

Assessment of The Nigerian Press Council and Regulation of Journalism in Nigeria

Agber Kwaghkondo

Department of Theatre Arts
University of Abuja

And

Nwaegeruo, Onyenachi Philip

Department of Theatre Arts
University of Abuja

Abstract

This paper examined the regulatory role of the Nigerian Press Council and how it has fared in its ombudsman responsibility to the Nigerian media as well as its challenges and where necessary, proffer solutions on how it could attain the expectations of stakeholders in the media industry. The assessment is hinged on the principle of social responsibility with the belief that as the society surrenders the duty of watching over it to the Press, the press is accountable to the society. For the assessment, the descriptive survey method is used as a design with questionnaire and interview as instruments of data collection to gauge the opinions of stakeholders on the Nigeria Press Council. Findings show that the Press Council is facing teething problems in the discharge of its mandate which revolves around its legitimacy. Reasons were found to be majorly on its membership composition and mandate. The paper is of the opinion that the Press Council as a regulatory mechanism is desirable and the journalism profession like any other profession needs to be regulated by an appropriate Council with qualified and competent members drawn largely from the field. It is therefore, recommended that all stakeholders should dialogue and agree on modalities and limitations of the Council to allay the fears of the stakeholders

Introduction

The Press Council is defined as a body established to monitor and oversee the activities of the Press in relation to the society of its operation. Ideally, the Press Council is established by the professional body of practicing journalists. Kuldip R (1981), observes that press councils are creations of the press by the press where journalists and publishers work together of their own volition to ensure proper relationship between them and the public. In Nigeria, the Press Council was established by the military government against the wish of the professional bodies in the media in 1992 by Decree no. 85.. This was about 133 years after journalism began in Nigeria in 1859 and 36 years after professionalization with the establishment of Nigeria Union of Journalists in 1956. This was the era of social responsibility in the development of the press. The need for a Council for regulation did not arise until 1970s when the Nigerian Press has matured after its

metamorphosis from a religious evangelistic instrument to that of nationalistic struggle. However, when the Colonialists saw its potency, they attempted a regulation with the 1909 Newspaper Ordinance which prescribed conditions for the establishment and operation of newspapers in the country.

After independence, the indigenous government with benefit of hindsight of Press role in the struggle for independence further attempted regulation with the Official Secret Act of 1962. The earliest attempt to establish a regulatory body after independence was the establishment of the Justice Aliyu Ekineh Commission on the future of Nigerian Press by the Gowon Administration in 1975. The report of this Commission was not made public. Agitations for a regulatory body continued when the government did not make public and implement the Ekineh Commission report after the civil war, considering the role of the press, particularly, the infusion of propaganda that escalated the crisis. As the agitation from the public continued, it dawned on the practitioners that regulation through an independent body was inevitable. The Press opted for self- regulation rather than an external regulator. Thus, in 1972 at a conference of the Newspaper Association of Nigeria (NPAN) held in Benin, the then president, Alhaji Lateef Jakande, convinced his colleagues that having talked so much about the press council, it would be appropriate for the Press to take action in establishing the council. Akinfeleye, et.al (2000) observe that action could not be taken on this declaration because of the irreconcilable differences among the stakeholders, such as the Nigeria Union of Journalists (NUJ), the Newspaper Proprietors Association of Nigeria (NPAN), Broadcasting Organizations of Nigeria (BON) and the Nigerian Guild of Editors (NGE).

When nothing came from the stakeholders in the media industry and the media space was fraught with issues of unethical practices coupled with the fears of the military regime in place on the potency of the press, the 1978 Press Council decree was promulgated by the Obasanjo Administration with the following mandate: (1) Promote high professional standards for media practitioners (2) Deal with complaints emanating from members of the public in the course of their interactions with the press. (3) Deal with complaints from the media about persons and institutions that infringe on the right of the media. (4) Research into contemporary media developments with the view to updating the Nigerian media. (5) Review developments that likely can restrict the supply of information for public interest by the media as well as likelihood of restriction of access to information to the media by persons or organizations and to remedy such developments.

