



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F
POLITICAL SCIENCE

Volume 14 Issue 1 Version 1.0 Year 2014

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

Legal Challenges to Election Coverage in Nigeria: A Political Communication Discourse on the Nigerian 2007 and 2011 General Elections

By I.S. Popoola

University of Lagos, Nigeria

Abstract- The main thesis in this study is anchored on the declaration of Omu (1978, p. 248) and Dare (1997, p. 537) on the performance of post-independence press in Nigeria. While Omu states that the post-independence press in Nigeria “provided a remarkable example of overzealous and irresponsible partisanship”, Dare, quoting one of the architects of modern Nigeria, Anthony Enahoro equally states that “the Nigerian press lacked men of stature as well as the vision to recognize danger and the courage to oppose wrong”. There is no doubt, election periods are usually exciting moments in every democratic society. It is a period for the showing of strength by political parties and candidates from constituency to constituency. It is also a period when the electorate shows appreciation and support to candidates and political parties who had fulfilled their electoral promises. During this period, proprietors of newspapers daily smile to the banks as the sale of newspapers pick up just as advert patronages also increase.

GJHSS-F Classification: FOR Code : 160699p



Strictly as per the compliance and regulations of:



© 2014. I.S. Popoola. This is a research/review paper, distributed under the terms of the Creative Commons Attribution-Noncommercial 3.0 Unported License (<http://creativecommons.org/licenses/by-nc/3.0/>), permitting all non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

Legal Challenges to Election Coverage in Nigeria: A Political Communication Discourse on the Nigerian 2007 and 2011 General Elections

I.S. Popoola

Abstract- The main thesis in this study is anchored on the declaration of Omu (1978, p. 248) and Dare (1997, p. 537) on the performance of post-independence press in Nigeria. While Omu states that the post-independence press in Nigeria “provided a remarkable example of overzealous and irresponsible partisanship”, Dare, quoting one of the architects of modern Nigeria, Anthony Enahoro equally states that “the Nigerian press lacked men of stature as well as the vision to recognize danger and the courage to oppose wrong”. There is no doubt, election periods are usually exciting moments in every democratic society. It is a period for the showing of strength by political parties and candidates from constituency to constituency. It is also a period when the electorate shows appreciation and support to candidates and political parties who had fulfilled their electoral promises. During this period, proprietors of newspapers daily smile to the banks as the sale of newspapers pick up just as advert patronages also increase.

However, it is a challenging moment for newsmen as the urge to report unfolding scenario on the political turf could fetch them the wrath of the law. This study focuses on such challenges with special reference to the 2007 and 2011 General Elections in Nigeria. While noting that law is necessary to guarantee orderly conduct of polls and through that ensure a hitch-free civilian-to-civilian transition, the paper notes that Nigerian newsmen are occasionally overzealous and careless in their handling of political issues which fetched some newsmen the wrath of the law. The paper, therefore, recommends the need for training as well as refresher courses to update the knowledge of Nigerian political reporters.

I. INTRODUCTION

The origin of the newspaper press in Nigeria has been traced to 1859 when British Missionary, Rev. Henry Townsend began the publication of *Iwe Irohin* in Abeokuta, South Western Nigeria. However, in spite of the early take off, it was not until the birth of Sir Hugh Clifford's constitution of 1922 that political reporting/election coverage began. According to Ezera (1960, p. 46), the constitution provided for the election of some members of the Legislative Council. Specifically, three were from Lagos and one from Calabar. With the elective provisions, then, there must be campaign and once there is campaign, proceedings at the various campaign venues must be reported. Hence, according

to Dare (1997, p. 535) “the introduction of democratic elections on the basis of the Clifford constitution added a significant dimension to the role of newspapers, which now became outlets for electoral mobilization and instruments in the fierce campaign against British colonial rule”.

It would be recalled that the first Nigerian daily, the *Lagos Daily News* was established in this era of electoral politics in 1925. There and then, election reporting assumed a greater dimension in the Nigerian body politics. However, much as the public would have appreciated the wonderful contributions of the media to election coverage in the country, the fact that the media were fingered in virtually all the violence which characterized the conduct of post-independence elections in the country robbed them of this appreciation. To checkmate the trend, government for the first time in the history of electioneering in the country enunciated a set of comprehensive rules through the *2006 Electoral Act*. Following the enunciation of the rules, the 2007 and 2011 elections were conducted with the Act as a guide. The objective of the study is therefore to evaluate the performance of the Nigerian media with reference to the coverage of the elections

II. RESEARCH QUESTIONS

The paper addresses the following research questions.

