

MEMORANDUM SUBMITTED TO THE GOVT COMMITTEE ON REVIEW OF NATIONAL MASS COMMUNICATION POLICY IN NIGERIA BY THE INITIATIVE ON BUILDING COMMUNITY RADIO BROADCASTING IN NIGERIA

INTRODUCTION

This memorandum seeks to locate the core structural defects in the current National Communication Policy, examine some of the symptoms of the defects, review some cogent national socio-economic problems, and investigate how they fit into the demands of a vigorous and purposeful broadcast regime.

The memorandum concludes by examining and making recommendations for a more viable broadcasting policy within the framework of existing international normative standards as defined by Nigeria's treaty obligations, and as reflected in Nigeria's constitution and other statutory provisions.

The mission of a progressive mass communication policy in the new global arena is to help strengthen democratic practice, a healthy culture, and popular participation in governance process. This vision underscores the central place of a communication policy that is vibrant, transparent and supportive of democratic and development goals.

As indeed a renowned politician once remarked, "a popular government without popular information, or a means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both."

The 1990 policy, in spite of its often lofty and enthusiastic vision, comes short of concrete proposals and cogent rationalizations that support the fructification of a virile democracy and tolerant polity.

Nowhere is this defect more illustrated than in the following areas:

Ownership and control.
Regulatory structure.
(c) Funding/Sustainability.

Training structure.

However, before discussing these policy defects we propose to review the whole media and society landscape so as to provide a fitting framework to appreciate the problem.

Ownership & Control

Regarding ownership of the electronic media, the 1990 policy reinforces monopoly of the airwaves in the hands of the state. This attitude abuses all the grand and visionary strides in international broadcast development even at its time; the most significant being the 1987 Bamako Declaration on broadcast pluralism.

In view of Nigeria's large rural sector and the factor of its literacy rate, the media, and particularly the broadcast sector, are the factors in explaining issues to and mobilizing the populace towards democracy and social justice goals as expressed in the constitution.

As it is today, the media does a very poor job in its coverage and analysis of the many crucial national priorities.

The implication of this is the poor state of access to information available to both rural and the urban underserved groups.

The 1992 National Broadcasting Commission (NBC) Act emerged in the context of these practical and conceptual limitations of the 1990 policy. However, in expanding access through the introduction of private commercial broadcasting, the 1992 Act merely offers a token reform and hardly provides a fundamental solution to the question of access as a critical issue in mass communication policy.

Taken together, both the 1990 policy and the 1992 Act, while representing an expansion in access, nevertheless deny access to the majority of Nigerians especially those in the rural areas of the country. This development again fails to honor Nigeria's responsiveness to existing global standards regarding broadcasting.

The African Charter on Broadcasting (ACB) has since emerged to consolidate both normative and treaty goals regarding broadcast policy in the continent, the charter which the African Union has since adopted at its 2003 Maputo Summit.

In short, the ACB policy recommendation is for a three-tier structure of broadcasting in every country- public broadcaster, private commercial, and community broadcaster.

While Nigeria can claim in many respects to have fulfilled the requirement of the public and private commercial broadcasters, there is nothing in policy, statute or in practice supporting the emergence and development of the community broadcaster.

To be sure, there are also serious issues regarding the proper articulation of the status of the public broadcaster in the existing broadcast policy. There is a mischaracterization of the place/ role and operations of a public broadcaster as distinct from the state broadcaster. Thus the now exclusive network of both the FRCN, NTA, state radios and state television stations amount to further consolidation of state monopoly over the airwaves in abuse of the ACB whose recommendation is in the direction of further strengthening of public broadcasting under direct parliamentary oversight rather than through the oversight of the executive branch of government.

In sum, from the perspective of broadcast media ownership and control, the existing policy and the 1992 Act play negatively in sublimating the operation of public broadcasting to the political purpose of ruling parties in our humble opinion this was oddly and graphically exemplified during the 2003 general elections.

Regulatory Structure.

As far as regulation of the broadcast sector is concerned, the 1990 policy offers, to say the least, a superficial appreciation of the complexities of the sector and a jumbled response to the policy needs to deal with these complexities.

