

Media Policies and Control under Colonial and Military Regimes in Nigeria

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Abstract

The paper discusses the etymology of the two phases that the national media policy of Nigeria has undergone the colonial and the military. The key objective is to analyse how these epochs contributed to the challenges and growth of a national media policy. This paper is vital because researchers have to understand why it took the nation a long time to come up with a comprehensive policy on the deployment of the media. This text is a conceptual paper based on historical facts and documents spanning over a long time. Besides, the findings show that Nigeria could not prepare a comprehensive media policy before 1987 because of lack of political will and policy direction by the rulers. Various policies set by each government based on the political exigencies at that moment at the negligence of continuity and strategic approach. The study will contribute to the valuation of the challenges faced at the stages of trying to develop the media policy for the nation. The government, corporations, and individuals would learn from the experiences exposed in this paper.

Keywords: Media; Policy; Colonialism; Military; Decrees; Nigeria; Political; Challenges

Introduction

The media are a vital element of human existence of any society from prehistoric Africa to the present time. It is for the dissemination and assimilation of pieces of information that determines the social political advancement of any society. Consequently, the social reality of people and their existential philosophy produce the types of media policies the fit into the social system. The means and ways they are deployed goes a long way to evolve a policy that would guide the exchange, hence the media policy. Every culture has a media strategy of transmitting information from one person to another. In prehistoric Africa and Nigeria in particular, it was directed by various principles that necessitated the free flow of information, like the source of information, the reliability and the target audience, as these will determine the authenticity of the information. The means is vital; here, attention is paid to the instrument used because it determines the urgency of the message [1]. For example, the dissemination instrument for a new yam festival would not be the same for the death of a king

and may not be the same to summon the town in the event of an emergency. The timing of communication plays a vital role, mostly the engagement is usually in usually at dawn in Igbo land of Nigeria, except in the cases of public exigencies that it could be done in the afternoon or evening. The essence here is that most people would be at home in the morning to consume communication. This oral media policy is complicated, but have been internalised into psycho social fabric societies in Africa. It is worthy of note that the first documented media policy was in ancient Egypt or Kemet as elucidated by the Maatian principles of communication. These are an ancient set of codes to understand human communication engagement based on the five principles summarised below:

- The objective of communication is to hold back the chaos.
- Human communication is reciprocal in both substance and form.
- Isfet evil must always be seen as an enemy of maat, order and harmony.
- Proper communication restores that which is broken.
- Good communication is that which is justified and is completed with Ma Kheru, justified.

In other words, the unwritten codes of communication in prehistoric Africa, and the codified maat, the moral ideal of ancient Egypt (Kemet) means of engagement are based on the philosophy of human development. Drives this relationship well by pointing out that in essence, one could argue that the essence of African rhetoric in ancient Egypt is to use speech to promote and sustain moral life grounded in core Maatian principles (p.). Theoretically, African media policy existed even before the modern definitions of media policy of nations. It is self evident through the exposition above that rhetoric. All human communication from the perspective of African culture is grounded in Maatian principles, as the thrust of media policies have always been for peace and development. Unfortunately, current media policies have not consciously drawn enough inspiration from these ancient sources and practices to forge social communication policies. Argues that the media policies in Africa should take cognisance of local philosophies and ethical systems before contact with the west, they suggest that these should form the theme of any media policy in Africa. Instead of imposing what will be at variance with African philosophy and belief system. These views go to tell the vibrancy of the oral and written media policies that the various players in this sector ought to have tapped into developed a media system that would

have endured in the African situation instead importing a whole pattern that may not suit the African categorical imperative [2].

Literature Review

A modern definition of media policy

There are many definitions of media policy, but they encompass all the strategies applied by the government, organisations and persons in the media sector to regulate it, this is done a set of rules and principles laid down to direct the behaviour of social systems. These include all aspects of communication pattern, a holistic approach that covers the medium, what the message carries, the channel of communication and the social and economic determinants of the media systems. This definition is broad because it contains cultural, ethical and economic indication applied to strategise media systems within that national transaction system. This symbiosis between the media, social political and economic relationships are best established in an illustration (Figure 1).