1. What factors are responsible for government owned media not giving equal access to registered political parties or candidates on daily basis while reporting electioneering campaign?
2. What factors are responsible for government in power using state apparatus including the media to the disadvantage of opposition parties?
3. How desirable is the provision in the Electoral Act that political advertisements shall stop 24 hours before the conduct of every election?
4. Is the existence of a separate advertisement rates for politics a negation of equal access provision in the Electoral Act?

Author: Department of Mass Communication University of Lagos.
e-mail: tayonigeria@yahoo.com, tayonigeria@gmail.com

III. METHODOLOGY

This study adopted the survey method in gathering data from respondents who are senior editorial staff members of print and broadcast media establishments in metropolitan Lagos. Simple open-ended questionnaire was administered on the editors who by their experience and professional callings are more suited to tackling the listed questions. The choice of open-ended questionnaire was informed by the need to provide the respondents ample opportunity to freely react to the various questions.

1. The Guardian
2. The Nation
3. The Sun
4. The Punch
5. Business world newspaper
6. Daily Champion
7. ThisDay
8. Nigerian Compass
9. The Nigeria newspaper
10. Daily Trust newspaper

In some of the above listed print media establishment producing three titles i.e. Daily, Weekend and Sunday, three questionnaires were administered. In all, 40 instruments were administered from which we were able to retrieve 20. That is, 50%.

1. Lagos State Television (LTV)
2. Unilag FM
3. Silverbird TV
4. DBN
5. Eko FM
6. Voice of Nigeria (VON)
7. News Agency of Nigeria (NAN)
8. Beat FM
9. Top Radio
10. Bond FM
11. Superscreen TV

V. LITERATURE REVIEW

An area over which several probing questions have been raised by communication scholars concerned the legal challenges faced by the Nigerian newsmen in the discharge of their statutory/professional duties. While colonial as well as post-colonial governments in the country have been accused of intolerance of press criticism, the press too has been accused of recklessness and overzealousness.

Coker (1968, p. 53) traces the origin of government hostility towards the press to 1903 when the criminal code was strengthened with provisions to deal with newspapers whose activities were getting more and more on the nerves of the British Government. "Thus, on 6th November, 1909, the Legislative Council of the colony of Lagos passed the Seditious Offences Ordinance"

IV. SAMPLE SIZE

The sample size was picked from the list of 57 print media establishments in the country identified by Akinfeleye (2003, p. 47-57) through accidental or convenience sampling. According to Sobowale (2008, p. 39), this method affords the researchers the opportunity of interviewing a particular group of person. The newspapers and magazines media establishments within metropolitan Lagos, including the NUJ where the questionnaires were administered in the month of May 2010 and June 2012 include:

11. The Business Hallmark
12. PM News
13. Nigerian Tribune
14. Vanguard
15. Daily Independent
16. National Encomium
17. City People Magazine
18. News watch magazine
19. Tell Magazine
20. The News magazine

In a bid to ensure a true representative sample, the instrument were equally administered on the 15 broadcast media establishments based in Lagos listed by Komolafe (2004, p. 116-130) as well as seven others that were established between 2004 and 2012. They are:

12. Ray Power FM
13. MITV
14. NTA Lagos
15. Wazobia FM
16. Galaxy TV
17. Inspiration FM
18. AIT
19. Tell Magazine
20. Radio Continental
21. Cool FM
22. Rhyth FM

Coker (Ibid, p. 530) traced the background to this measure to 1908 when government took several measures concerning water rate and acquisition of land from private owners for public use. These measures, according to Coker (Ibid, p. 53) "raised a storm of protests from the indigenous people and a protracted agitation instigated by the newspapers".

Section 3 of the Ordinance states that:

Whoever by words either spoken or written or by signs or visible representation is otherwise brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection, disloyalty or feelings of enmity towards His Majesty or the government established by law in southern Nigeria, shall be punished with imprisonment of up to two years or fine or shall be liable to both fine and imprisonment.

