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NIGERIA

On May 29, 2007, President Umaru Yar'Adua took over the reins of power from President Olusegun Obasanjo, who had ruled the country for eight years following the restoration of civil democratic rule in May 1999. President Obasanjo, a retired army general, had a self-confessed dislike for journalists and the media. Although under the Obasanjo regime the media fared significantly better than they had during the preceding 16 years of military dictatorship, the eight years of his rule were nonetheless a trying period for the media. He retained repressive practices used by the military before him to suppress journalists, and the media witnessed various forms of attack during his leadership, including frequent arrests and detention of journalists, raids by security agents on media organizations and facilities, confiscation of copies of news publications, assault and battery of journalists, and other injustices meant to cow the media.

President Yar'Adua came to power following a widely disputed presidential election on April 21, 2007. A soft-spoken and mild-mannered man, he immediately announced his intention to move away from the widespread human-rights abuses that characterized the Obasanjo presidency and insisted that respect for the rule of law and due process would be the guiding principles of his government. One of the effects of this has been an environment more conducive to media practice. Also, while President Obasanjo refused to sign into law a Freedom of Information Bill passed by the National Assembly, President Yar'Adua has indicated that he will sign the bill, which will give Nigerian citizens, including journalists, a right of access to public information.

Overall, Nigeria scored a 2.21 when averaging all five objectives. However, there was a fair amount of disparity among the objectives. Panelists felt the first two objectives, free speech and professional journalism, to be lacking in Nigeria and therefore rated these at 1.80 and 1.88, respectively. Objective 3, plurality of news, fell just above the average. Objectives 4 and 5, business management and supporting institutions, received strong scores, however—2.40 and 2.76, respectively.

NIGERIA AT A GLANCE

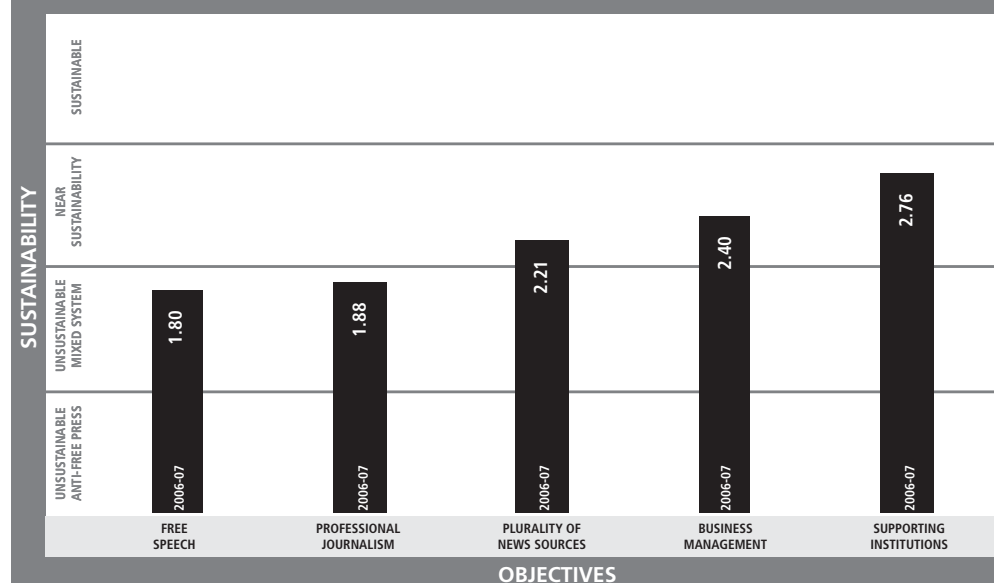
GENERAL

- > **Population:** 140,003,542 (2006 National Population Census, National Population Commission, Abuja)
- > **Capital city:** Abuja
- > **Ethnic groups (% of population):** Hausa 21%, Yoruba 20%, Igbo 18 %, Ijaw 10%, Ibibio 4%, Kanuri 4%, Tiv 3%, Others 20% (*Nigeria Population Census 1991 Analysis, National and State Population Projections, Volume 6, August 2002, National Population Commission, Abuja*)
- > **Religions (% of population):** Muslim 50%, Christian 40%, indigenous beliefs 10% (*CIA World Factbook*)
- > **Languages (% of population):** English 76%, Pidgin English 74%, Hausa 37%, Yoruba 30%, Igbo 21% (*Nigeria Population Census 1991 Analysis, National and State Population Projections, Volume 6, August 2002, National Population Commission, Abuja*)
- > **GNI (2006-Atlas):** \$92.358 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$640 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 68% (male 75.7%, female 60.6%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Umaru Musa Yar'Adua

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 95 reasonably regular newspapers (20 national dailies, 23 national weeklies, 10 regional dailies, 19 regional weeklies, 6 provincial or local dailies, and 17 provincial or local weeklies). 100 radio stations (16 privately owned, 1 not-for-profit campus radio station, 45 owned by the federal government, and 38 owned by various state governments). 144 television stations (14 privately owned, 98 owned by the federal government, and 32 are owned by various state governments). (Sources: *Media World Yearbook 2004 – A Resource Guide to the Nigerian Media, and National Broadcasting Commission: A Handbook*)
- > **Newspaper circulation statistics:** top three: *The Sun, The Punch, and The Guardian* (all privately owned) are regarded as the widest circulating newspapers, in that order. There are no available data or reliable circulation figures to support this.
- > **Broadcast ratings:** No verifiable data or sources of information on broadcast ratings exist.
- > **News agencies:** News Agency of Nigeria (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Significant foreign investment in the media:** N/A
- > **Internet usage:** 8,000,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: NIGERIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Nigeria Objective Score: 1.80

The overall average score for this objective was 1.80—the poorest of the five—indicating that the panelists did not think that legal and social norms sufficiently protect and promote free speech. In particular, panelists rated the indicator regarding access to public information well below the overall average. Indicators 8 and 9, covering media’s access to international news sources and legal restrictions on entry into the journalism profession, fared much better, as both scored just about a full point higher than the average.