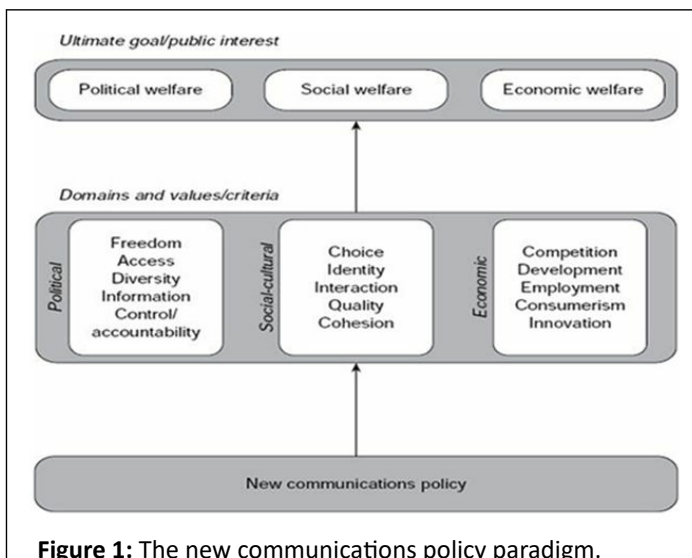


Figure 1: The new communications policy paradigm.

New media policies tend to be tied entirely to the development of society. Additionally, point out that the media policies should constitute formal and informal patterns hinged on specific concerns to determine the development pattern that will shape the direction in a particular media ecosystem in the development of society. The main object of interest in media policy is the individual human behaviour as related to assortment, handling and reacting to communication and its result to attain this, points out that the media paradigm should pay attention to a free and democratic society as this will direct policy decisions [3]. Media policy relates to how the government in power has exercised substantial and direct control over the media from business connection to giving of official advertising preferences, which the state uses to determine and regulate the media structure and content to get their official message to the public. All policies may be determined by globalisation, global media governance, and public reforms to promote public interest and media freedom in all, the definitions point in one direction, media policy is used for the perceived advancement of the people politically and economically as it is categorised as a

significant component of empowerment and economic development. These are crucial elements in human development to be left uncoordinated.

Discussion

Media policy in Nigeria

Two major epochs have influenced the media in Nigeria, British rule and the military administration. Both were not able to develop any media policy for the country ruled by edicts and decrees. Failure of Nigerian governments in recognising the media's role in development necessitated lack of holistic policy for a very long time. Regimes from the colonial days until recently have a paucity of knowledge of the relevance of the media in the nation's development. This inconsistency has resulted in fragmented policies by the various administrations without a holistic document that one could call an authentic Nigerian media policy. Again, consequent on colonialism, military intervention, intermittent civilian regimes and the ethnic diversity of the nation, the government has not been able to fashion out a policy that is devoid of divisive tendencies and guarantee freedom for the people. Because of these, media policy in Nigeria has undergone a long, tortuous history in colonial, military and civilian epochs as there seems to be a lack of coherence, according to develop a comprehensive document to guide the media. What we have until recently were edicts, decrees and enactments by any government in power [4]. Some critics argue that the edicts are media policies to regulate the practice, though they have not been articulated into a compendium that we may call a policy document, insist that there is no clear media policy in the country, it contains a multitude the edicts and government pronouncement scattered in myriads of documents and frameworks that one could not hold down to as a policy document.

On the contrary, argue that the communication policy may be scattered, but they are still laws binding media production in the nation. The unifying force here is that of implementation by the government, and not the lack of a binding document. The inability of successive government to have the binding and a rectified document is because nobody has shown the will in this regard. In particular, most media policies were connected with the protection of government interests and nations as regards an economic concern of a nascent communication system. Additionally, there seems to be no national ideology that should act as a trajectory to build a national philosophy that the media policy could be built upon. There is no visible blueprint based either of the following: Capitalism, socialism, or welfare ism that would lay the foundation for a media policy. This study, therefore, reviews the media policies in Nigeria during the colonial and military regimes to determine how their edicts favoured the current media policy.