Seven years later, precisely in 1916, the law was reviewed with stricter provisions by increasing the amount of punishment from two years to three for a first offender and seven years for an offender with previous conviction.

As earlier pointed out, Omu and Dare rated the performance of the press after independence below standard.

A classical example to buttress Enahoro's earlier assertion was provided by Anifowose (1982, p. 221) while assessing the performance of the press in the defunct Western Region.

According to him,

There were conflicting reports of the results. The ENBS which had a mobile station at Oke-Ado residence of Chief Awolowo, in Ibadan, broadcast one set of results, while the WNBS/WNTV and the NBC in Lagos and Ibadan broadcast another.

While some newspapers – the Daily Times, Morning Post, the Daily Sketch and the Nigerian Citizen (published in Kaduna) led with the news of the victory of Akintola and NNDP, others like the Nigerian Tribune, The West African Pilot and the Nigerian Outlook announced that the UPGA had won sixty-eight out of ninety-four seats in the election.

Based on several instances of unprofessional conduct of the Nigerian press in the coverage of election in the country during the Republic, Enahoro was quoted by Elias (1969, p. 136) saying "whoever and whatever ruined the First Republic did so with the active collaboration and connivance of the greater part of the Nigerian press".

A perplexing aspect of this problem was the fact that the trend continued with a greater dimension and embarrassment even in the Second Republic. Uche (1989, p. 111-112) for instance, notes that the 1983 elections were not only rigged but that false and bogus election figures were equally released over federal government-owned media as well as those of the states under the control of the defunct National Party of Nigeria (NPN).

According to him,

The opposition parties in control of the other states also released their own election results that conflicted with those of the NPN through the media they also controlled.

Uche (Ibid, p. 111) further gave an instance in which the then governor of Imo State, Chief Sam Mbakwe without waiting for the Federal Electoral Commission (FEDECO) to officially announce the results of the gubernatorial poll in the state went straight to the state owned radio and television to make a live broadcast declaring himself as winner.

The following day, the Imo State Government owned newspaper, the Nigerian Statesmen, unstatemanly carried the election results as declared by governor Mbakwe (Uche, Ibid, p. 112)

Uche stressed that the governor took the decision because he had suspected a foul play. The truth of the matter is that such unauthorized election results have been identified as part of root causes of violence which trailed the conduct of several post-independence elections in Nigeria.

In most cases, members of the public that should have been fed with objective, truthful and accurate information vent their anger on some of the media establishments.

In Ondo State during the republic, Uche (Ibid, p. 112) states that "an angry mob burned down the Nigerian Television Authority station, Akure, for allegedly declaring falsified results that made the incumbent governor of the state, Chief Michael Adekunle Ajasin, the loser".

Orhewere (2003, p. 140) while kicking against this pattern of coverage described it as highly partisan and lacked objectivity, fairness and balance. He noted that this partisanship characterized the conduct of the election which ushered in the third republic in 1979 as well as that of 1983. According to him,

During the period, the NPN was in control of the national government. The federal government owned media pulled along behind the NPN line, acting as the organ of government propaganda. Within the period, the media gloated over the achievements of the NPN – led government, while at the same time criticizing other parties. In non-NPN led states, the state media took on the NPN, trying to expose what was perceived as corruption, while at the same time extolling the virtues of the state government and party in power.

An intractable problem which Nigeria is yet to tackle in spite of the various legislations promoting fairness to all parties in election coverage is the problem of over bearing influence of the owners. Even government that enacted the law is guilty of this allegation. The various media establishments at federal and state levels existed to serve the interests and needs of the ruling party at federal and state levels. Not that newsmen are ignorant of the various laws as well as code of conduct for election coverage, the fact remains that of over bearing influence of the owners. It is when a solution is found to this problem that appropriate answer could be provided to the challenge raised by Omu (1996, p. 17).

The crucial challenge facing journalism however is how it can be a handmaid and catalyst of social development. To achieve this, it has to work harder for greater public acceptance. It has to be closely associated with the popular struggle against poverty and disease, against deprivation and want and against inequality and injustice. It has to show a greater sensitivity to the issues that concerns the destiny of the nation. When journalism becomes the hope of the ordinary man and woman, press freedom will enjoy enduring protection and will be complete.