One immediate and glaring illustration of this is the cross reference of functions between the regulatory demands of telecommunication, broadcasting and even the print media. Besides, the policy, when it attempted to address concrete issues of mediation between medium and consumers and between different strands of medium, ends up with declarations rather than reasoned, explanations and analysis of specific prescriptions.

However, the most disturbing aspect of the policy regarding regulation is its failure to put in place an appropriate composition of management and specify modality for the independence of the broadcasting regulatory body.

True, the document recognizes a board with a chairman (appointed by the president of the country) and 14 members drawn mainly from government ministries and media industry groups, but to the exclusion of vital broadcast sector stakeholders such as civil society.

The translation of these shortcomings into legislation assumed even a frightening dimension. Under the National Broadcasting Commission Act 38 of 1992 (as amended by Act 55 of 1999) the Commission's membership consists of a Chairman and 10 other individuals, including representatives of the State Security Service (SSS), all appointed by the President on the recommendation of the Minister of Information.

The NBC Act makes the regulatory body, the NBC, a mere processing house. It only collates broadcast licence applications, and forwards to the Minister of Information, who in turn sends to the approving authority, the President.

The combined effect of these is that the Commission lacks the appropriate membership and powers to function as a proper independent regulatory body.

Funding

One major critique of the 1990 policy is the failure to address the funding of even the public broadcaster within the general framework of tackling the pervasive problem of sustainability, growth and development of programming, engineering and presentation in broadcasting.

The growing international response to this problem is the shift from executive branch oversight and appropriation to the legislative branch, a move that not only ensures direct parliamentary budgetary support but also assurance of independence.

Training

The existing response to the very important question of training in the broadcast sector is at best a lip service tokenism lacking any concrete meaning.

The growing outcry about falling quality in the sector is structurally tied to the level of training and retraining available to entrants and mid-career operatives in the industry today.

Currently the country boasts 45 journalism schools, most if not all that lack adequate facilities in teaching and research, as well as grant support to maintain internship and retraining opportunities.

Nigeria: Media & Society

With a demographic index of about 120 million people, two of every five living West Africans resides in Nigeria, a country that has the highest index of population growth, urbanization and migration in Africa. Experts project that the country's population will peak at 200 million in 15 years, reflecting a consistent 3% growth path; they also say that 40 per cent of the peoples in this region live in the urban areas, almost 30% jump from the 1960 levels. Currently, about 10% of Nigerians live in countries other than theirs.

Yet all these demographic reality come against a social context of worsening economic conditions, poor governance performances, and general decline in social and cultural tolerance.

On the balance, five core issues loom large in the hierarchy of problems that seek creative resolution if the country will make progress towards development; and for which the media will have to play major supportive roles:

The current crisis of governance

The perennial conflicts and politics of diversity

The alarming demographic challenge with its implications for equitable resource allocation.

The environmental challenges and

The problem of gender equality

In all these challenges, the task of the media is a seminal one, and will be even more demanding in debating the choices and arriving at the right policy priorities. If the problems will be open to creative resolution, then the role of the media as an oversight institution, its task in helping citizens discover and form opinion about the ideas and attitudes of the political leadership, and above all, its role in imparting information of public concern, faithfully and courageously, will help determine how these problems are resolved.

At the level of governance, the keywords for development and progress revolve around more political liberalization, transparency in government (civil society and corporate institution), and deepening human rights in all spheres of life. Popular participation in government, a critical condition for genuine democracy and improve governance hold great hope for the expansion of democratic rule.

The last decades of the past millennium were particularly difficult years for the sub-region. Virtually all states experienced some form of internal, ethno-national, religious or cross-border conflict, which resulted in full-scale wars in places like Liberia, Sierra Leone and Guinea Bissau. In others, like the Sahelian states of Mali, Niger and Burkina Faso, the protracted conflict among the Tuareg population is taking a heavy toll in life and property while cross-border difficulties exist between Nigeria and Cameroon over the Bakassi peninsula; Ghana and Togo; Mali and Burkina Faso; Senegal and Mauritania; Burkina Faso and Cote D'ivoire.