Media policy under the colonial regime

The local media in the colonial era were in the constant attack of the regime, and it was used as an instrument for controlling corruption in the government. The colonial government did not

show any interest in either borrowing from the traditional media policy to produce a model that would tally with the Nigerian environment as points out that at the time a nascent nation decides for development, it starts with a communication pattern that borrows from the traditional and the modern system of communication to develop a media pattern. The colonialists relegated the traditional media structures, and at the same time failed to reproduce the British model in Nigeria, this created lacuna for a lot of indeterminate approaches to establishing any lasting media policy for colonial Nigeria initially, there were no official regulations to control media publications in Nigeria [5]. Any infringement was treated in the court of law as British citizens of that time. Nevertheless, as the British perpetrated themselves, and the nationalists resisted through the media, they began to pass laws on the media. The semblance of the media policy in the colonial times must have started with the newspaper ordinance No 10 of 1903 and seditious offences ordinance of 1909, regulating newspaper production, the government passed a seditious offences ordinance which made it a crime to publish any statement bringing, or attempting to bring the government into hatred or contempt or which incited or tried to incite dissatisfaction, disloyalty or feelings of enmity towards the government or different classes of the population in southern Nigeria herbert macaulay. A foremost nationalist was sentenced to 6 months imprisonment under this law 1909. There were three prosecutions under this ordinance following its passage.

In what was perhaps the most sensational press case during the colonial era, herbert macaulay, the leading black political leader of his day, was sentenced to six months imprisonment for seditious libel. Macaulay was found to have published a rumour that there was a plot to assassinate one of the deposed and banished traditional rulers. The laws were made to control the spate of attack by the educated African on the colonial administration. The law debilitating laws mandated the media owner to swear an oath in the court of law indicating the real names and addresses of the owners of the newspaper and to execute a bond of two hundred and fifty pounds with sureties. They claimed that it was done to protect public officers from slander and seditious publications. As cited in the law insisted that from and after the commencement of this ordinance, no person shall print or publish or cause to be printed or published within this colony any newspaper unless he shall have previously [6].

Made, signed and sworn before any police, magistrate or district commissioner or any commissioner of oaths or registered in the office of the chief registrar of the supreme court an affidavit containing the several matters and things following, that is to say.

- The correct title or name of the newspaper.
- A true description of the house or building wherein such newspaper is intended to be printed.
- The real and true names of abode of the person or persons intended to be the printer or printers, publisher or publishers, proprietor or proprietors of the same.

Given and executed and registered in the office of the chief registrar of the supreme court a bond in the sum of two

hundred and fifty pounds with one or more sureties as may be required and approved by the attorney general on condition that such printer or printers, publisher or publishers, proprietor or proprietors, shall pay to his majesty, his heirs and successors every penalty which may at any time be imposed upon or adjudged against him or them.

Nevertheless, the ulterior motive was to regulate the media that attacked the colonial government repeatedly. Broadcasting came into existence in 1932 with the radio re diffusion from the BBC broadcasting directly into the Nigerian space as "empire service" under the control of the Nigerian post and telegraphs. Recommended the viability of radio services in Nigeria as against West Africa due to diverse language. Instead, radio stations were established in the different regions of Nigeria. With the establishment of the Nigerian broadcasting service in 1951, radio re diffusion services in the regions were upgraded to full fledged stations. With the pressure of independence, the lyttleton constitution of 1954 created the autonomy for broadcasting in the regions which gave the chance to establish the western region broadcasting service in 1959, on the eve of independence [7]. The circumstances at this time did not create any chance at establishing any media policy because the colonial administration was reactive due to pressure from the nationalists for independence. The colonial government was not known to have established any media or made any attempt to encourage private participation in any media as no positive government input was indicated for the growth of the media. This authoritarian posture of colonial media on subsequent media policies in Nigeria, from the start, there seems to be a deliberate colonial policy to exclude Nigerians from the colonial media as the colonial government encouraged the laws and policies to protect the colonial administration. The media antagonism between the colonials and the nationalists were to end colonialism, and the colonials were fighting for their interests by producing laws to stifle the indigenous press. However, their policies furthermore brought essential changes in the media sector by expanding into the various regions of the country, coupled with the development of the virile press in the control of individuals. They created the Nigerian broadcasting commission, thereby providing a strong foundation for future media policy in Nigeria.