A school of thought says not that government at both federal and state levels are equally ignorant of the right thing to do but that their reluctance to allow the media under their control to freely carry out their duties is a part of the problem of human nature. According to Haruna (1991, p. 111) "Man, by nature, loves power and hates to lose it".

Meanwhile, it has been asserted that the refusal of the federal government – controlled media to reflect the views of opposition was the main factor responsible for the proliferation of electronic media in the states controlled by political parties opposing the federal government. According to Nwankwo et al in a 1993 publication,

The private press was not left out as the political interests of the owners reflected overtly in their publications (Nwankwo et, al 1993, p. 31).

Using the *Nigerian Tribune* owned by Chief Obafemi Awolowo, leader of the Unity Party of Nigeria (UPN) for example. Nwankwo et al states that the UPN was the unofficial opposition to the ruling National Party of Nigeria (NPN). As such, the *Nigerian Tribune* never saw anything good in the Shagari government, while at the same time extolling the virtues of Chief Awolowo and UPN.

Indeed, it was a carry-over from the 1980s and in this dispensation, it opened the way to the Concord newspapers, set up in 1980 to promote the political fortunes of Chief MKO Abiola (and initially the NPN Satellite and Trumpet newspapers in Enugu, the Eagle and Nation in Aba, the Triumph in Kano and several others, set up to promote the political interests of their owners. (Nwankwo et. al Ibid, p. 31).

The ownership factor therefore is a threat to professionalism and healthy growth of democracy. Muazu (2003, p. 375) observes that "the media can contribute to the escalation or de-escalation of conflicts by the manner they gather, process and package and disseminate information to the public". Efforts should therefore, be geared towards the direction of realizing the role of the media in democracy as enunciated by McQuail (2004, p.4) in which the media are seen as "an essential element in the process of democratic politics by providing an arena and channel for wide debate, for making candidates seeking office widely known and for distributing diverse information and opinion".

A similar role was canvassed for the media by McCombs and Shaw (1972, p. 583) through provision of mobilizing information that would enable the citizenry act with certainty including "popularizing personalities both elected and unelected".

The Nigerian press, based on the various issues so far raised in this paper has been criticized in different ways by various scholars. According to Owens-Ibie (2004, p. 393), "criticisms centre around poor news judgement, inability to distinguish between opinion and

information, carelessness with facts and the professional standards of journalists".

Interestingly, these are part of the issues which Gate-keeping theory which formed the theoretical foundation of this study addresses.

VI. THEORETICAL FRAMEWORK

A great number of communication scholars locally and internationally had through various studies affirmed the appropriateness of the theory in dealing with various editorial issues which could portray the media negatively in the eyes of the public. Such efforts could be found in McQuail, (1990, p. 156 & 162 – 7), Bittner, (1989, p. 11-13), Blake & Haroldsen, (1975, p. 109-110), Folarin, (1998, p. 88-89), Schramm (1960, p. 170) among others. All the scholars agreed that the theory was originally propounded by social scientist, Kurt Lewin.

According to McQuail (1990, p. 162)

The first studies of gate-keeping were restricted in scope to the activity within newsrooms of choosing from among the large number of incoming wire telegrams and pictures from news agencies for the content which makes up or governs the bulk of news in a typical paper.

The gatekeepers, according to Schramm (1960, p. 170) "are reporters, news editors, wire editor, division heads, etc who are at the same time making more decisions and more important decisions concerning the flow of news".

On the imperativeness of gatekeeping, Folarin (1998, p. 88) says

No media establishment can transmit all the messages it receives in the course of a day's routine. Some individuals have to decide which information to transmit, which to defer, which to modify and which to delete entirely. Such individuals as it were, open and close the "gate" that stands between the information source and the recipient.

Quoting the General Manager, Delta State printing and newspaper publishing corporation, Mr. Ekeli, Folarin further says,

Gatekeeping is nothing but voluntary self-censorship performed by the media themselves. Gatekeeping emanates from the understanding by journalists that apart from legal restrictions on what is to be published, including photographs, journalist have a moral right to be socially responsible to their readers whatever materials they package for them.