The response of the media industry was a rejection of the Council on three grounds: (1) Establishment of a press council was the prerogative of the press and not government. (2) The composition of membership was skewed in favour of government. The Council membership was drawn from the NUJ, NPAN, BON, NBA and NIPR. (3) The Council was conferred with overwhelming powers.

As laudable as the mandate was the Council could not takeoff because it was rejected on arrival by the media stakeholders. The situation continued until 1992 when a new decree No. 85 establishing the Press Council was promulgated by the Babangida Administration. It is important to note that the 1992 Media Council Decree No. 85 by President Ibrahim Babangida was just a dusted version of the 1978 version with few modifications but majorly the same provisions. It however, took off because of the dexterity of the then Information Minister who was a media man, Mr Tony Momoh. He consulted widely and carried his colleagues along. The Council enjoyed a measurable acceptance among the stakeholders and was able to handle landmark adjudications until 1999 when at the return of democracy, an amendment through Act 60 of 1999 by the National Assembly was made to the enabling law which increased government influence with appointment of more members by the government. The stakeholders in protest, withdrew their support and refused to participate in the activities of the Council. This affected its operations and implicitly, the media space became awash again with unprofessional activities inimical to the public.

Worried by the obvious inaction of the Press Council in playing its ombudsman role in the present democratic dispensation in the country, the National Assembly through the Senate in 2018 came up with a bill tagged: Nigeria Press Council Bill 2018 with the aim to repeal the 1992 Press Council Act and to strengthen the Council to perform its duties effectively. Highlights of the new bill include: strengthening the Nigerian media as well as guarantee their autonomy; encourage professionalism and deal with complaints emanating from both the public and the Press itself with distinct provisions to expunge the draconian provisions in all extant laws about the press and inclusion of provisions favourable to current trends in media development.

Again, the Press raised opposition against the Bill. Nwakanma, (2018) captures the opposition of the media at the public hearing on the bill where the media stakeholders listed their grouses against the new bill. According to him, the stakeholders' seven-point grouse were (1) that the bill was an attempt to preempt their pending matter against the Nigerian Press Council in the supreme

court; (2) that the bill is a cross breed of all the extant draconian decrees against the Press; (3) that the bill is unconstitutional as it runs counter to the rule of law. (4) that the bill seeks to criminalize journalism practice when there are existing laws that can deal with any complaint against the press; (5) that the bill seeks to incapacitate the media in the exercise of their constitutional rights; (6) that the bill seeks to make the Nigeria Press Council usurp the powers of the courts by assuming extra judicial powers and (7) that the bill will bring undue interference in the operations of the Nigerian media. Still in search of permanent solutions to the intractable face-off between the Press Council and its stakeholders vis-a-vis sanitizing the Nigeria media space which is fraught with fake news and other unethical practices, the National Assembly proposed another amendment to the existing Press Council law. On June 15 and 16, 2021 another public hearing on a new Bill held. This time, the two regulatory bodies of the media- the Nigeria Press Council (NPC) and the Nigerian Broadcasting Commission came under review for the purpose of checkmating the social media excesses. Unfortunately, government played into the hands of the media stakeholders who were already belligerent when the bill provided for the vetting of media content before publication by the regulatory bodies as well as over bearing powers of the Minister of Information for the registration of social media platforms. As usual, the NUJ, NPAN, NGE and BON rose in opposition to the new bill. This time around, it is no longer post publication scrutiny but pre-publication. This is obnoxious provision to the Stakeholders, is an outright violation of press freedom and vowed to resist it using all legal means.

In the light of the above, this paper sought to find out how the Council has fared in the execution of its mandate in the face of the opposition by its major stakeholders, as well as examine the fundamental issues behind the stakeholders' opposition against the Nigerian Press Council. To address these, three research questions were raised. These are:

1. Is the Nigeria Press Council relevant to journalism practice in Nigeria today?
2. What are the challenges of the Council in the performance of its functions?
3. What can be done to resolve the controversies around the Council?