Internal cultural and religious conflicts that persist in Nigeria have taken a huge toll in human and material respect. Yet if the country must move forward cultural harmony and tolerance of diversity must be keywords of our national identity.

Thus, the challenge for the moment is how to promote a policy of reconciliation and reconstruction in many states, especially in the Niger-Delta and the Middle-Belt. Again, the leading role of the media in this task is central and urgent in helping to fashion out the new meaning of citizenship and ethno-religious pluralism.

If the sub-regional population hits the projected half a billion mark in fifteen years from now, food security, already a worrying issue in the Sahelian states, will force itself on the agenda in a very scary way. This will also be true of infrastructures that support liveable communities, which are already in derelict states. In African regional terms, this sub-region has the most urbanized population, meaning that policy challenges will have to respond to the implications of shifting the locale of poverty from rural to urban centers. In 1960, 14% of the people lived in rural areas but by 2020, 60% will live in urban centers. Already, 41% of the peoples of the sub-region live along the coast, which represents only 8% of the landmass.

Environmental crisis is already evident and its disastrous possibility even looms large. The Sahara desert is fast encroaching, displacing thousands of people yearly, reducing arable and grazing land, and complicating the already severe food security situation.

The coastal erosion of our nation's waterfront is also an issue of serious concern at the policy level. Coupled with this is the marine pollution from multinational oil activity in Niger-Delta as well as waste dumps into the Atlantic Ocean. All these activities depress the quality of aquatic life that supports fishing and coastal family incomes. Ecologists believe that desertification in the north and marine pollution/coastal erosion in the south, pose the greatest environmental problem in the country today.

Yet, media reflection of this crisis is at best nil. Journalists are ill-trained to tackle environmental issues at a professional level; indeed none of the about 45 journalism schools in the country have any program on environmental journalism. A few attempts had been made at mid career levels to introduce environmental reporting programs in one-week type courses but these gestures remain tokenist and, at best, in-effective in addressing a problem of such scale and impact.

The challenge of gender equity in the social, political and economic life of the nation is receiving active support from diverse sources but a lot still remains to be done in this regards, given the primary role of women in the family and production process. The media can help interpret and propose policy options that will lead to equitable resolution of these challenges, but even as an institution, the media itself need clear education around the major issues of gender politics that are specific to the sub-region. As is the case with the environmental crisis, gender issues are insufficiently studied in journalism programs. If the media will concretely reflect gender issues, media institutions must mainstream the study of such into curriculum structures, and media practice must mainstream gender issues as primary topics for policy and political action.

How does the media fit into this?

The vital role of the media has been generally recognized and accepted today by both the state and civil society. This role has been reinforced by its location in the normative structures of many of our national institutions, regional instruments, and legislative mechanisms, as well as in the applications of executive and judicial acts of the country.

In theory, the media plays three important roles in a democratic polity:

It informs citizens on matters of public policy and politics by presenting and debating alternatives to dominant options that might be failing. In fact, where political parties are feeble to play this role, or under some forms of authoritarian rule, the media fills the gap in forging informed electorates.

More importantly, however, the media acts as a watchdog by uncovering political, economic and corporate corruption, alongside other forms of abuses of power or inept policies.

Lastly, the media helps empower readers/listeners/viewers to be aware of civic and political rights, and how to exercise these rights. Through these roles, the media helps to build and sustain a participatory, transparent and accountable governance structure.

In practice, though, the effectiveness of our media is constrained by a host of problems, some of which are induced by state actions. There are other structural hurdles like those induced by the macro-economic realities of the media's location that mitigate against effectiveness and which call for attention, before the institution can claim its proper place as a major force of democratic development and consolidation in the region.

The Challenge of Community Radio

In the checklist of policies needed to promote and support development, livable communities and democracy in the country, one of the most important is the formation of effective media laws, policies, and institutions to promote community media particularly in the broadcasting environment.