In its intent and purpose therefore, gatekeeping could be perceived as editorial screening of every news item that is meant for dissemination. In the words of Folarin, it therefore "means communicating some themes and suppressing others". According to Popoola (2003, p. 54-55), newsgathering by mass media

organization is a complex process in any society. To have an overview of newsworthy events on a daily basis requires deployment of reporters to various beats where news are gathered.

Having gathered the stories from the beats, it is mandatory for reporters to file in their stories after they have been anchored. All the stories are then put together in a schedule from which those publishable or airing are selected. Those whose responsibility it is to decide those to publish and those to drop are the gatekeepers. In many of our news organizations, the News Editors (print media) or the Director of News (Broadcast media) wield enormous power to decide the fate of almost 2/3rd of the stories to be published or aired.

At times, he delegates some of the powers to the line editors. Thus, in such a situation, the News Editor or Director of News might not be privy to certain stories until they are published or aired.

This is the danger in our mass media operations. The way the Nigerian print media is structured, for example, is that reporters are allocated to beats i.e. political, business, sports, aviation, maritime etc. Each of the beats/desks is headed by a senior journalist. The reporters, by routine, report to him on a daily basis. The head of the desk has the discretion to determine where reporters stories will be published i.e. he decides whether it is page one material, news page material or material for the desk's page. It is only in exceptional cases that the head of the desks have deputies or assistants. The daily editorial conference where the merits or demerits of stories are discussed is therefore usually restricted to that of the cover and back page stories where such pages are open to news stories. Therefore, a position being canvassed through this study is that the daily editorial conference, which is the official gatekeeping platform should not be restricted to the front and back page stories only, rather, it should be extended to all the news stories gathered for dissemination. It is only this approach that could checkmate the publication of stories that are in bad taste.

VII. DATA PRESENTATION, ANALYSIS AND DISCUSSION

As earlier pointed out, this study adopted the survey method in gathering data from respondents who are senior editorial staff members of print and broadcast media establishments in metropolitan Lagos. The respondents' responses to the survey are hereby presented.

Question 1: What factors are responsible for government-owned media not giving equal access to registered political parties or candidates on daily basis during electioneering campaign?

VIII. DISCUSSION

A number of reasons were given by the editors concerning non realization of the provision in section 102 (1) of the *2006 Electoral Act* which says "a government-owned print or electronic medium shall give equal access on daily basis to all registered political parties or candidates of such parties". Gbenga Omotosho, editor of the *Nation* newspaper attributed this to the political interest of the owners. Ikenna Emewu, the deputy editor of the *Sun* on his part blamed the non adherence to the law on lack of openness and probity within the system. Sylvia Okereke of the NUJ however attributed the problem to the do or die attitude of Nigerian politicians. Wole Adeyemo, the Editorial Director of *Tell* magazine says the problem could be attributed to government censorship as well as partisanship on the part of senior members of staff of government-owned media.

Wole Alakija, the General Editor of *City People* magazine attributed the problem to fear of reprisal measures including sack from the management if opposing views are aired/published. All the sampled print editors however agreed that the law is appropriate and should be implemented to the letter.

From the broadcast respondents, Martin Uzokia, the Head of Business Desk of *Silverbird TV* says "with over 50 political parties and thousands of contestants, it is difficult to give equal access. The ownership factor is another factor". The News editor of *Continental Broadcast Services*, Emmanuel Malagu expressed a similar view adding that "as at 2007, Nigeria had 52 registered political parties as a result of which it would be difficult to comply with the rule. Furthermore, media ownership is another reason which obstruct compliance with that provision in the Electoral Act.

Jacob Onahaegte, Manager of News & Current Affairs of *NTA* however attributed the problem of the LTP policy at NTA (Let then pay). He said political parties and candidates can access airtime as long as they are willing to pay.

Pat Chukwuelu, a supervisor of News at *FRCN* however said FRCN as a rule abides by the law except that the political parties/candidates are usually not forthcoming.

An Editor with *Bond FM*, Victor Okichie says the law would be difficult to complied with by state-owned media as a result of funding.

Lekan Onimole of *Top Radio* says, all the Government-owned media are being managed by political appointees and that they will end up favouring the interests of their bosses.

Taiwo Junaid, Manager News, *LTV* on his part says "the law is ineffective because journalists in

government-owned media are loyal to the party in power for fear of not losing their jobs”.