The consensus among panelists was that although section 39 of the Nigerian constitution protects free speech, this provision is not rigorously adhered to and that social norms do not protect free speech. On the contrary, the many years of military rule in Nigeria have created a “barracks mentality” in a significant proportion of the population; consequently, violations of human rights, including the right to free speech, tend to be expected and do not create outrage. There is no legal right of access to public information. Rather, there exists in public institutions a culture of secrecy, and public officials typically do not readily grant journalists or other members of the public access to public information.

In addition to the constitution, the African Charter on Human and People’s Rights has been incorporated into Nigerian laws and tends to guarantee free speech, although in very weak terms. However, other media laws in existence tend to inhibit freedom of speech and media freedom, rather than promote it. Such laws, including some intended to regulate various aspects of media practice, include the National Broadcasting Commission Act of 1992 and its amendment by Decree No. 55 of 1999; the Nigerian Press Council Act of 1992 and its amendment by Decree No. 60 of 1999; the News Agency of Nigeria Act of 1976; the Federal Radio Corporation of Nigeria Act of 1976; the Nigerian Television Authority Act of 1976; the criminal code; the Official Secrets Act; the Obscene Publications Act of 1962; and the Defamatory and Offensive Publications Act of 1966.

The general view of the panelists was that, although there is constitutional protection of free speech, the enforcement of the constitutional guarantees is weak and ineffective. Journalists have to contend with other laws and regulations that repress free speech and harass or intimidate journalists, such as defamation laws, the law on sedition, national security laws, etc.

Abimbola Amosun, a journalist who has worked for the public media over the past 17 years, said that despite the

existence of legal and constitutional protections for free speech, her view is that “they are as good as not being there by reason of the way they are enforced.” She cited the case of two journalists, Fidelis Mbah, a local correspondent for the British Broadcasting Corporation (BBC), and Tade Oludayo, of Silverbird Television and Rhythm FM radio, who were arrested and detained in Ibadan, capital of Oyo State, in southwest Nigeria on January 10, 2008, simply for taking photographs of a controversial statue of an “Unknown Soldier” erected by the state governor in a public place.

Lanre Arogundade, a former union activist and current coordinator of the International Press Centre in Lagos, observed that enforcement of the legal and constitutional provisions is ineffective because most of the cases of attacks on journalists are not taken to court by journalists to enforce their rights. He said that “in many cases those in government who are responsible for the attack simply tender an apology, and the matter ends there. I would have wanted a situation where these cases [are taken to] court so that judicial precedents could be set.”

The licensing of broadcast media is controlled by the National Broadcasting Commission (NBC), the minister of Information and Communications, and the president, who has ultimate power to issue broadcast licenses. While there do not appear to be overt political considerations in the issuances of broadcast licenses, there is consensus that the process is neither fair nor competitive. The NBC has unfettered discretion to determine which applications should

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

In criminal cases, however, attempting to prove the truth is deemed to be aggravating the allegedly libelous story. The state does not need to show that the story is false; rather, it must prove that the story was written by the journalist or media organization in question and that the publication negatively impacted an official in the eyes of “reasonable members of the society.”

be recommended to the president for a license, while the president has absolute discretion to decide whom should be given a license. The procedure is opaque and not open to public scrutiny. While there are publicly stated requirements for broadcast licenses, the satisfaction of these requirements does not guarantee an applicant a license. It is difficult to determine what considerations come into play in determining which applications to approve. Applicants who are refused licenses are not given any reasons for the denial, and they have no recourse to any appeals process or to judicial review.

In the case of newspapers, the legal framework guarantees entry into the market without undue restrictions. However, in the case of the broadcast media, the restrictions are far greater than those for other non-media businesses. The NBC has complete discretion to set license fees, which for radio and television stations range from 7.5 million naira (about US\$64,000) to 20 million naira (about US\$170,000), depending on location. License fees for television stations are also slightly lower than those for radio stations, the rationale being the higher start-up costs of a television station. Broadcast stations are also required by law to pay 2.5 percent of their annual gross revenue to the NBC as a form of tax, although stations do not comply with this requirement. This is higher than what companies in other sectors pay: some companies are required to pay 1 to 2 percent of gross revenue into certain funds, such as the Education Trust Fund.

There are no tax breaks for media products or for media materials such as newsprint, inks, or broadcast equipment.

Journalists are frequently assaulted, with their equipment sometimes destroyed by law-enforcement agents. The main culprits are agents of the State Security Service, security agents attached to federal or state government officials, the police, and politicians. There have been no instances where the perpetrators have been prosecuted or sanctioned in any way. In some cases, apologies have been issued to the victims

and damaged equipment replaced. However, journalists do not feel insecure as a result, despite some deadly attacks. In December 2006, a prominent journalist, Godwin Agbroko, was shot dead in his car as he drove home from work late one night. The police have determined that it was a robbery attack rather than an assassination as a result of his work. Although there are suspicions that it may not have been a simple robbery attack and there have been calls for an investigation into his murder, no facts have emerged to support the theory that he was assassinated. Attacks on the media or on media professionals are reasonably well publicized in the media and result in public outcry.