Media policy during military regimes in Nigeria

Since the advent of the military rule into governance, one of the centres of study has been the impact on social-political ethos, especially in the media. The downsizing of media freedom is usually the first steps the military decides upon the assumption power. Different regimes in Nigeria produced different snippets of media policies to appeal to those in power. In this part, I will try to attend the periods that governed the country and how they managed the media policies by analysing the key modalities that drove their actions. The military took over power in Nigeria in 1966, as usual with military dictatorship; the constitution and the freedom of the press were the first things to be suspended because according.

Journalists do not have the power to make policy or allocate resources, but they can (in certain circumstances) undermine

those with such power. Hence, journalists have (sometimes) the power to frighten politicians and to mobilise moral panics and groundswells of hostility to policies.

This situation is to limit media freedom, as in the colonial regime, in writing about the totalitarianism and corruption imposed on the country. They were not willing to be challenged in any court of law about the legitimacy of the regimes. So, the people and the press are usually suppressed under a military dictatorship. The media under the various military regimes borrowed the culture of edicts and decrees from the colonial rulers, and there was no wholesome media policy of the civilian regime that they overthrew in 1966, except a few directives on how the media should operate and most of them were repressive, like the federal defamation Act of 1961, the seditious meeting Act of 1961, the official secret Act of 1962. These acts meant that the government could clamp down on the media without recourse to the rule of law under a civilian regime. There was no particular document that spelt out any type of media policy for the nation. Probably, due to lack of existing media policy by the colonial and civilian administrations, the military government under general aguiyi ironsi started with military fiats, edicts and decrees to direct the media. This policy lacuna must have made them act in order to protect the regime from media criticism that may erode the purported legitimacy of the administration. The first military regime led by general aguiyi ironsi inherited uncoordinated radical media controlled by the national, the regional and some individual located at the various sections of the country. To control the radical press who has been accused of exercises, he enacted two decrees: The circulation of newspaper decree (No 2) of 1966 and the defamation and offensive publication decree (No 44) of 1966, to restrict the publication of pieces of information and images that could cause disaffection in the country considering the precarious situation at that time. In order to make the decree more effective, it was extended to songs, instruments, words, or recorded sound that could promote disaffection on the populace. Any violation of these dictates attracted three months imprisonment or a fine of £ 50 or both including forfeiture of the materials. All these edicts were directed to regulate the media, considering the political situation in that period after the first military coup in the country. Due to lack of a comprehensive laid down media policy, they have to evolve ad hoc contraptions to unite the country [8].

Similarly, when general yakubu gowon assumed office in 1966, he did not abrogate the draconian media decrees put in place by the general aguiyi ironsi regime. This situation again must have been due to the uncertain political disposition in the country at that time. They proscribed newspapers and individual freedom as was usual in any military regimes. No effort was made to fashion out a media policy to cushion the impact of the lack of direction or governance of the media a harness it for social political development of the citizens. There was a lack of vision in developing a policy for national advancement because of the sporadic nature of decrees. Some of these include morning post and sunday post (prohibition edict) 1967, newspaper (prohibition) of circulation decree (No 17) of 1967. In this bid to regulate the media, there was no thought of developing a media policy that would encompass the laws, as