Tolu Olanrewaju, Acting News Editor of *Radio Unilag* says “it is generally believed that government owned media should support the government in power and deliberately exclude the opposition. It is a moral issue”.

Wale Hassan, acting controller of programme of *Eko FM* says “most media organizations are now being forced into the market to source funds, governments which pays the media use it for political purposes”.

Question 2: What factors are responsible for government in power using state apparatus including the media to the disadvantage of opposition parties?

DISCUSSION: Section 103(ii) of the *2006 Electoral Act* states that “state apparatus including the media shall not be employed to the advantage of any political party or candidate at any election”.

Assessing the performance of the media in the 2007 and 2011 elections on the basis of this provision, Bala Dan Abu, Executive Editor of *Newswatch* magazine says “state media are strictly controlled by state governments and they cannot but support their pay masters” stressing that “it is a game of survival first. That is why they didn’t perform well”. Dan Abu’s counterpart at *Tell* magazine, Wole Adeyemo contended that politicians in public office can go to any length in achieving their aim. He cited the example of Broadcasting Corporation of Oyo State (BCOS), Ibadan, where a former General Manager was redeployed because he gave air time to opposition parties.

Wole Alakija the General Editor of *City People* magazine noted that virtually all the state-owned media in the country, including the NTA aired more contents on the ruling Peoples Democratic Party (PDP) to the detriment of other political parties.

Gbenga Omotoso, Editor of the *Nation* newspaper equally described state-owned media as mouth pieces of their professionals and business organization”.

Martin Uzoka, the Head of Business Desk of Silverbird TV on his part identified a number of factors as being responsible. They include lack of independence, financial autonomy couple with the fact that government in power appoints the Chief Executives of the organizations including board members.

Kayode Ladeinde, supervisor, News & Current Affairs of *Degue Broadcast Network (DBN)* argued that media professionals in the employment of state owned media can’t resist the quest by government to use the media to the disadvantage of opposition parties due to fear of losing their jobs or being intimidated by the government.

Lekan Animole, the Chief Operating Officer of *Top Radio* however declared that “there is no human being who is not biased. He stated that “even the

workers in state media cannot speak against the incumbent government and go free”.

The contention of most of the respondents is that it would be an herculean task for government not to use state media apparatus to the detriment of opposition parties, especially against the backdrop of the fact that they appoint the Chief Executive, the Board members and pay their salaries.

Table 1: Question 3: How desirable is the provision in the Electoral Act that political advertisements shall stop 24 hours before the conduct of every election?

Response	Frequency		Percentage	
	Print media	Broadcast media	Print media	Broadcast media
Desirable	17	13	85	59
Not Desirable	2	9	10	41
Undecided	1	-	5	-
Total	20	22	100%	100%

From table 1 above, it is quite interesting to note that while 85% of the respondents supported the provision in Article 104 of the *2006 Electoral Act* which states that all advertisements shall stop 24 hours preceding every election, 10 percentage said the law is unnecessary while 5 percent were undecided. However, 59 percent of the Broadcast respondents said the rule is desirable while 41 percent said it is unnecessary.

It is instructive to add that in exercise of this provision, *Channels Tv* and *AIT* were sanctioned during the 2007 elections and were consequently fined N500,000 each while during the 2011 elections, *Zamfara radio* was fined N500,000 for airing unauthorized results.

Those who supported the rule and consequently said it’s desirable contended that at this critical moment during elections, all hands must be on deck to ensure there is peace and tranquility. It is also stated that there must be no undue advantage to any political party. Another reason added is that the provision will prevent advertisement which could unduly influence the opinion of the electorate. The need for fairness and equity was another reason being put forward to support the rule. Another contention is that it is a global rule. Bunmi Idowu, Assist News Manager of NTA says the law is necessary for the avoidance of slander or libel from rival parties as there is limited time to respond.

Among the reasons put forward by those who said the provision is unnecessary are the need to recognize the fact that many of the broadcast stations which violated the rule are privately owned which needed the money to survive.

Stanley Okoye, the News editor of *Radio Continental* said the provision is unnecessary because

there is need for the political parties to woo the electorates until the last day of election.

