financiers of the major broadcast stations in Nigeria are members of the various political parties struggling for political control. Decrying this situation Aruku (2017),

citing Ende (2013), lamented that despite the vibrancy of the Nigeria media, the differentiation of press and its inclinations towards politics have continued to influence the functionality, perception and disposition by the virtue of the issues & its ownership and control or its sympathy. The press in Nigeria had remained essentially the stale old wine in a new bottle despite all attempts at repackaging.

In his work “Exploring the issues in media ownership and control in Nigeria” Apuke (2016) explored some of the issues in media ownership and control in Nigeria, and using secondary sources like books, magazines & journals the study revealed among many things that media managers are often faced with the dilemma of balancing the media owners’ interest with public interest without infringing on the laws of the land and ethics of the profession. It explained that hardly can an owner tolerate a manager who operates contrary to his interest. He recommended that the media should be allowed to operate freely without any internal or external forces.

4. The Social Responsibility Theory

Because society has given the press so much, much more is expected from the press. Therefore, this work is anchored on the social responsibility theory of the press. This theory asserts that media must remain free from any form of control, in exchange the media must only be used for public good.

The underlying principles of this theory according to Siebert, Peterson and Schramm (1956) are as follows:

- (a) Media should accept and fulfill certain obligations to society.
- (b) Media should be self-regulating within the framework of the law.
- (c) Media can meet these obligations by setting high standards of professionalism, truth, accuracy and objectivity.
- (d) Media should avoid disseminating material that might lead to civil disorder and offend minority groups.
- (e) Media should be pluralistic, reflect the diversity of the culture in which they operate and give access to various points of views and rights or reply.

The theory summarizes that there must be a balance between economic growth and the welfare of society and the environment. In line with this theory this work advocates that the media must provide a pluralistic view at all times for the benefit of all.

5. Conclusions

Ownership interference in the broadcast media in Nigeria especially as it concerns the ethical principle of fair hearing has become an enduring challenge to the media industry and society at large. This trend which began during the colonial government has remained a recurrent decimal among both private and government owned media.

In the colonial era, the colonial government denied Chief Obafemi Awolowo the then premier of the Western region access to the government-controlled broadcast station to defend himself of the series of allegations levelled against him by the then colonial government. This action made Awolowo to establish his own broadcast station which became the first Television Station in Africa.

In the post-colonial era, they have been many cases where ownership influence especially in government-controlled stations have motivated the denial of opportunity to critics to share their thoughts and opinions on very interesting and impactful issues of concern to the society. For example, in Cross River State, the state-owned Cross River Broadcasting Corporation (CRBC) never provide members of the opposition or government critics access to their stations to express their opinions on any issues that concerns government or its policies. The same situation applies to all the other broadcast stations-controlled state governments across the country, this approach denies the public of pluralistic viewpoints and objective assessment of government policies, programs and actions. Also, during campaigns political aspirants of opposition parties are not given adequate or no airtime to propagate their programs at that of their political parties to the electorate unlike candidates of the ruling parties.

The private broadcast industry which was supposed to help break government monopoly and provide a platform for divergent views have also been polarized by huge ownership interference. Owners of most of this private broadcast stations have interest in the various political parties and their candidates; therefore, their medium tend to be bias against perceived political opponents. In the build up to the 2015 presidential elections African

Independents Television (AIT) owned by Chief Raymond Dokpesi a staunch PDP chieftain broadcasted a documentary titled “The Lion of Bourdillion” aimed at ridiculing the image of the APC then opposition leader but now of president of Nigeria Asiwaju Bola Ahmed Tinubu. No opportunity was given by the station for Tinubu to defend himself. Feeling aggrieved he approached the court to seek redress, demanding 5 billion naira from AIT for damages. The AIT pleaded for an out of court settlement and made a public apology in their station to Chief Bola Ahmed Tinubu. Recently the NBC came hard on AIT by shutting down its station. The NBC accused the AIT of flagrantly disobeying ethical provision in its program “Kaakaki social”, this is also perceived to be politically motivated.

They are so many other cases where private broadcast stations have hit below the belt because of ownership interference.

Recommendations

1. Government should enact laws and make policies that will give more impetus to the principle of fair hearing. These laws should specifically compel broadcast stations to give equal access to opposing voices in an issue or process.
2. The press should be alive to its social responsibility to society by providing objective, fair and balance information to the public. This implies that the press should remain neutral and impartial in their operations.
3. The public should insist on having diverse opinions on all topical issues from the press. This can be achieved through rigorous advocacy and organized campaigns.
4. Regulatory agencies should ensure the code of conducts governing broadcasting in Nigeria is obeyed by broadcast stations. Broadcast stations who fail to abide by these codes and conducts should be severely punished as a deterrent to others.

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