

SALVIFIC ROLES OF THE NATIONAL BROADCASTING COMMISSION (NBC)

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Abstract

Before Decree No. 38 of August 24, 1992 establishing the National Broadcasting Commission (NBC) was promulgated the Nigerian electronic media were exclusively government owned. Impressions and public opinions of these media consumers were anything but unsatisfactory. Partisanship and praise-singing of governments in power were the order of the day. Nonchalance and unprofessionalism of the electronic media practitioners in the pre-NBC era were unprecedented. Programmes, videos and films were replete with pornographic and vulgar contents. These the NBC was established to sanitize.

Introduction

The word "Commission" or the acronym "NBC" will be used interchangeably. The NBC, as a regulatory and deregulatory body, was established by the erstwhile military administration of Ibrahim Babangida. This was brought into effect by Decree No. 38 of August 24, 1992 which was thereafter amended by Decree No. 55 of 26th May 1999. With our civilian democratic dispensation in place both Decrees are now Acts of the

National Assembly. Impliedly, the Commission is statutorily empowered to regulate and deregulate the broadcasting media in Nigeria. By deregulation, the NBC is bestowed with statutory powers of privatizing the Nigerian broadcasting media. This it does by receiving applications from individuals or groups, not religious or political, seeking broadcast media ownership. Such applications are processed and forwarded to the presidency for

approval or otherwise. By regulation, on the other hand, the Commission "is charged with the responsibility of making regulations generally for the control, regulation and proper monitoring of the broadcasting industries in Nigeria," in line with the provision of Section 20(1) of the NBC Act. From the foregoing, the NBC is saddled with seemingly contradictory roles of deregulating and at the same time regulating the Nigerian broadcast media.

This enabling act, conferring on the NBC legal teeth to control, regulate and deregulate broadcasting in Nigeria is not peculiar to this country. The US, reputed to be leading in the number of media institutions in the world, equally has a body similar to the NBC: the Federal Communications Commission (FCC), which has wider powers than the NBC. The FCC has additional control over the telecommunications outfits. South Africa also has a similar body: The Independent Commissions Authority of South Africa (ICASA).

Reasons for the Clamour for the Regulation and the Deregulation of the Nigerian Broadcast Media

As far back as 1974, the Federal Military Government had to promulgate the Food and Drugs Decree No. 35. This was sequel to

the Nigerian citizens disenchantment with the ways food and drugs advertisement campaigns were mindlessly and unscrupulously executed. The then federal government Commissioner for Health, the late Aminu Kano, lent his voice to this unwholesome situation when he lamented: "Drug advertising in Nigeria leaves much to be desired. The stakeholders in advertising take advantage of the illiterate masses who are in the majority to sell their cure-all drugs," (Duyile, 1974:305).

The spurious trado-medic advertisements, continued after Aminu Kano's alarm. These were manifested in advertisements that offered medicine, products, or advice relating to the treatment of serious diseases. Others include complaints, conditions, indications or symptoms which should rightly receive the attention of registered medical practitioners. Some of the ailments that were recklessly advertised with promises of cure, but require the attention of registered medical professionals as pointed out earlier, include: AIDS, leprosy, cancer, balding, high blood pressure, barrenness, chronic pile, tuberculosis, impotency, and all kinds of sexually transmitted diseases. (Offili: 2003).

The government-owned broadcast media before the

inception of the NBC were undisguisedly partisan: their support for the ruling elite, particularly governments in power, was unbridledly total. The Federal Radio Corporation of Nigeria, the Nigerian Television Authority and state government-owned media establishments manifested wholehearted support for governments in power. These they did by engaging in praise-singing and bootlicking of governments in power (Akpan, 2008:3). Similarly, the monopolized government owned media poured verbal invectives on perceived opponents of government in power. Continuing, he pointed out people's disenchantment with the performances of government-owned broadcast media before the advent of the NBC, by capturing public opinion thus: "this unfortunate mindset gave rise to the damaging but now anachronistic cliché of: "he who pays the piper, dictates the tune."

Apart from praise-singing of the ruling elite by government-owned broadcast media, a case in point being the "shi haraya" translated to the English Language as "let's leave it for him," of the past Chimaroke's administration in Enugu State, jingles of the ruling parties were also played unceasingly. These were usually to the exclusion of those of political opponents.