The law does not guarantee editorial independence for public or state media. Rather, the law subjects them to political control. For instance, a number of provisions in the Nigerian Television Authority Act have been used to keep the federal government-owned broadcaster under government control. Sections 10, 11, 12 (3), and 12 (4) deal with the duty of the station to broadcast government announcements. Section 13 of the act empowers the minister of information to issue directives to the station and obliges the station to comply with such directives. Similarly, sections 10 (1) and 10 (2) of the Federal Radio Corporation of Nigeria Act require Radio Nigeria to broadcast, at its own expense, any government program at the request of a public officer authorized to do so by the president. Sections 11 (3) and 11 (4) give the minister of information power to determine how special programs meant either specifically for schools or for general reception should be broadcast, while the law also empowers the minister to give the station instructions in matters regarding its functions and obliges the station to comply with such directives. A similar provision is contained in section 7 of the Voice of Nigeria Act. At the state level, the commissioners for information are in control of the state government-owned media.

By law and by custom, editors and managers of public media are under the control of the government and the ruling party. The boards and management of public media are appointed by politicians and have no security of tenure. They therefore lack editorial independence. Powerful businesses exercise a lesser degree of control but nonetheless influence editorial content in the private media, and to some extent public media, through their advertising power.

Libel is both a civil and criminal matter under Nigerian law, although no trial of any journalist has ever been concluded for criminal libel. Whenever criminal libel is used against journalists, it is intended to harass them. Instances of criminal libel charges are almost invariably followed by criticisms from advocacy groups and members of the public, and the government simply discontinues the cases. In some cases, the media organization tenders an apology to the affected

government official and/or publishes a retraction, after which the case is withdrawn.

The plaintiff (in civil libel) or the prosecution (in criminal libel) is required to prove the libel, and public officials are held to a higher standard of proof in libel cases. However, the tendency has been that in civil cases, public officers are usually awarded more substantial damages when libel has been proved. There have been no reported cases of corruption among judges or prosecutors dealing in cases of libel, although some judges occasionally appear to resent the media and may award very high damages where libel is proved. In civil cases, truth is a complete defense to an allegation of libel. In criminal cases, however, attempting to prove the truth is deemed to be aggravating the allegedly libelous story. The state does not need to show that the story is false; rather, it must prove that the story was written by the journalist or media organization in question and that the publication negatively impacted an official in the eyes of "reasonable members of the society." This is done by calling witnesses who testify that they thought less of the official in question after reading the publication or hearing the broadcast.

Public information is not easily accessible to journalists, though public media receive preferential treatment when seeking information or interviews, provided that the issue or information is not potentially embarrassing for the government or the official. There is no access to information law. On the contrary, some laws, such as the Official Secrets Act and the criminal code, make it a criminal offense punishable with prison terms for public officers to disclose information to any member of the public. Many other laws have less frightening but equally effective provisions that prohibit public officials from revealing information that comes to their knowledge in the course of their work. These provisions are also contained in the Public Service Rules at the federal level and in the Civil Service Rules at the state level. As a result, there is no legal obligation on the government or government officials to give public information to the public or to journalists. Nigerian journalists represented by various professional bodies and individually have been part of a campaign for the adoption of a Freedom of Information law in Nigeria.

The News Agency of Nigeria Act gives the government-owned agency a "monopoly on collecting news in Nigeria for sale to foreign news agencies." However, both the media and ordinary citizens have access to the Internet and international news through cable and satellite television channels. But radio and television stations are prohibited from rebroadcasting international news stations live, although they are allowed to record such news programs and broadcast them later. There is no restriction whatsoever on newspapers reprinting

international news stories or news agency information. Many journalists and editors are able to use the Internet as a news source. Media managers do not secure Internet subscriptions for their employees, although some newsrooms have Internet access that journalists can use. The cost of Internet subscriptions is relatively high, given income levels generally and among journalists. There are no laws governing distribution of, or access to, foreign-language publications.

The Nigerian Press Council (Amendment) Decree No. 60 of 1999 gives the Nigerian Press Council the right to maintain a register of journalists who can practice. Journalists are required under the law to renew their registration annually. These provisions apply equally to all reporters and editors. As such, there are no special privileges or restrictions for any specific group. However, the provisions of the Nigerian Press Council Decree are not being enforced, as media professionals, media owners, and free-expression organizations have objected to them and challenged their constitutionality in court. If enforced, the law would be used to prevent anyone who is not registered as a journalist from reporting. Accreditation is required to cover certain beats, and the process of accreditation can be cumbersome and is sometimes used to preclude critical media organizations or individual journalists from covering such beats. Entrance to journalism schools is not controlled. The process of hiring entry-level journalists is not influenced by government or other political interests. Journalists are free to organize to protect their interests, and they typically belong to the Nigeria Union of Journalists and some other bodies.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Nigeria Objective Score: 1.88

The overall average score for this objective is 1.88, suggesting that the panelists do not think that journalism meets professional standards of quality. Panelists scored most indicators close to the final objective average. The exceptions were indicator 3, regarding self-censorship, which was significantly lower, and indicator 8, on niche reporting, which was solidly higher.