the government was more interested in the claim that the newspapers were against the unity of the country. On the contrary, most policies were for survival of the ruling elite of that time, coupled with regional political struggle in the nation. For example, some of the policies were alleged to be targeted at the biafra sun, a newspaper published by the Eastern Nigerian government, that the government felt was promoting the biafra uprising, which later developed into a full blown war from 1967-1970. The Nigerian government needed some of these laws to establish its legitimacy. These edicts impacted negatively on the media as the police and the military were given undue powers to molest the media practitioners who go contrary to the rules. On the other hand, it should be noted that political emergencies at that time mandated all the ad hoc approaches to media governance like the political unrest due to the Biafra question and the pogrom in the northern part of the country from 1967-1970, that resulted in the genocide against easterners and the Igbo nation in particular. Probably all these crises and the use of the media for negative matters should have been avoided if there was a clear cut media policy in the period of political crisis. Media policy is connected with the curtailment of corruption and to regulate political instability and promote political stability in the country as it has established norms and principles to regulate media engagement in any nation because the relationship between government individuals and businesses would be established to avoid conflict through the protection of public interest. The policy if it were present would have gone a long way to establish the role of the media in the time of crisis.

The Olusegun Obasanjo and Muritala regime could not tolerate the media as they continued with the repressive decrees to drive their own media policy. It became more draconian because it struck at the soul of the media in Nigeria and paralysed it. The public officers protection against false accusation decree (No 11) of 1976 had a backdating effect until 1975. This decree was used to try a university of lagos lecturer, Dr Obarogie Ohonbanu who in a publication accused general Muritala Mohammed, the head of state of corrupt practices during the civil war. So edicts, under a military regime, could be made targeting a particular individual in the guise of curtailing the press. This regime enacted the press council decree, which was mandated to register and regulate journalists; it approved the curriculum for training and education of journalists in the country. This situation seems like the initial attempts to ultimately bring sanity into the media policy, the motive was not clear, and there was evidence of the government wanting to establish their own rules of media practice. This council was challenged by media practitioners in Nigeria because it was a chance by the government to control the media. Most of the journalists refused to take part in the council by objecting that it vested the powers of registration of its members of the government, pointing out that any journalist could be imprisoned because the government had a majority vote in the group. The government removed the power of registration of journalist from the Nigerian union of journalists, these and others, they insisted infringed on the freedom of expression. All these issues stopped the effective inauguration of the committee. The very last edict to regulate the media under

general Olusegun Obasanjo's regime was made in 1979 by the Daily Times of Nigeria (transfer of certain shares) decree of 1979, which made it possible for the government to acquire a 60% share of the newspaper, Daily Times and the total ownership of the new Nigerian newspapers in Nigeria. All these were in the bid to regulate the media through a military fiat.

The Muhammadu Buhari's regime did not hide his intolerance for the media and proved this through several decrees targeting the press. There was no attempt to promulgate any media policy. He decreed the public officers (protection against false accusation) decree No 4 which empowered the government to ban and revoke of any offending media and offenders would be tried by the special tribunal made up of a high court judge and three members of the armed forces. Any ruling made by this tribunal cannot be challenged in any court of law. Nearly all the newspapers in the country had issues with this administration because of the stance against the media they questioned the legality of the government and ill treatment of political detainees. Similarly, another decree that curtailed the media was the federal military government (supremacy and enforcement of powers) decree 1984, which overrode the constitution of the federal republic of Nigeria. It voided any court action on any decree enacted by the regime. This caused a collision between the government and the press, and many journalists were detained under this law. The Buhari administration did not make any attempt to understand the media ecology of the country in order to develop a suitable media policy of the country; it was a reactive regime that was known for the curtailment of media freedom. One of the covert reasons for introducing the law was to gag the press and muzzle public opinion from questioning the source of the military government's power to rule, its policies and actions. All these policies were to stop the media from attacking Muhammadu Buhari whom they accused of corruption.