Similarly, political opponents, even perceived ones, were not given equal airtime opportunities with those of the ruling parties especially during electioneering campaigns. This is despite the government-owned media organs being financed by taxpayers' money. This is reinforced by people's perception that such stations are extensions of government houses and information ministries. Cases abound of government-owned broadcasting outfits denying pleas to reply to accusations and invectives from ruling political parties. An example was back in the 50's, when the late Chief Obafemi Awolowo was denied the use of the colonial administration's-owned Nigerian Broadcasting Service to reply to aspersions cast on him, by the same imperialists. That culminated in the establishment of the WNTV, the acclaimed first television in Africa in 1959. Apart from government-owned media in the pre-NBC era not balancing conflicting interests, instances of ethnic, political and religious chauvinism or the north/south dichotomy were the order of the day in the pre-NBC era.

Sensationalism especially during crisis was recklessly resorted to. Unprofessional practices by broadcasters as pointed out, notwithstanding, those of the television media were

more marked. Akpa (2003) remarked that during the pre-NBC era, television stations (government-owned) satiated their audiences "with broadcast materials with obscene lyrics, pornographic displays or vulgar language or expressions." He further said that foreign movies and musicals are categorized with these x-rated broadcast materials. Notwithstanding that these foreign materials were marked with "parental guide controls," yet these warnings were grossly ignored by some broadcast operators who ruthlessly aired them during family belt broadcasting periods. The exposure of such obscene programmes during the family viewing period, was condemned by a one-time speaker of the Federal House of Representatives, Ghali Na' Aba, when he commented: "those unethical practices... no doubt, engendered the clamour for deregulating of the Nigerian broadcasting." Moreover, the unashamed pro-government stance of public broadcast media made the citizens lose confidence in them. As a protest, some people tuned instead to foreign stations particularly BBC, VOA, CNN for "assumed" authentic pictures of goings-on in Nigeria.

The credibility problems of government-owned broadcast media extended to the print counterpart. Government-owned

newspapers and magazines became mouthpieces of the ruling elite so much so that nobody reckoned with them. Furthermore, they were poorly staffed, and inadequately funded to update their equipment. The story was the same with their inability to pay staff salaries and service their overheads such that a great majority of them are moribund. Classic cases were the *Morning Post* newspaper during Tafawa Balewa's regime, and of recent the *New Nigerian* newspapers that were fully government-owned. The *Daily Times* group partly owned by the federal government and many state government papers suffered the same mortality fate.

With the above scenario, media consumers hungered for factual information, not doctored ones as were emanating from the monopolistic, authoritarian government-owned broadcast media. In the same vein, people sought to know the other sides of the stories.

Self-serving motives may not be ruled out of the clamour for the regulation and deregulation of the electronic media. Deregulation of the public electronic media, to many business moguls, offered promises of opening vast, yet untapped, markets of broadcast media market / audiences. Furthermore, just as the print media brought to limelight,

especially political, to the Azikiwe's, the Awolowo's and the Abiola's, those clamouring for the privatization of the broadcast media felt they could likewise benefit. Moreover, the private print media performed better than their public counterpart. The reasoning therefore, was that with the privatization of the broadcast media, the government-owned media would be outcompeted, and, the private media, by implication perform better.

Furthermore, the Nigerian government's ideology in the immediate period preceding the pre-NBC era was to hands-off investments in capital intensive businesses. Government thinking then was that such money gulping businesses were expected to be self-sustaining. The policy led to the setting up of the Technical Committee on Privatization and Commercialization (TCPC). This and the libertarian philosophy pervading the world at the turn of the 20th century catalysed the liberal bent of government to deregulate the Nigerian broadcast media.

The NBC's Sanitizing Actions

There were a myriad of cases when the NBC intervened in order to sanitize the Nigerian broadcasting landscape. The initial action of the Commission was to nurture the broadcasters in preparation for the enforcement of

the Code as enshrined in the National Broadcasting Code. Shortly after the nurturing or honeymoon period, the Commission swung into action by shutting down the Independent Television and Radio (ITR) in Benin in the mid 2008. This was because the ITR on August 21, played martial music for about three hours. The flimsy excuse was that the station was mourning the General Manager News. As the martial music played for such a period without accompanying explanation, fear gripped Nigerian audiences in the coverage areas of Edo, Delta, Ondo and Ekiti states and possible spill-over to places outside the coverage area. Nigerians are aware that martial music broadcast on the Nigerian airwaves could signal a military coup d' etat, and the resultant disruption of peace and order in the country. For the ITR's unprofessional action, the Commission invoked the National Broadcasting Code, Section 10.3.3.1 which frowns at "broadcasting information immediately leading or likely to lead to breakdown of law and order."