The panelists generally agreed that most reporters do not verify or fact-check all the information they present. They also agreed that in most cases, they do not consult a wide variety of relevant sources or get all sides of a story. Sometimes, reporters fail to conduct necessary background research for a story, and some interviews are not professionally conducted. But some panelists attributed these lapses to time constraints, which sometimes do not allow journalists to satisfy all the requirements of professionalism. It was also argued that lack

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of adequate financial resources was often an obstacle to professional stories.

In March 1998, the Nigerian Press Organizations, which is made up of the Nigeria Union of Journalists, the Nigerian Guild of Editors, and the Newspapers Proprietors Association of Nigeria, in collaboration with the Nigerian Press Council, adopted a Code of Ethics for Nigerian Journalists to guide the conduct of journalists in Nigeria. The code is similar to other ethical standards for journalists around the world, but there is widespread ignorance among Nigerian journalists about the existence of the code and its content. As a consequence, its guidelines are not widely adhered to. Journalists regularly violate virtually all the provisions of the code, including by accepting payments to publish positive—or suppress negative—stories. Such violations are more prevalent among the younger generation of journalists. Some radio and television stations also charge official fees to provide coverage of certain events that may otherwise not be

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

deemed newsworthy. Some panelists argued that some of the provisions of the code are unrealistic in the Nigerian social and political environment, particularly the requirement in Article 10 that “a journalist should strive to employ open and honest means in the gathering of information.”

There is widespread self-censorship among editors and reporters in public or state-owned media, either for fear of losing their jobs or risking their safety. In the private media, self-censorship also arises from fear of offending government officials, business interests, or religious groups. Many reporters also say that they practice self-censorship as a result of pressures from their editors. Such editors restrict journalists’ ability to report openly.

Eme Okon, an editor with the federal government–owned Nigerian Television Authority (NTA) in Calabar, in the Niger Delta region of Nigeria, said: “Journalists and editors, particularly in public media, practice self-censorship under the guise of developmental journalism [non-critical journalism that showcases the positive aspects of national life]. NTA and all state-owned broadcast media are culprits. They do so for job security and fear for their lives.”

On average, most media organizations, depending on their audience and reach, cover all major events and issues in the country. However, public or state-owned media frequently do not cover anti-government protests or rallies and, if they do, would not cover the events truthfully and accurately. Some media organizations are also wary of covering ethnic or religious conflicts for fear of escalating the conflicts. In such cases, editors typically prevent reporters from covering such events. In rare cases, editors may prevent reporters from covering other kinds of stories in which they or their proprietors have some interest. These may be for social, ethnic, commercial, or political reasons. Journalists usually cover security issues of local or international concern when they can get the story, although they may subsequently be harassed by security agents. Major events tend to receive better coverage in print media (both national and provincial publications) than in broadcast media.

With the boom in the broadcast media over the past few years, pay levels for broadcast journalists and other media professionals in the sector have continued to rise. They have improved significantly over pay levels for counterparts in many newspaper organizations, although in some cases where high pay is negotiated, payment is usually irregular and journalists may be owed several months’ arrears of salaries. However, pay levels in the entire industry remain generally poor and are not sufficient to discourage corruption in the media. There are widespread reports of journalists obtaining inducements from politicians and businesses to publish favorable articles or to suppress negative or

unfavorable stories. In fact, the excuse most frequently given for the widespread corruption in the media is poor pay. The low pay levels have also resulted in clearly pronounced movement of journalists to other sectors, the ultimate being serving as public-relations or corporate-affairs managers for businesses or press secretaries to political office holders.

There are a wide range of media types in Nigeria, and the balance between news content and entertainment varies widely depending on the type of media and their orientation. In general, one can readily find news on the radio or television, although it is not likely to be in-depth or detailed. Some broadcast stations are entertainment focused, and a significant proportion of the programming is dedicated to entertainment such that news and information programming are completely eclipsed. Even in traditionally news-focused stations, the desperation to survive economically under the harsh economic climate has resulted in a roll-back of news and information programs in favor of entertainment and advertising. In stations that target youths with more entertainment programs, the inclusion of more news-related programs could very likely result in a loss of audience. However, although there is also relatively high demand for news and information by an older generation of viewers and listeners, the high cost of producing news programs and news documentaries is preventing the stations from satisfying this demand.

Panelists were divided on whether facilities and equipment for gathering, producing, and distributing news are modern and efficient. While some argued that modern and efficient facilities and equipment are widely available in the industry, especially for the gathering and production of news, others contended that the equipment and facilities being used by the vast majority of media organizations were old and obsolete, although some of these remain efficient.

Jika Attoh, a veteran broadcast journalist who is currently chief executive officer for the privately owned Cosmo FM radio in southeast Nigeria, noted that “broadcast stations have old equipment that is working for them and that they do not want to throw away. No station is truly digital; but they all combine both analogue and digital equipment, and stations use what they have that is working for them.”

In the case of the broadcast media, the absence of modern facilities and equipment results in poor picture and sound quality. Reception is also very poor, such that even when the station is only a short distance away, viewers and listeners have to mount very high antennas and acquire boosters to receive better-quality signals from terrestrial channels. For newspapers, the print quality is usually very poor, and, in some cases, there are smudges on large sections of newspaper pages. Owing to the challenges of distribution, most

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newspapers are unable to circulate their publications across the country on the same day. As a result, in many parts of the country, newspapers can be accessed only a day or more after they are published.