The regime of Babangida courted the press by releasing most of the political prisoners detained by Muhammadu Buhari and the promise of the free press. He showed this gesture by abrogating decree 4 of 1984. This lasted for a short time as other means were used to threaten the media. There were no rules of engagement between the media and the government. The administration enacted about ten anti media decrees. To muzzle the media, some were closed, and publications were banned, like the Newswatch magazine. This event happened after the death of its founding editor, Dele Giwa, in a parcel bomb and the subsequent intimidation of members of the media like Ray Ekpu, Dan Agbese and Yakubu Mohammed. The Concord group of newspapers was banned and its premises sealed off by the military. All these were carried out in pursuance of a decree titled the Newswatch prescription and prohibition from circulation decree (No 6 of 1987 and the Concord group of newspapers publication (proscription and prohibition from circulation) decree (No 14) 1992. Most of these media houses were private, surprisingly. The government newspaper did not perform well despite the support they received. The people refused to patronise them as they were seen as government organs. Pointed out that the introduction and enforcement of the press law triggered off public resentment that was reminiscent of that which characterised the introduction of the

newspaper ordinance of 1903. Nigerians from all walks of life, journalists, students, workers, politicians and the ordinary citizen resented the law. It was so unpopular that the people openly supported the media against the government.

For the Sani Abacha government that governed Nigeria from 1993-1998, it was still the same repressive policy on the media because of his lack of creativity on what to do with the ever critical media. The attack on the independent media on the administration for validation of June 12, 1993 election won by Chief M.K.O. Abiola by Nigerians, created an impetus for the regime to clamp down on the media. The media demanded authentic information from the government, which they were not able to provide; instead, they operated in utter secrecy which the impetus for the media to gesticulate. Demand for openness was resisted by the government, which responded with repeated attacks on the opposition members and the media. It did not promulgate any severe decree against the media. Instead, they applied most of the decrees made by the Babangida administration. Journalists were always accused of plotting to overthrow the government. That was used as an excuse to confiscate newsprint, close down stations and newspaper vendors were branded enemies of the state for vending what they termed opposition newspapers. In response to the clampdown on the media, some of them went underground to form pirate radios like radio kudirat, radio freedom, and a host of others. There were guerrilla newspapers like tempo and June 12 magazines, published underground; the government was not able to locate this clandestine media. They advocated for the return to democracy and the rule of law. These media were considered pirate because they did not have a valid license to operate. Again, they exploited the loophole created by the absence of the enabling media policy. The government of Adulsalami Abubakar that took over after the sudden death of general Abacha amended the press council decree at the eve of the departure of the government, which gave the power to the government to regulate and register newspaper and journalists yearly and provided sanction to any newspaper that fails to register.

Conclusion

In all, the Nigeria media policy has come a long way from the colonial era to this present time. The colonial government did not establish any policy to guide the media due to the predatory nature of governance that paid attention to only things that will benefit them. Consequently, they applied a lackadaisical approach to issues relating to comprehensive media policy. They never suppressed the media directly but used indirect measures to caution for abuse. This situation may be because they were getting ready to disengage from Nigeria. The military, due to their autocratic nature, used all means possible to suppress the media by having snippets of policies on the media that would favour them. Though at this period, as in no other time in the annals of Nigeria, has the media been vibrant to carry out the duties of the fourth estate of the realm. They did this gallantly in the face of intimidation and death from the army. It should be noted that it was during the military government of Ibrahim Babangida that media and communication policy was

introduced in 1987, adopted in 1990 and revised in 2004, it was later developed to the Nigerian national communication policy which has the objective to improve the economic and social situation of Nigerians through the deployment of the media. Nigeria has a media policy, but how many people are aware of this document? This challenge brings to bear the issues of implementation to empower the people as the media has shown to engender growth and improve the quality of life. Additionally, for a proper conception, the media and communication policy should be replicated at the state level and in Nigerian languages for the people to understand and apply it. As it now, the media policy sounds elitist and too academic, thereby isolating the rural communities. Insist that spreading the policy to the grassroots would fit an effective system that could activate the citizens to contribute, share knowledge and ideas, and organise improvement energies. The media policy is a critical tool in any nation, especially in the epoch of globalisation; it should be reviewed regularly to the benefit of the people economically and socially as communication, information and the media make a critical part of the social organization of a forward looking society. The political system of a society determines to an extent the variety of media policy to be devised for the progress of that particular society, though it seems that the connection between the state and the media has consistently been characterised by antagonism.

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