Through the monitoring mechanism put in place, many other breaches were spotted and appropriate actions taken. Some of the breaches as reported in the NBC News, July September, Vol. 5 No. 3 include those of the

Nasarawa Broadcasting Service (NBC), Lafia; Crystal FM, Minna and Radio Kwara that were all faulted for broadcasting political jingles exceeding 60 seconds. This was contrary to section 8.7, 2a of the Nigeria Broadcasting Code. In another development, staff of some stations like NBS, Lafia and ASO FM, Abuja were used to voice political jingles contrary to section 8.7.2(c) of the Code. Radio Kwara was at the same time indicted for unprofessionally airing inflammatory and divisive matters in breach of section 5.4.5. This the station did remarked Ladan (2003), by telecasting accusations of assassination threats, arms stockpiling, political deceit and sabotage during the period.

In the heat of electioneering campaigns many stations breached the principle of balance and fairness. Examples are: on Thursday, April 3, 2003, Ebonyi State Broadcasting Service and Ebonyi Cable Television were reported to have rejected jingles from the ANPP claiming that an order from above advised the station against airing them. In the same manner, Dr. Chris Ngige, the then Governorship candidate of the People's Democratic Party (PDP) petitioned the Commission on March 10, alleging that Anambra Broadcasting Service (ABS), Awka, refused to cover neither his campaign activities nor that of his party.

On Sunday, April 10, Jeremi FM, Warri, which had been reputed for compliance with the NBC Code, had its station invaded and forced via congratulatory message, to announce that the Alliance for Democracy (AD) candidate for the governorship polls won in Delta. This elicited mixed public reactions and resulted in the NBC suspending its operating licence.

The much publicized shut down of all AIT/Raypower stations in 2005 for unprofessional conduct merits a case study status on the relation between the NBC and broadcast stations. What irked the NBC was the manner of the coverage of the crash site of the ill-fated *Bellview* airline flight 210. For instance, the AIT/Raypower, as pointed out by Yisa (2005), conveyed pictures of the crash site having close-ups of decapitated body parts and declaring pre-emptively that there were no survivors'. That was clearly in breach of section 5.6.4 of the Nigeria Broadcasting Code that states, inter-alia, that "details of fatalities, injuries or exaggerated casualties are prohibited, so as to avoid panic, escalation or reprisals."

Another widely publicized breach of the NBC Code was that of the Minaj International Television (MITV) over the alarming reportage of dark clouds and fumes over Lagos which was

used as breaking news. This was without verification by the station or onsite report. The occurrence which the station reported as bomb scare was apparently frightful. Other breaches were those of unverified claims bytrado-medical commercials, as broadcast by the station.

The coverage of the Niger Delta region, especially when the federal government was striving hard to bring lasting peace to the region also came for condemnation for breaches. Examples were the footages and video clips of militants used to illustrate stories. As remarked by Bolarinwa (2009), such video clips and footages conveyed the impression that we were still in a state of war, especially if a foreigner in the country were to watch newscasts on Nigerian TV. He drew attention to the fact that global television channels e.g. the CNN, VOA, BBC and Deutsche Welle would have had such footages or clips tagged either "recorded" or "library materials." The Commission was irked because of the manner the footages were portrayed thereby causing public apprehension in breach of the NBC Code, Sections 3.1.2 and 1.4.4 inter-alia.

NTA network, Uyo was equally accused of breaches of the Code. Examples cited include terminating programmes without apology to the viewers and ending

programmes without closing credits during a period of nine monitoring months.