The lack of technical facilities and equipment is felt most in the distribution of news, both for print and broadcast. Panelists felt that aid could be most efficiently channeled into satellite distribution or distribution generally as well as into skills acquisition for journalists and other media professionals in the use of modern technology.

Print does more, and better-quality, niche reporting than broadcast. The main constraints for broadcast include the time involved in such reporting, the costs of producing such specialized reports, and the time available to air it. Further, most reporters and editors also lack professional training and experience to produce specialized reporting. Very little investigative reporting is done currently, though some of it is of good quality. Some recent investigative stories on corruption have had a lot of impact. Business, economic, and health reporting is done by specialized journalists who cover the issues regularly. Their competence and the quality of the coverage vary from media outlet to media outlet, but some of them are very well respected.

OBJECTIVE 3: PLURALITY OF NEWS

Nigeria Objective Score: 2.21

The score for objective 3, 2.21, was slightly above the overall average and consistent with the panelists’ general view that the Nigerian media landscape presents multiple news sources and provides citizens with reliable, objective news. Panelists felt that the Nigerian government does not restrict citizens’ access to the media or the Internet. On the other hand, panelists were also concerned that the Nigerian broadcast media landscape is dominated by government, federal and state, and that these public media are not editorially independent. Indicators were spread somewhat widely around the average. Indicators 2 (access to media) and 5 (production of own programming) scored well above

Residents of major cities, especially Nigeria's capital, Abuja, and the commercial nerve centre, Lagos, have greater access to media compared with people in the smaller towns and villages. Radio is the most commonly available type of media to rural audiences both because of their low income levels as well as the lack of regular electricity supply to support television viewing.

the average, while indicators 4 (news agencies) and 6 (transparency of ownership) fell fairly far behind.

Nigeria has a wide variety of print and broadcast outlets. About a dozen private newspapers and half a dozen private weekly news magazines provide national coverage. Several dozen other newspapers cover local areas, ranging from small communities to states and regions. Owing to the high costs of newspapers relative to income levels, only elites can afford to buy print editions on a regular basis. Residents of major cities, especially Nigeria's capital, Abuja, and the commercial nerve centre, Lagos, have greater access to media compared with people in the smaller towns and villages. Radio is the most commonly available type of media to rural audiences both because of their low income levels as well as the lack of regular electricity supply to support television viewing.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Although a rash of rural radio stations have been established over the past few years as substations of the federally owned Radio Nigeria, there are no proper community radio stations.

The National Broadcasting Commission and the federal government have yet to license community radio stations. Community newspapers exist in a few urban communities, but low literacy levels do not allow these to thrive in rural communities. Where they exist, they provide local news and information. A small number of the population in urban settings uses the Internet for information, although typically not for obtaining news. Further, Internet penetration is relatively low across the country, especially outside the main cities. Low income levels also affect access to the Internet, as well as to cable and satellite channels. While cyber cafés are providing increasingly cheaper access to the Internet for residents of major urban towns and cities, only the rich can afford the subscription for cable or satellite broadcast services.

The government does not restrict citizens' access to the media, whether domestic or international. People are free to listen to foreign broadcasts, although only a few people can afford the cost of subscription to cable or satellite television. Foreign print editions are available in the main towns and cities; but the cost is highly prohibitive, and only very few people can afford to buy them. They are not available in rural communities. A network of cyber cafés spread around the main towns and cities are providing access to the Internet for residents of these areas. But Internet access is used mainly for e-mail communication; it is hardly used to view foreign media. However, the government does not block access to foreign news sources on the Internet.

Government-owned media are not true public-service media. They are not independent of the state and are often controlled by the ruling party, whether at the federal level or in the different states. They are sometimes open to alternative views and comments but not on a consistent basis. Rather, they are frequently perceived to be serving as propaganda outlets for government officials from the ruling party. Editors and journalists at state-run or public media do not see their role as servicing the public interest in a nonpartisan way. In the main, they see themselves as helping to advance the government's objectives. They spend a predominant amount of time reporting on government officials and their activities, and very little time, if any, is given to opposition figures or points of view. This is more pronounced in media owned by the various states. However, the state and public media are better funded and better equipped than the private commercial media and are therefore better able to produce public-affairs programs. However, despite their better network of reporters and editorial staff, this does not result in more in-depth

reporting than is found in private media. They also promote educational and cultural programming. The net result is that, while they are sources for more detailed information, the information they provide is often not trusted by those in need of independent news sources.

Qasim Akinreti, a senior news producer with the federally owned Voice of Nigeria and chairman of the Education and Training Committee of the Lagos State Council of the Nigeria Union of Journalists, noted: "News on public media outfits are skewed to government and political leaders in power. NTA and state radio report on the president and state governors."

Nigeria has only one news agency, the News Agency of Nigeria (NAN). It is not editorially independent, as section 4 (1) of the law establishing it gives the minister of information powers to give the agency directions, and the agency is obliged to comply with such instructions. But the agency provides its services, including news, to independent print and broadcast media as well as to state or public media in a nondiscriminatory fashion, so long as they pay the subscription fees. However, the smaller media outlets consider these services to be expensive and are unable to afford them. They are therefore not used by the smaller media outlets. Those that use NAN materials sometimes cite them as sources; although this is a standard requirement by NAN in its agreement with its subscribers, it is not always adhered to. The types of services available from NAN include print, audio, and video materials. The larger media outlets also use international agencies, such as Reuters, AP, and AFP.