Indeed the Vice President, Alhaji Abubakar Atiku, seems to understand this challenge so well and have given illustrative effect to this fact in his July 28, 2004 remarks to the sub – regional ministerial meeting on ICT in Education. He said then: " We should ensure that relevant and appropriate technology and local content is designed for use by our people in local languages, under local conditions; for example the use of Community Radio for our rural populations must be encouraged and strengthened".

Unless policy supports this vision, Nigeria's putative leadership in West Africa is compromised, in the broadcast sector, by the absence of a single community radio.

This failure, in turn, diminishes the otherwise robust value that comes with the advantages, to Nigeria, of having the fourth largest radio state network in the world today.

The Community Radio system is transforming rural development, giving meaning to participatory governance, and helping to foster local accountability in Africa. There are today about 1000 community radios spread across the continent, Of this number, about 500 of them are members of World Association of Community Radio Broadcasters (AMARC). Niger Republic, Nigeria's northern neighbor, has 56 community radios, Mali has 72, Senegal has 12, Burkina Faso has 27, Guinea Bissau has 11 and Ghana has 15. Till date there is none in Nigeria, and with Guinea, the two countries are the only ones within the ECOWAS corridor, without community radios, and without a clear legislative mechanism to support its growth and development.

This outline gives a somewhat worrisome perspective of Nigeria's relative isolation in the sub – regional community radio network. It also weakens our true place in the context of progressive radio development on a global scale. To be sure, therefore, in the interest of Nigeria's leadership role in ECOWAS, the situation, definitely, demands an urgent attention.

Imperative of Policy

The task of concretely addressing the plethora of national problems enunciated above remains urgent for the media in Nigeria. Yet the media can only function optimally in an enabling environment that should be provided by policy, a forward-looking type which captures global trends and anticipates developments of the future.

RECOMMENDATIONS

On the background of our analysis and observations above, we like to submit the following recommendations for consideration of the review committee:

GENERAL

The new policy should, within the framework of the African Charter on Broadcasting (ACB), recognize a pluralist-broadcasting sector, with a clear three-tier structure which includes public broadcasting, private/commercial broadcasting and community broadcasting.

"Community broadcasting," should be, in the words of the ACB, "broadcasting which is for, by and about the community, whose ownership and management is representative of the community, which pursues a social development agenda, and which is non-profit."

The policy should recognize the difference between decentralized state/govt broadcasting (the establishment of govt/state-owned stations in communities) and genuine community broadcasting.

The policy should recognize the primacy of the public service broadcaster and create urgent legislative and administrative conditions for the transition of the state broadcaster to the public broadcaster.

REGULATION

The policy should recognize an independent regulator, the National Broadcasting Commission (NBC), whose membership should be a fair reflection of stakeholders in broadcasting, which should be fully empowered to perform all regulatory activities relating to the issuance of broadcasting licences, and which would report to and draw its budget directly from the national legislature.

FUNDING/SUSTAINABILITY

In accordance with the principles enunciated in the UNESCO Florence Treaty, the policy should provide for a waiver of tariffs and duties on equipment and consumables for community radios, being non-profit ventures.

The technology of community broadcasting should be simple and affordable, its ownership communal, its personnel internally and externally generated and its financial resources supported by contributions from civil society organizations, governments, donor agencies, businesses, and individuals from within and outside Nigeria. In furtherance of this, the policy should provide for an Independent Community Radio Fund, to which the above-listed stakeholders will contribute.

The policy should empower the National Broadcasting Commission (NBC) as the sole collector of broadcasting set (TV, Radio) taxes, 60% of which should be ploughed back to the industry for its sustenance and the remaining 40% retained by the commission for its operations.

TRAINING

The Policy should recognize the specific training needs of community radios, especially as regards management, programming and maintenance.

The Academia should review existing curricula to incorporate issues relating to community radio broadcasting in institutions of higher learning.

TECHNICAL

The policy should provide for the drawing up of a frequency allocation plan that ensures equitable access for all tiers of broadcasters to frequencies in urban and rural areas.

The principles and procedures for frequency allocation to community radio should be publicly stated, and implemented in an open and transparent manner.