The relevance of this study hinges on the fact that the Nigerian media space is, in the words of Ward, (2010:313-326) "a chaotic landscape evolving at a furious pace"; what with the entrance of the social media with its attendant unethical practices, the need for regulatory framework has become inevitable. With the opposition from media stakeholders against any form of regulation

in the face of their inability to self-regulate, it becomes necessary to educate all the parties and provide avenues for resolution of the lingering issues hampering the smooth operations of the Nigeria Press Council in the interest of the media industry and the public. It is expected that the suggestions from this study will go a long way in resolving the misunderstanding engendered through misconception.

Literature Review:

The concept of Press Council, its origin, development, relevance and promotion of media development in other climes predates the foundation of the Nigerian Press Council. In some places like Sweden, Britain and Canada, it is called press council, while others call it the ombudsman. In South Africa, it is called the Public Advocate. All these perform the same functions of over sighting the press. Ordinarily, there should not be a misconception on the concept of Press Council and its role as regulatory mechanism in the media. Okoye (2008:131), describes it as “self-regulatory body for journalism practice”. He opines that setting up a press council must be the initiative of the media practitioners and running it ideally should also be the responsibility of the practitioners. He however, admits that governments are sometimes involved, citing the Nigerian experience as an example. On the essence of a press council, Okoye observes that it is to handle extra-legal matters involving individual journalists and the public. He therefore defines a press council as a public complaint commission for journalists where aggrieved members of the public can file complaints against the journalists and their media organizations, as well as address the conduct of persons and organizations against the press. By definition and description, Okoye captures the ombudsman role of the press council.

On necessity for regulatory mechanism, Senam (2014), argues that journalism is indispensable to the society and being a profession which practice can make or mar a society, it cannot be left without a measure of control. Senam’s position is corroborated by Nwakanma (2018), who observes that regulation is imperative and a global phenomenon. On the argument that it is the prerogative of the media practitioners and owners to establish a press council for self-regulation, Akinfeleye et.al (2000) in their book, ” History of the Nigerian Press Council”, observe that it was the inability of the media stakeholders to have working professional codes of ethics that necessitated government involvement. Momoh, (2003), accentuates this assertion when he states that it took government promulgation of Press Council Decree 31 of 1978 for the

NUJ, NPAN NGE to sink their differences and adopt a professional code. Government took advantage of the disagreement among the practitioners and owners to force a Council in the interest of the public. Notwithstanding the Nigeria experience as argued by Okoye, there are other countries with similar Nigerian experiences where government is involved in establishing press councils. Atoyebi (2010:6) lists India and Sri Lanka as among such countries. While such countries as Britain, Norway and Canada press councils were established by non- governmental bodies and press organizations. It is worthy of note that in the United States that is the bastion of press freedom, governments are involved in media regulation through bodies similar to the Nigeria Press Council. In Britain, there is the Independent Press standard organization (IPSO). There is the IMPRESS which is a press regulator, recognized by the press recognition panel. Norway also has a media ombudsman that mediates in cases where press freedom and media neutrality are under threat. In the United States the Federal Communications Commission play similar role like the Nigeria Broadcasting Commission ensuring broadcasting provisions are not violated. In South Africa, as recent as 2020, the South African Press Council handled a landmark case in which a complainant complained that the headline of SundayTimes described him as an “Islamophobe”. The Press Council reviewed the complaint and decided that the Sunday Times did not violate the press code as what was reported was the exact court decision. Whether the Council is established by the State like in Nigeria, India and Sri Lanka or by independent bodies like in Britain and Canada, the functions according to Atoyebi, (2010) are the same. It is important to observe that even in the countries where government participate in establishment of press council government participation stops at making laws establishing the council and not appointing membership and funding except in India where government is fully involved in every aspect.

In India, the Press Council is a statutory body created by an Act of 1978 which regulates the print media . It enjoys independence from government. Composition of membership is a chairman with 28 others drawn from the Media stakeholders of journalists, guild of editors and newspaper owners and representative of the public. The chairman is selected by the three major groups of the journalists, editors and newspaper owners. As late as 2021, government of India wanting to push through guidelines on new digital media rules and information technology had

to do so through the Press Council of India who now issued it as digital media ethics code rules 2021. This was without coercion from government.