Martin Uzoka, Head of Business Desk of *Rhythm FM* also said the law is unnecessary pointing out that “what about the Bill Boards? What about the posters on the walls etc.? I strongly feel the advertisement should be allowed as long as it falls within acceptable content level”

Table 2 : Question 4 : Is the existence of a separate advertisement rates for politics, a negation of equal access provision in the Election Act?

Response	Frequency		Percentage	
	Print media	Broadcast media	Print media	Broadcast media
Yes	15	8	75	36
No	5	13	25	59
Undecided	-	1	1	5
Total	20	22	100%	100%

From table 2, question 4 above, 15 out of the 20 respondents, that is 75 percent from the print media agreed that the creation of a separate advertisement rates for politics by the Nigerian mass media is a negation of equal access provision in the *2006 Electoral Act*, while five respondents from same print media, that is, 25 percent disagreed. However, 15 out of the 22 respondents from the Broadcast media, that is, 59 percent disagree with the question while 8, that is, 36 percent agreed. One respondent, (5 percent) undecided.

Among the reasons adduced by the 75 percent respondents from the print media are:

- ❖ That all parties should be treated equally or a level playing ground for all the parties be provided as against the current practice.
- ❖ Not all the registered political parties/candidates could raise the required fund to advertise.
- ❖ While the ruling party can afford it, the weaker parties may not and it may be within the weaker parties that we can get better candidates.
- ❖ It can encourage unprincipled compromises as parties/politicians struggle to make up the high advert rates.

Among the reasons put forward by the 25 percent print media respondents who disagreed are the following reasons.

- ❖ Business should be separated from politics, it is not wrong to exploit it and through that lift up financial fortunes of the organization.
- ❖ Media operation is a business and the main motive in business is to maximize profit. Therefore, if profit could be made from this angle, why not tapping it?

- ❖ The argument being put forward in certain quarters about the Social Responsibility function of the media which is being used to criticize the existence of a separate advertisement rates for politics does not hold water as media business is a business venture for profit making.

From the Broadcast media survey, among the reasons put forward by the 36 percent respondents who agreed with the question are the following reasons:

- ❖ Some parties may not be as rich as others and yet have better candidates that are ready to deliver.
- ❖ When politics becomes cash and carry, the burden falls eventually on the people who consequently suffers the implication.

From the 59 percent broadcast media respondents who disagreed are the following reasons:

- ❖ Most politically related adverts come in chips, bits and bite. If the volume is high, discounts are usually offered. There is also the issue of timeliness, displacement of on-going adverts and programmes. This usually attracts surcharge. Campaign fund all over the world is high and understandably so.
- ❖ Government grants to all the parties are on the principle of blanket rate.
- ❖ Media houses should be allowed to maximize all the gains they can muster during elections. Any political party that cannot muster the resources to use the media for campaign is not ready for business.
- ❖ A serious political party plans its campaigns well by drawing up a budget which of necessity includes publicity. The party could then source for funds from members.
- ❖ Access to popular media is not cheap, privately owned media are in existence for profit and therefore can charge so much premium rate for premium access.
- ❖ The media should not be denied of its fair share since there is budget provision for every political party.

IX. CONCLUSION/RECOMMENDATIONS

The paper examined the challenges facing newsmen with special reference to election coverage and compliance with the provisions of the Nigerian 2006 Electoral Act. While noting that the motive behind the Act should be commended, the paper observes that some positive steps should be taken by all the stakeholders to realize all the provisions in the Act and through that strengthen the country’s nascent democracy. To achieve this goal, the paper put forward the following recommendations.

1. That government which set the machinery into motion with regard to the enactment of the Electoral Act should lead by example by compelling all the