Other breaches as spotted in the Uyo zone include: CRBC TV/Radio, Ikom which violated the Code on piracy and airing musicals and videos with lewd and vulgar lyrics. The monitoring team in the same zone also indicted CRBC TV Calabar for violating the Code on advertising by airing certain product advertisements without stating the likely side effects; and, unverifiable claims as required by the Code. Also guilty of the same offence are NTA, PH; NTA, Uyo; and Treasure FM. Other stations in the zone were also found non-compliant to the NBC Code. As pointed out by the monitoring team in the zone, these included Garden City FM in Port Harcourt which had been off air for two years in violation of section 2.9.1 which stipulates that: "A station's (licence) shall automatically lapse if not put to use within 24 hours of its issuance; and 2.9.2 that the licence shall be withdrawn if for three consecutive months, the licensee ceases to provide the services for which it was issued." Violations in the Uyo zone as reported by Makinde (2009) in NBC News Vol. II, No. 4 of Oct-Dec, 2009 included: CTL in Uyo which was shut down for operating with analogue equipment. By not embossing its logo on

transmissions and airing of movies and dramas without classification symbols, CMTV was nailed for violating the Code. Further violations that did not escape the eagle eyes of the NBC monitoring team were those of two privately owned stations in the zone: AIT and Silverbird that were most of the times networking with their parent stations.

In the Sokoto zone, it looked as if there were deliberate re-enactments of some violations in the southeastern zone, particularly Uyo. For instance, unprofessional practices of which the major one was the denial of airtime access to perceived political opponents were commonplace. State government-owned broadcast stations were mostly guilty of this practice. In addition, valuable airtime was wasted on praise-singing the state's chief executive, rather than using it to inform and entertain children on folklores, and in this way promoting the Nigerian culture. The result was an avalanche of petitions to the Sokoto Zonal Directorate, and the audiences turning to foreign stations.

As a result of the paucity of privately-owned broadcast stations in the Sokoto zone, the NTA network came to the rescue by ensuring that there was no communication blackout. This was especially so, where the

station could not cover. The snag was however, that the NTA stations covering the three states in the zone were networked most of the time, the result being the playing down of the divergent cultures of the zone and the individual differences of the people of the zone. This prompted His Eminence, the Sultan of Sokoto to call for "a broadcast policy that respects the heterogeneous and cultural settings of the people across the country," and at the same time added, "that a network programme acceptable in the south may not be relevant in the north." (Salihu, 2003:20).

As if the foregoing were not enough, in April 2003, to rub salt in a wound, two news producers of the NTA, Sokoto in order to further promote their "master's", that's the then state governor's image, called on the people to vote for his ruling party the ANPP in contradiction to section 5.4.13 of the code, itself, a clear violation pertaining to the relationships among broadcast producers, politicians and political parties. In addition, newscasters in the station were used to voice jingles solely for the ruling political party. These also exceeded 60 seconds, in violation of the Code. As still reported in the *NBC news*, July September 2003, Vol. 5, No. 3. "The station also filled its airtime with music of praise-singers glamoring the then Governor

Barafawa, so much so that other parties started referring to it as the BBC," an acronym for Bafarawa Broadcasting Corporation (Salihu, 2003). Having pinpointed only a few of the breaches, we now turn to achievements, and in this way, portray the salvific roles of the NBC.

Achievements of the NBC

For the effective performance of its assigned roles/functions, the Commission has come up with many measures. For instance, there are directorates e.g. monitoring, technical, information, etc; the office of the Director-General; Area offices e.g. Northern Area; Southern East Area; South West Area, etc. In addition, there are Zonal offices e.g. Abuja zone; Benin zone; Enugu zone etc. Similarly, there are state offices e.g. Bauchi state office; Calabar state office; Oshogbo state office etc.

Furthermore, for effective monitoring, breaches were categorized and sanctions stipulated in the Nigeria Broadcasting Code otherwise referred to as the Broadcasters' and NBC's regulators' "Bible." The sanctions are according to Nwanze (2003), classified into "grades A and B, according to the gravity of offences. Grade A sanctions are applied in cases of very serious breaches, while grade B sanctions

are invoked in less serious circumstances.

For instance, Grade A sanctions take the following forms: immediate shut down/seal up of the station's transmitter and installations; seizure or forfeiture of the transmitting equipment; and withdrawal of licence, if any."

An achievement that is expected to revolutionize the broadcast media positively is the phenomenon of digitization which is to kick off from June 17, 2012 the Nigerians switch over date in readiness for the global switch-over as from 17th June, 2015. By this switch over from analogue to digital broadcasting, the following are going to be some of the benefits:

- Digital broadcasting as from June 17, 2015 will be a global trend meaning that the analogue equipment now in use will be consigned to the archives as their spare parts will cease to be produced.
- It will guarantee efficient and effective output right from the studio to final reception by consumers
- The signals are expectedly going to be refined and there is going to be high quality of production. It will ensure the equipment's ability to conserve frequencies, thereby making available many extra channels which

will be used for other purposes aside from broadcasting.