The case of Australia is similar with India. It is an independent body that appoints the chairman and vice. In South Africa, the press Ombudsman as it is called and its Appeal arm are independent regulatory mechanism set up by the print and online media to provide unbiased, quick and cost effective adjudication over matters involving newspapers, magazines and not government.

Rampal (1981), captures the whole essence of press council and its development when he stated that development of press council is a product of free press intertwined in the emergence of social responsibility theory of the press in the 20th century. According to him, "common requirement of press in free press countries like America, Britain, India, South Africa, of which Nigeria is included, is that the press while remaining free must be fair and responsive to its readers". This informed the establishment of Press freedom Commissions in the free press countries.

On the ombudsman role of the Press Council alluded to by Okoye (2008), it is important to note that the Press is not the only institution with an ombudsman role. In fact, responsible public and professional institutions have one ombudsman or the other over sighting their activities. Those without external regulatory mechanisms have ombudsman desks in the system as self-regulatory mechanisms. It is pertinent to observe that as far back as 1975, the ombudsman has been established in Nigeria as the Public Complaints Commission with the responsibility to redress administrative injustices arising from public service delivery. Igwenyi, Ekpe, & Ben-Igwenyi (2020:1) define Ombudsman as "public complaints commission which came up in the 19th century as a body established by law to address administrative radicalism and injustice in public institutions". It is obvious that the Press council in Nigeria was long overdue by the time it came into existence. Its delay according to Unibrary.com (an online publication) in its article captioned: Assessment of Nigeria Press Council As A Regulatory Mechanism for Nigerian journalists, observes that:

though journalism had been established long time in Nigerian before other leading professions, It lacked any self-regulatory mechanism that would have won for it due recognition with attendant prestige

as a profession that had rendered loyal service to the nation, but for endless acrimonious debates on form, scope and functions, the establishment of the press Council was delayed

Relevance of the Nigerian Press Council in its chequered 29 year history is attested to by few landmark decisions it took in its early years to sanitize the media space. Before its inception, the media space was littered with cases of yellow journalism, moonlighting, cash and carry reportage and obvious invasions of privacy. Though the NUJ code contains high standard provisions that ought to guarantee self-regulation, however, the will to enforce the code was lacking. It faced such dilemmas as: conflict of interest manifesting in collection of freebies (commonly called “brown envelope”) and commercialization of news. These challenges made it inevitable for an external regulator.

The creation of the Nigeria Press Council made the difference in the media space by instilling discipline among practitioners and publishers. Few cases adjudicated upon attest to this fact. Okoye, (2008), citing Ojang, Omang in NPC Report (2000), captures the Obasanjo Taiwo Vs Fame Magazine, NPC/COM/48/95 case in which the complainant complained that the Magazine published two articles on different dates with the following titles: “Taiwo Obasanjo battered, disgraced, humiliated” and “Taiwo Obasanjo falls in love again”. She alleged a deliberate act of smear campaign of calumny against her person and an invasion of her privacy. The Council called on Fame Magazine to defend itself. The magazine pleaded justification and produced evidence of transactions between the complainant and her alleged lover. After painstaking investigation, Council observed that whatever transpired between the complainant and her alleged lover was personal to her and not of public interest and concluded that the action of the Fame Magazine was a case of journalistic hounding. It directed a retraction and apology to the complainant. The Council had also in 1993 handled a case involving *Daily Times* in which Ayodele Kupoluyi complained about unfair and imbalanced reportage. He was said to have submitted an article to Daily Times on December 1992 captioned: “Why crucify IBB?” Daily Times delayed publication till August 1993 when the times and circumstance of the article had changed and published it with a different title eight months later with “ Lets join hand with IBB”. He alleged that the newspaper made the publication for its political interest and portrayed him as a member of the notorious Association for Better Nigeria. Something that had brought him to contempt before his admirers. Daily Times in its defense submitted that the article bore no date

and no specific instruction when to publish and pleaded unqualified editorial privilege to publish at any time the editor deems fit. Council reviewed the submissions and found Daily Times to have lied that the article carried no date. It observed that not publishing the article the time the mood of the nation reflected the intention of the writer was wrong and unethical. It directed Daily Times to tender apologies to the complainant. Others adjudicated according to Ojang (2000), include: Abdul Rasaq Magaji vs Tempo Magazine in NPC/COM./23/94; Governor of Ogun State vs Secretary of Information in NPC/COM/6/93 and Babatope vs Daily Champion in NPC/COM/57/96.