- government-owned media to give equal access to all the registered political parties and candidates as stipulated in section 102(1) of the Act.
2. Even though it is the responsibility of government to appoint the Chief Executive of government-owned media, including the management board, this should not be a hindrance to the implementation of section 103(ii) of the Electoral Act which states that "state apparatus including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election". Our government and appointees of government-owned media should be interested in growing our democracy as done in advanced democracies across the world.
 3. The idea of a separate political advertisement for politics, which is the highest on the rate card of all the surveyed media houses, should be discouraged so as to allow a level playing ground for aspiring politicians and emergence of better candidates at the polls.
 4. The government should avoid the policy of selective approach to the implementation of policies. This study notes that government was swift in sanctioning the AIT, and Channels TV during the 2007 elections and Zamfara radio during the 2011 elections for airing unauthorized election results and consequently fined them N500,000 each, yet, same government failed to implement other provisions in the Act by sanctioning government owned media which violated the law.
 5. The government should consider the need for the establishment of a body with the sole responsibility of monitoring media allocation of time to all the registered political parties in the country.
 6. For the privately-owned media to give equal access to all the registered political parties, government should device a way of encouraging them financially. This could be done by earmarking a fraction of the government grants to all the registered political parties to take care of them.
 7. There is need for training and re-training of media men in order to improve their proficiency.

If all the above recommendations are considered, government would have succeeded at moving our democracy near the realm of perfection.

REFERENCES RÉFÉRENCES REFERENCIAS

1. Akinfeleye, R.A. (2003). Fourth Estate of the Realm or Fourth Estate of the Wreck: Imperative of Social Responsibility of the press Lagos: University of Lagos press.
2. Anifowose, Remi (1982). Violence and Politics in Nigeria, The TIV and Yoruba Experience New York: NOK publishers.
3. Bittner, R. John (1989). Mass Communication, An Introduction New Jersey: Prentice Hall, Englewood Cliffs.
4. Blake, Reed H. & Haroldsen, Edwin O. (1975). A Taxonomy of Concepts in Communication New York: Hastings House publishers.
5. Coker, H.E. Increase (1969). Landmark of the Nigeria Press Lagos: The Nigerian Press Ltd.
6. Dare, Olatunji (1997). "The press" in Transition Without End Larry Diamond, A. Kirk-Greene & Oyeleye Oyediran (eds.). Ibadan: Vantage publishers.
7. Elias, T. O. (1969). The Nigeria Press Law. Lagos: University of Lagos press.
8. Ezera, Kalu (1960). Constitutional Development in Nigeria Cambridge: Cambridge University press.
9. Folarin, Babatunde (1998). Theories of Mass Communication, An Introductory Text Lagos: Stirling-Harden publishers Nig Ltd.
10. Haruna, Mohammed (1999). "Why Don't They Listen?" in The Media, Transition and Nigeria. Tunji Oseni (ed.) Lagos: Tosen consult.
11. Komolafe, Funmi (2004). Nigerian Journalists Directory. Lagos: Fredrick Ebert Stiftung.
12. McCombs, M.E. & Shaw, D.L. (1972). "The Agenda-setting Function of the Press" Public Opinion Quarterly. Vol. 29.
13. McQuail, Dennis (1992). Media Performance: Mass Communication and Public Interest London: SAGE publishers.
14. McQuail, Dennis (1990). Mass Communication, An introduction (second ed.) London: SAGE publication.
15. Mu'azu, Abubakar (2003). "Mass Media and the management of political violence in North-Eastern Nigeria" in Electoral Violence in Nigeria: Issues & Perspectives. Olasupo, A. Bash (ed.) Lagos Friedrich Ebert Stiftung.
16. Nosa, Owen-Ibie (2003). "Towards the Democratization process Ethical Dimension in reporting political affairs in Nigeria" in Electoral Violence in Nigeria: Issues & Perspectives. Olasupo A. Bash (ed.) Lagos: Fredrick Ebert Stiftung.
17. Nwankwo, Clement; Aigbokun, Frank, Izeze, E. Emeka & Mbachu, Dulue (1993). The Crisis of Press Freedom in Nigeria. Lagos: Constitutional Right Project.
18. Omu, I.A. Fred (1978). Press and Politics in Nigeria, 1859-1939 London: Longman.
19. Orhewere, A. John (2003). "Mass Media Professionalism in the coverage of elections" in POLIMEDIA. Media and politics in Nigeria. Ikechukwu Nwosu (ed.) Enugu: ACCE Nigeria chapter.

20. Popoola, I.S. (2003). "Gatekeeping As a Management Function in the Nigeria Mass Media" in Abuja Management Review. Abuja: Faculty of Management Sciences, University of Abuja.
21. Uche, Luke Uka (1989). Mass Media, People and Politics in Nigeria New Delhi: Concept publishing company.



This page is intentionally left blank