Nigerian broadcast media outlets produce their own programming in addition to purchasing programming. The programming produced by private media differs significantly from that produced by state or public media; the private media treat their news more objectively than the public media and are able to produce more in-depth reporting on issues, thus looking at all sides of an issue. Most stations, small or large, local or national, produce their own news programs. Independent and state media frequently source their international news stories from foreign or international media.

Media ownership in Nigeria is not transparent, as it is sometimes difficult for people to determine who owns the media they consume. Information about the owners of the different media is not available to the public. In cases where the owners of media are known, they are not transparent about their political affiliations, business interests, incomes, or tax status. No laws or regulations govern disclosure of media ownership, although there is a vague, and hence ineffectual, attempt in the National Broadcasting Commission Act to restrict cross-media ownership. Cross-ownership therefore exists, but its extent is difficult

to determine in the absence of disclosure. However, there is no monopoly or oligarchy with regard to media ownership, although the broadcast media scene is dominated by the federal government, which owns about 75 percent. Business conglomerates do not own media in Nigeria.

Segun Fatuase, a journalist who has worked in several privately owned newspapers for over 20 years, said: "There are many posers [lack of clarity and concerns] about the transparent nature of private media owners. For obvious reasons, media owners with questionable backgrounds do not disclose their interests openly."

There is no resistance to the inclusion of a variety of social issues in the media, and journalists writing about minority issues are not harassed. There are no minority-language media, although there is no legal impediment to their existence. There is no significant market for minority-language media because of the relatively low number of potential audience members and their poor economic situation. Broad social interests are presented in the mainstream media outlets, and there are no special media for certain social interests that reach a narrower audience, although celebrity magazines exist and are popular with the elites.

OBJECTIVE 4: BUSINESS MANAGEMENT

Nigeria Objective Score: 2.40

The overall average score for this objective is 2.40 based on the panelists' general view that, to a large extent, media outlets in Nigeria, both public and private, are professionally managed and operate as efficient and professional

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Printing houses and broadcast distribution networks are also well managed. Printing houses and distribution networks are not subsidized by the state. They are private and survive on the basis of the incomes and profit that they generate from the business.

businesses, despite their low capital base. A few indicators fell well below or significantly exceeded this average. Indicator 7, regarding statistical information on circulation and audience size, was rated more than a full point lower than the average. Indicators 3 and 4, regarding advertising agencies and advertising revenue, both received high marks from panelists.

The private media operate as commercial, profit-generating businesses. Most media businesses begin by undertaking feasibility studies and developing business plans. Business plans must be submitted as part of applications for broadcast licenses. The better-organized media organizations periodically review their business plans. Because most media businesses are established by businessmen with no media background or experience, they usually hire specialist personnel to manage the business side of the operations while media professionals run the editorial aspects. To protect their investments, they typically put in place good accounting practices to prevent fraud, which nonetheless takes place from time to time.

Printing houses and broadcast distribution networks are also well managed. Printing houses and distribution networks are not subsidized by the state. They are private and survive on the basis of the incomes and profit that they generate from the business. However, printing houses and distribution firms are not economical to support, as some newspaper organizations sometimes have to queue to get their material printed. Printing is sometimes delayed by slow printing firms, resulting in late distribution of newspapers, which affects circulation negatively. In this way, printing firms can obstruct the work of the media.

Private media are financed by revenues from advertising, sponsorships, supplements, and, in the case of newspapers and magazines, from sales. Private media do not receive subsidies of any sort. Public media depend significantly on regular subsidies or grants from the governments (federal or state) that established them, which creates room for political interference. However, they also derive revenues from advertising, sponsorships, and supplements. Media outlets

actively use the services of advertising agencies, although media outlets frequently complain about delays in getting remittances from the agencies for advertisement placements. In the case of state or public media, the governments, which are the main sources of revenue, seriously influence the editorial policies, management, and content of their media outlets. Although sources of revenue may influence specific reports by private media outlets, they do not influence overall editorial policies or the management of media outlets.

According to Oluchi Obiozor, a reporter with the specialized business journal, *Business Eye*, "because of our media's dependence on sponsorships, political interference is high, although not direct. Advertising agencies constitute the bulk of the source of the media's income, but media debt is high because the advertisers do not pay all the time. In some cases, advertisers influence media content." Some advertisers have threatened to discontinue advertising with certain media outlets because they got negative coverage. Some advertisers request that a topic that portrays them in a bad light not be covered or that some issues be covered in a certain way. This is particularly common with banks, which are major advertisers.

The advertising industry is well developed in major cities, and private media professionals are skilled in exploring the possibilities of advertising to generate revenues. Advertising agencies work with all media: print, radio, and television. Advertising is not developed outside major cities. Ownership of the advertising market is fairly well shared among international and local agencies.

Most media outlets do not have any standard practice regarding the percentage of advertising they should carry in relation to news. But with increasing pressure to generate more revenue to sustain their operations, media managers are pressed to use more advertising, which is the main source of revenue for all the media outlets, and they frequently replace news and other information programs with advertising. Subscriptions are not common in the Nigerian print industry, and, for those print outlets that offer them, they supply only a tiny proportion of revenue. Although advertising rates are high, advertisements nonetheless do not generate sufficient revenue to meet the revenue needs of media outlets due to high operational costs. With the absence of basic infrastructural support for media operations, particularly stable electricity supply, media outlets spend huge resources in purchasing and maintaining generators to power their operations. Media outlets are therefore pressed to constantly increase their advertising to meet their revenue needs. In many cases, reporters are also required to secure advertising in addition to their normal duties.