- More programme contents will be accommodated as they are going to be multiple transmitters on the same frequency
- Accurate programme timing will also be assured.

The NBC has to its credit been organizing international conferences on broadcasting biennially since 1996. The forum serves an interactive session for broadcasters; and, for broadcast equipment manufacturers to showcase and sell their state-of-the-art digital broadcast equipment. Another such international conference that is this time the eighth will be holding from Tuesday October 19 to Thursday October 21, 2010.

The deregulatory role of the Commission has, as it were, brought about the establishment of many private and public broadcasting stations. According to Akpa (2008), these broadcast stations mushroomed from less than 30 at the inception of the NBC to about 300 as at 2008, (which may have increased further now). Surely, the audiences are, by this, better served. They have a wide range of choices from radio, television and channel.

As a concomitant, with the exponential increase in the privately and government-owned

broadcast media, more employment opportunities are, and still will be created and the economic activities of the nation enhanced. The latter will be a result of the competition through advertisements to bring together manufacturers and consumers, which will in turn translate to the boosting of the nation's wealth or GNP.

Through unceasing monitoring of programme contents and performances of technical operations, the broadcasting landscape in Nigeria has been sanitized. There is this time cautious use of the airwaves. Gone are the days when the gullible audiences were inundated with unverified and hyped tradomedical products; televangelism; and political partisanship.

Through workshops organized in different parts of the country, the broadcasters and NBC regulators are not only re-trained but are also sensitized and honed on the do's and don'ts of the Nigeria Broadcasting Code, the broadcasters' and NBC's regulators' 'Bible.' The consequence is the checkmating of nonchalance and unprofessionalism among Nigerian broadcasters.

Constraints

The above is not to imply that the Commission has not its share of problems. Lack of office

accommodations is a drawback. Reliance on rented apartments, as it is the case now in zones, is not conducive. Paucity of state-of-the-art monitoring equipment like hi-tech and hi-fi television and radio sets and audio and video recorders poses problems. Possible conflict in roles, if caution and maturity are not applied, between the NBC and other regulatory bodies e.g. Nigerian Communications Commission (NCC) charged with frequency allocation and monitoring, and Advertising Practitioners Council of Nigeria (APCON), are likely. APCON, for example, is charged with regulating advertising in all its aspects and ramifications, while NBC's role includes regulating broadcasting media contents, including commercials.

Recommendations

The NBC ought to be autonomous. By this independence of government control, the seeming accusations of unequal treatment between public and private broadcast media will hopefully be minimized. More of the public forums should be embarked on to get more of the consumers involved from all segments of the society. Through this, feedback from the populace that will enable the Commission and broadcasters adjust to audience yearnings and demands will expectedly be assured. Aside

from regular organization of public fora as advocated, there should be more enlightenment programmes. The essence is to enable the citizenry and broadcasting stakeholders know the activities of the NBC, and equally realize that they are partners in progress in the monitoring activities. Public enlightenment is also necessary to, in addition, educate the populace on the implications of the switchover from analogue to digital broadcasting.

Conclusion

By ridding the Nigerian airwaves of Not-To-Be-Broadcast (NTBB) and x-rated programmes, especially those from foreign films and videos, the Nigerian broadcasting scene can be said to be sanitized. There is noticeable reduction in the airing of programmes and videos with lewd, obscene and vulgar lyrics.

The broadcast programmes now come out clean, honest, legal and decent. This is by broadcast professionals being conscious of family belt, and not employing it for indecent programmes meant to corrupt children to the embarrassment of helpless parents. Overall, the broadcast personnel are now guided by the dos' and don'ts of the NBC Code; professionalism; high academic attainments and expertise resulting from experience. The beneficial fall-out is that the

Nigerian broadcast media can be said to come of age. Through the activities of the Commission, it is no longer anything goes among Nigerian broadcasters. Nonchalance is gradually giving way to professionalism, as specifically, the airing of unverifiable, hyped advertisements, televangelism, and converting of public broadcast media to mouthpieces of governments in power are becoming anachronistic. With the foregoings, the NBC can be said to have sanitized or salvaged the broadcast media in Nigeria.

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