However, these early successes were short-lived as the Council relapsed with media space in Nigeria becoming more chaotic. In a spotlight to celebrate her 20 years in 2013, NPC reported that it has adjudicated 145 cases within the 20 years of its existence. A look at that record shows that that was between 1993 and 1999. Much success is not recorded since the inception of the democratic era when the Council should be more active. If this success was recorded during the military era, it is expected that more should have happened in a democratic period. The Council attributed this lapse to the crisis of confidence between it and the stakeholders. According to the NPC Report (2010), between 2014 and 2020, 56 complaints had been received and not adjudicated because of the absence of the Board whose duty it is to adjudicate on the complaints. The same Report blamed the absence of the Board on the non-cooperation of the stakeholders who refused to make inputs in the constitution of the Board. Despite the early recorded successes of the Council in protecting the image and integrity of the Nigerian Press, stakeholders were not impressed and rather their antagonism increased. It has been argued that it is the unfriendly environment of operation that is responsible for low performance. The Council seems to attest to this speculation when it argued in that 2013 report that it is burdened with poor funding, office accommodation challenges and litany of litigations from stakeholders that remain unresolved. The study intends to look into these issues between the stakeholders on the one hand and the Council on the other. This would enable us make recommendations that will move the Council forward.

Theoretical Framework:

The theoretical frame work of the paper is anchored on the Social Responsibility theory of the press. This is because the legitimacy of a press council hinges on this theory. Correct assessment

of the performance of the Nigerian Press Council must be in line with the extant provisions of the social responsibility theory. The background of Social Responsibility theory according to Mcquail (1987), was the Hutchinson Commission set up by the United States in 1947 in the wake of complaints that the Libertarian theory which guaranteed unfettered freedom for the press had been abused with the media space filled with issues that insult the morals of the society and that economic interests were lifted above the social and cultural norms of the society. Therefore, a review became inevitable. The people felt that rather than lowering public taste and morality, the media should be made to observe certain social standards without compromising press freedom. The philosophy of the theory enunciated by the Commission envisaged that upholding the social standards were to be anchored on self-regulation, but with a caveat, if the press fail to self-regulate, then there has to be definite social structures to ensure that it conforms. It is this caveat or proviso that is the basis of external enforcers like the government established Press Councils and other agencies, established to regulate the Press. Provisions of the theory according to Mcquail (2010:170), include that Press should not invade the privacy of individuals or disrupt vital social structures or interests. It was expected that the Press should be constrained through its professional ethics.

Other provisions according to Siebert et.al (1956); Macquail (1987) and Kunczick, (1988) are: (1) To preserve the political system by making information, discussions and considerations of public officers generally accessible (2) To keep the public well informed to enable it take well informed actions. (3) To protect the rights of individual by acting as watchdog over the leadership. (4) To serve the economic system by bringing buyers and sellers together.(5) To provide good entertainment relevant to culture and (6) To preserve financial autonomy and independence to avoid dependence on any special interest. In summary, according to Mcquail (2010:170), the media have obligations to society; ownership of media is public trust not just for economic gain; media content should be truthful and balanced and media should be free, but self-regulated. To assert this responsibilities, the media from onset became wary of the caveat on freedom and the possibility of external enforcers through government sponsored press councils and opted to self-regulate by raising professional bodies and codes of ethics. Unfortunately, it has not been able to effectively self-regulate as to ward off external regulators. This is the background that informed

the establishment of bodies like Federal Communication Commission in the U.S. The same background informed the establishment of the Nigerian Press Council and similar bodies.