Juliana Francis, a correspondent with the privately owned tabloid newspaper, *The Sun*, observed that "in most media

houses, the management feel pressured to use more adverts because that is where the major money for salaries is made. This makes the advertising companies very powerful. Even with good circulation, the media cannot meet the targeted budget for a given period. Why? Because society lacks a reading culture. Even for those who can read, how many of them can afford to buy the newspaper in a country burdened with poverty, hunger, and unemployment?”

Nonpublic, nonstate media in Nigeria do not receive any government subsidies. Some governments may sometimes make donations to private media to meet certain needs. For instance, the premises of *ThisDay* newspaper, a privately owned national newspaper based in Lagos, was gutted by a fire in 2007 that burned parts of the building and destroyed equipment. Many state governments paid sympathy visits to the newspaper premises, and some made donations to the proprietor to rebuild the premises and acquire replacement equipment.

Market research is frequently used to determine the preferences of the audience or the advertising market, although some editors and media managers try to guess the taste and needs of their audience or the market. Market research is used as part of strategic business planning and to enhance advertising revenue. However, in most cases, this is not done consistently, professionally, or in a systematic manner. Media outlets mostly rely on call-in shows and feedback from their audience. A few use focus groups and commissioned research. Editors and journalists try to tailor their products to the needs of the market whenever this is discerned. Better market research often results in better-quality news and delivery.

Broadcast ratings are not available in Nigeria, although some broadcast outlets make unsubstantiated claims about the size of their audience. The Audit Bureau of Circulation (ABC) was established two decades ago to monitor and determine newspaper circulation figures. However, it became dormant partly because of general financial difficulties in sustaining its operations and also partly because it revealed low circulation figures for many newspapers. This adversely affected the newspapers’ advertising operations, and most defaulted on their contributions to the ABC. Reliable newspaper circulation figures are therefore no longer available, and there are frequent disputes over claims by newspapers about their circulation figures. Professional market researchers carry out periodic research and surveys on newspaper readership that aim to determine what kind of newspapers different classes of people read and to produce reports, such as the media habits of politicians or public officials. Although the quality of such research is high, it is not carried out regularly.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Nigeria Objective Score: 2.76

The overall average score for this objective is 2.76, the highest average score of all the objectives, as panelists felt strongly that professional media bodies function in the professional interests of independent media and provide a range of support services. In particular, panelists recognized the strong role played by nongovernmental organizations (NGOs) as having a positive impact, and therefore indicator 3 fared best. Indicator 4, regarding journalism degree programs, received the lowest score, though not far below the overall average.

Nigeria has several professional bodies and associations within the media. These include the Newspaper Proprietors Association of Nigeria, representing newspaper publishers and media managers; the Nigerian Guild of Editors, made up of editors in the print and broadcast sectors; the Nigeria Union of Journalists (NUJ), which claims to be both a professional body of journalists and a union representing practicing journalists; the National Association of Women Journalists, representing female journalists; the Radio, Television, and Theatre Workers Union; the Broadcasting Organizations of Nigeria, made up of all owners and managers of broadcast media outlets; and the Independent Broadcasters Association of Nigeria, made up of owners of private broadcast media outlets. Each group is represented by only one association or body, and there are no multiple associations representing each group. Only the NUJ is a union devoted primarily to dealing with welfare issues of its members. Generally, all the bodies seek to protect the interest of their members; in the case of the NUJ, they provide some training programs for members, intervene on behalf of their

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Journalism programs offered at private and state institutions are generally of good quality, although there are some exceptions. Some of the programs include a great degree of practice-oriented training, with both the institutions and the accompanying internship programs in media outlets providing practical experience.

members when they face difficulties, and sometimes lobby governments for favorable policies or legislation on issues affecting their interests. All the groups advocate media independence and professionalism.

The NUJ is the only professional association that works for the benefit of journalists. There have been frequent complaints among journalists about its inefficiency and lack of effectiveness. However, it seeks to provide legal assistance and professional advice to members and lobbies on behalf of its members and their interests and seeks to promote journalism to the public in a positive way. Every practicing journalist is automatically a member of the NUJ, although efforts to compile and maintain a register of members have not been successful and the actual membership strength of the union is uncertain. Although the union relies principally on dues from members (usually deducted from their paycheck by employers and forwarded to the union) as its main source of revenue, the national union and most of its state chapters depend heavily on the federal and state governments for donations of cash and facilities, such as vehicles, computers, office buildings, etc. and are therefore not perceived to be independent.

According to Lanre Arogundade, a former chairman of the Lagos State Council of the Nigeria Union of Journalists and current coordinator of the International Press Centre, "the membership (of the professional bodies) has been fairly stable even though a body like the NUJ has come under criticism for not doing enough to fight for enhanced welfare conditions for journalists primarily through the mechanism of collective bargaining. Though the bodies are supposed to be independent, they are known to sometimes take money from government to hold meetings and conferences."

There is a proliferation of organizations representing specific sectors of the profession, such as the Sports Writers Association of Nigeria, Aviation Correspondents, Crime Reporters, Business Reporters, Energy Correspondents,

Judicial Correspondents, etc. However, the role of these organizations has been very controversial, and attempts have been made by the NUJ leadership and the Guild of Editors to ban them. They are seen as cartels and a major source of corruption in the media that do not necessarily advance professional reporting in these areas or advance the interests of their members. There are reports, though these have not been proved, that they receive large sums of money from organizations or institutions that they cover, which are shared among members to ensure favorable coverage and suppress negative reports. They also frequently organize award ceremonies for institutions or individuals that they cover. Some reports claim that the logistics of organizing such ceremonies are funded by the individuals or institutions, which then win the awards.

There are active NGOs that work in cooperation with media outlets to support freedom of speech and media independence. They have strong ties with media outlets and professional organizations and are regarded as efficient and effective in media advocacy work. Such NGOs include Media Rights Agenda (MRA), Center for Free Speech, Journalists for Democratic Rights, the Institute for Media and Society (IMS), and Independent Journalism Center (IJC). MRA publishes a monthly journal called Media Rights Monitor through which it, among other things, monitors, documents, and disseminates attacks on media professionals, media freedom, and freedom of speech. It has also led the campaign for the enactment of a Freedom of Information Act in Nigeria since 1999. The IJC provides training opportunities in various aspects of journalism for practicing, and sometimes prospective, journalists. The IMS has led the campaign for a legal and regulatory framework to allow community broadcasting in Nigeria, which presently does not exist. Other organizations generally issue alerts and public statements whenever attacks on media professionals or media freedom occur. These groups are present in the largest cities and work in cooperation with international freedom-of-expression organizations.

Journalism programs offered at private and state institutions are generally of good quality, although there are some exceptions. Some of the programs include a great degree of practice-oriented training, with both the institutions and the accompanying internship programs in media outlets providing practical experience. However, many of the institutions do not have adequate in-house facilities to ensure proper practical training to prepare young people for entry into the profession. There are not enough spots in degree programs to meet the demand, as the number of potential and intending students for journalism training is more than the facilities available at the institutions can accommodate. There are ample opportunities for students to get journalism degrees

abroad, although many of those who have such opportunities usually prefer to work in those countries for some time before returning to Nigeria later with their experience and expertise. Such overseas programs are also very expensive, and only students from very rich families can afford them, as there are hardly any scholarship programs for pre-entry-level journalism training. There are a sufficient number of media outlets to absorb the graduates being turned out.

However, media outlets frequently express dissatisfaction with the quality of journalism graduates, especially those from private institutions. The most frequent complaint is poor writing skills, which is attributed to a general drop in the standard of training not only in journalism but in other sectors as well. Most of the journalism graduates have no practical knowledge whatsoever in any aspect of journalism, which is attributed to the absence of proper training facilities in most of the training institutions.

Many short-term training opportunities are available to journalists. Such programs are very accessible to practicing media professionals. While some of the programs are set up by international organizations, others are provided by local organizations, although there appears to be a preference among trainees for programs by international organizations. The most popular courses include news writing, investigative reporting, online/new media journalism, environmental reporting, health reporting, and business reporting. According to panelists, the most needed courses are investigative reporting, new media journalism, environmental reporting, and reporting on economic and social development. Some media outlets are reluctant to allow staff members to attend professional development programs, as this sometimes results in a shortage of personnel.

Programs mostly address editorial needs, while other professional needs of media outlets, such as advertising and business management, hardly have any opportunities available. Most of the opportunities available are for entry-level and mid-career stages, although opportunities for management training that are not media-specific are also available. While some of the programs and courses are free or sponsored, others charge fees for participating. Stella Sawyer, a senior writer with the privately owned *Tell* magazine, noted that "for the training and retraining of media practitioners, there are institutions readily available for the provision of such. The only problem is that few organizations pay for their staff to get trained. Skills acquisition is done individually." Public media outlets are sometimes willing to pay for staff development and pay for some of the courses. In the vast majority of cases, journalists seek sponsorships from donor agencies and foundations to pay for such courses.

Sources of newsprint and printing facilities in Nigeria are in private hands and are managed as profit-making businesses. Private printing facilities are not selective in providing services to media outlets, and political or business interests are not a consideration. However, in a December 2007 case, a printing firm owned by a church group refused to print an edition of a business journal that examined in its cover story the flourishing religious enterprise in Nigeria. There are no state-owned printing facilities in Nigeria.

Channels of media distribution in Nigeria are in private hands and are managed to make them self-sustainable. Distribution networks in the biggest cities are larger and more efficient than the distribution networks in smaller towns and villages. Broadcast transmitters are not controlled by the government but by their private owners. Government and business conglomerates do not control access to the Internet in any way. Internet facilities are managed by private entities but are not politicized, although there have been reports in the past that some Internet service providers may be granting security agents access to their facilities to monitor e-mails and e-mail traffic.

List Of Panel Participants

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Eme Asuquo Okon, editor, Nigerian Television Authority, Calabar

Okwy Iroegbu, assistant editor, *The Nation* Newspaper, Lagos

Abimbola Katherine Amosun, reporter, Radio Nigeria, Abuja

Sequn Fatuase, foreign desk editor, *Daily Independent* Newspaper, Lagos

Funsho Arogundade, correspondent, *Insider Weekly* Magazine, Lagos

Qasim Olalere Akinreti, acting head, Online News, Voice of Nigeria, Lagos

Stella Sawyer, senior writer, *Tell* Magazine, Lagos

Juliana Francis, reporter, *The Sun* Newspaper, Lagos

Oluchi Obiozor, reporter, *Broad Street Journal*, Lagos

Moderator:

Edetaen Ojo, executive director, Media Rights Agenda, Lagos