Juxtaposing the arguments of the media stakeholders that the establishment of the Press Council is the prerogative of the media with the extant principles of the Social Responsibility whose caveat provides that in the event that the media are unable to self-regulate, certain social structures would have to step in to ensure that the media conform to the societal norms, would have neutralized the arguments of the Nigerian Press organization and confer legitimacy on government establishment of the Press Council. But for the fact that government has not given the press benefit of that by allowing it run its own council makes NPO's argument plausible. Having established the illegitimacy of the Nigeria Press Council as established by government as a violation of the principle of Social responsibility, it becomes necessary that efforts should be made to bring all the stakeholders, including the government to the roundtable to discuss the way forward on the lingering crisis in the interest of development and growth of journalism in Nigeria. This is what the Paper addressed.

Methodology:

To gauge the opinion of all the stakeholders on the possible solutions to the problem, the descriptive survey method was used. Two instruments of data collection under the method were used. These are questionnaires and interviews. While the questionnaires was used for practising journalists across the print, broadcast and online media; the interviews were used for the management of the Press Council and representatives of media consumers who are recipients or victims of media content as the case may be. 200 journalists drawn from the editors and reporters cadres practicing in the federal capital territory were administered the questionnaires; 10 management staff of the Nigerian Press Council and 40 members of the public representing media consumers were selected to be interviewed. Interviewees from media users' category were selected from senior civil servants, socialites in the music and entertainment industry and politicians'. This group is always in the media searchlight. These are all residents of Abuja Municipal Area Council of the Federal Capital Territory. Sampling method used to select respondents was purposive to enable the researcher select the respondents that have understanding of the subject matter The questionnaire was designed as both open and close ended to enable the respondents express their opinions freely on the subject of investigation. In the same manner, interview questions were also

crafted to elicit in depth responses of the respondents on the subject matter. Questions for the questionnaire centred around years of experience for the journalists and generally on knowledge of the existence, mandate and assessment of performance of the Nigerian Press Council, as well as suggestions on how to resolve the lingering crisis among stakeholders. While the Council was tasked on effort to sell its products to its stakeholders as well as on administrative challenges it was facing.

The researcher administered the questionnaire by himself as well as conducted the interviews. At the end, 150 out of 200 respondents returned the questionnaire showing 75 percent return rate. For the interview, only four out of the 10 management staff of the Council granted the interview; while 20 members out of the proposed 40 media consumers' representatives granted the interview, showing a total of 174 out of the 250 which is overall 70 per cent response. Data from both the questionnaire and the interviews were harmonized to answer basic questions of the research (that is researcher tallied the responses of the interviewees to the questions with the responses of the respondents from the questionnaires on common questions such as: How do you assess the performance of the Press Council and what are your suggestions to improve performance). The data were analyzed and presented in tables below with summary of the opinions of the interviews accompanying. Inferences and deductions are presented to form the findings and recommendations.

Data Analysis/Presentation

Table one: Knowledge of the existence of the Press Council

Knowledge of the Press Council	Number of respondents	Percentage
YES	140	93%
NO	10	7%
Total	150	100%

Source: Researcher's Field work, 2021

Table one tested the respondents' knowledge of the existence of the Nigeria Press Council. 140 respondents representing 93 percent claimed knowledge of the existence of the Council; 10 representing seven percent claimed ignorant of the existence of the Council. Though the number is insignificant, it however, shows that it is not all practicing journalists that have knowledge of the existence of the regulatory body.

Table two: Understanding the Functions of the Press Council

Function	Number	Percentage
Regulatory	125	89%
No idea	15	11%
Total	140	100%

Source: Researcher's Field work, 2021.

Table two tested understanding of the 140 who claimed knowledge of the existence of the Council and the functions of the Council. 125 out of the 140 representing 89 percent said it performs a regulatory role, while 15 representing 11 percent do not understand the functions of the Council.

Table three: Assessment of the Press Council Performance

Is the Council performing creditably	Number	Percentage
YES	40	32%
NO	85	68%
Total	125	100%

Source: Researcher's Fieldwork, 2021.

Table three, the 125 respondents who understand the function of the Press Council were asked to assess the performance of the Council. 40 out of the 125 representing 32 percent scored the Council high in performance, 85 representing 68 per cent scored it low in performance.

The following reasons were adduced by those who scored the Council high in performance:

- (a) Effective monitoring of media content and ethical compliance

- (b) Training and retraining of journalists through seminars and workshops
- (c) Investigation and adjudication of complaints
- (d) Enlightenment programmes to educate the public on their rights to fair journalism
- (e) Protecting the interests and rights of journalists.

On the other hand, those who scored the Council low in performance adduced the following reasons:

- (i) Inaccessible to the public and its stakeholders.
- (ii) Inability to check quackery in the profession
- (iii) Inability to protect press freedom
- (iv) Poor leadership and absence of journalism professionals in the management of the Council.
- (v) Illegitimate to the extent that the composition of the Council membership is skewed in favour of government rather than journalism profession.

Table four: Assessment of relationship between the Nigeria Press Council and Nigeria Press Organization

Is the relationship cordial enough to promote performance?	Number	Percentage
YES	45	36%
NO	80	64%
Total	125	100%

Source: Researcher's Fieldwork, 2021.

Table four, the respondents were asked to assess the relationship between the Nigerian Press Council (NPC) and the Nigeria Press Organization (NPO). 80 respondents representing 64 percent said the relationship was not cordial enough, while 45 representing 36 percent said it was cordial.

Suggestions by Respondents on improvement of relationships

Respondents were requested to make suggestions on how to improve the relationship between the NPC and NPO and invariably improve the council's performance. The following suggestions were made:

Dialogue and continuous consultations

Insulation from partisan politics on the appointment of Council membership

Review of the present Council to ensure adequate representation of media stakeholders

The two bodies should eschew power tussle and work for the interest of journalism profession.

Ensure implementation of the Freedom of Information Act.

Improve on activities for awareness creation of the existence and functions of the Council

Need for pro activeness, rather than reactivity on media issues.

Financial autonomy to guarantee independence of the Council

Capacity building for the management and staff to reflect current trends in media development.

Discussion:

To resolve the questions for research which bothered on relevance of the Press Council, its challenges and solutions; the respondents were asked to assess the performance of the Council. Do you think the Nigeria Press Council is performing creditably? Out of 125 respondents, 85 representing 68% answered in the negative, while 40 representing 32% answered positively. The implication is that though the Council is necessary, its performance is below expectation. On challenges, they were asked to identify the reasons for the perceived low performance. They listed the challenges to include legitimacy question, not being visible to the stakeholders. Poor leadership occasioned by absence of professionals in the management team and poor funding. On proffering solutions, which is the third research question: suggestions for improvement of performance and resolution of conflict with stakeholders, respondents listed solutions to include dialogue, review of Council membership, awareness creation, insulation from partisan politics and financial autonomy.

Findings:

The paper's attempt to assess the performance of the Nigerian Press Council in its role as a regulator of the Nigerian Press, as well as examine its challenges if any and recommend solutions to observed shortcomings found the following:

1. The Council is poised since inception to deliver on its mandate of oversighting the Nigeria Press with a view to ensuring standards in practice, promotion of welfare of journalists and resolution of conflicts between the Press and the general public among other functions. This is attested to by confirmed cases of regular seminars and workshops organized for journalists, few cases adjudicated to resolve conflicts between the Press and the general public and efforts in reviewing the academic curricula of journalism training institutions. Respondents agreed that the Nigeria Press Council is relevant in the development of the Nigeria press and were quick to observe that its impact is not being much felt.

2. In the course of pursuing the mandate, the Council has encountered teething problems which till now, it has not been able to surmount. The problems include the legitimacy question, because the major stakeholder, the NPO is questioning its legitimacy leading to myriads of unresolved law suits. This is affecting the relationship between the two bodies. It is also confronted with internal challenges such as poor funding and governmental interference. This also the respondents attested to in answer to the question on what can be done to improve performance.

3. Compounded effects of these challenges is low performance. This has robbed off on two key areas- education/enlightenment and adjudication of complaints. It is worrisome that among its major stakeholders, the practising journalists, there is a preponderance of those who do not know about the Council's existence nor its functions in its 29 years of existence. It is worrisome that seven per cent and 15 per cent respectively, of the respondents out of the 150 respondents claimed not to know about the existence and the functions of the Council respectively. This should not be the case at all. The same goes for the general public. Most of the people represented by the respondents cut across the civil servants, politicians the arts and entertainment who do not know much about the existence and functions of the Council. This attests to the low number of complaints reported and adjudicated in the 29 years of existence of the Council. 145 cases adjudicated gives a ratio of 5 is to one cases per year. The inference is that either the people are not aware of their rights to seek redress over a bad press or they do not know where to go if they

cannot afford litigation costs. Either way, it is the responsibility of the Council to educate and inform the public. Or, it could be the weakness of the Council to handle many cases as the Council admitted in her 2013 report of her 20th year anniversary that adjudication function is affected by absence of a Council which is periodically appointed by government (NPC Report 2013). A clear case of politics affecting performance. This, the respondents alluded to in their suggestions for performance improvement that the Council should be insulated from the influence of partisan politics.

4. The composition of the Council which is at the centre of the controversy shows that the Council has 19 members. Out of the 19, 11 are government appointees while the Nigerian Press Organization made up of NUJ, NGE and NPAN has 9 members. The government appointees include the chairman and the Executive Secretary, who though are journalists, do not represent the interests of journalists. It is also pertinent to observe that of the 19, Council members 12 have journalism background. When it comes to decision making, the government appointees out vote the NPO.

Breakdown of Council composition shows: Chairman- journalist; Executive secretary- journalist; NUJ-4; NGE-2; NPAN-2 Journalists; BON-2;NAN-1 journalist; Federal Ministry of Information/National Orientation-1 journalist; Journalism Training institutions-1 and General public-4.

Conclusion:

From the findings, the Nigerian Press Council is aware of its mandate and it is making efforts to keep faith with it. It is however, bedeviled with obvious challenges inhibiting optimal performance. The Nigerian Press Council cannot perform effectively if these weightier matters are not resolved in the interest of development of the Press in Nigeria.

Recommendations:

Given the sociopolitical environment of the media practice in Nigeria and Nigeria being a democratic nation where freedom of the press is guaranteed in the constitution, it reasonable to say that the ideal situation where the Press establish and run a press Council devoid of government interference should obtain in Nigeria. It is therefore recommended that:

1. The Nigeria Press organization should be in charge of the Nigeria Press Council
2. Government should provide the enabling environment by enacting press friendly legislations to enhance the operations of the council under the management of the Nigerian Press organization.
3. The composition and membership of the Council should be reviewed to accommodate more members of the Nigeria Press Organization, particularly the Nigerian Union of Journalists who is the core stakeholder for the smooth running of the Council, while government representation (if necessary) should be reduced drastically. It is also recommended that the new media practitioners should be represented in the council like in India where the independent journalists are represented. This will accord the new media practitioners the needed recognition as well as provide avenue to regulate that genre of journalism.
4. The Nigeria Press Council should be insulated as much as possible from the overbearing influence of partisan politics as is the case in other democratic countries.
5. It follows that the Act establishing the Council should be reviewed to remove the Chairman of Council and the Executive Secretary from being political appointees to ensure its independence.
6. While adequate funding is recommended, the Council should be charged with the responsibility to use all necessary goodwill to attract independent funding rather than depend on government, as he who pays the piper will definitely insist on dictating the tune. This is where the present government position which included the Nigerian Press Council as among statutory agencies that will henceforth not benefit from government budgetary plan is very welcomed
7. The issue of adjudication of complaints is at the centre of the ombudsman role of the Council, therefore, it should not be left in the hands of a Board whose tenure is dependent on politics and regularity is so affected. It is further recommended that adjudication should have a standing body whose constitution and reconstitution is not affected by partisan politics and electioneering, but is always available to handle matters with necessary dispatch. This will build the confidence of the stakeholders and the general public.
8. It is recommended that the Council should be given a measure of judicial power to enforce its decisions without prejudice to the role of the courts. This is the only way it can enforce discipline in the press. Arbitration without power to enforce decisions makes the Council a toothless bulldog.

Finally, all stakeholders should dialogue and find a common ground to move forward.

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