

MEDIATING BETWEEN MEDIA FREEDOM AND PUBLIC INTEREST TOWARDS OBVIATING MEDIA DYSFUNCTIONS IN NIGERIA

INTRODUCTION

Often, the mass media are blamed for social ills in the society. They are usually accused of purveying information that encourages deviant behaviour. Many youths are said to copy different forms of deviant behaviour from the mass media. Such claims are supported with instances whereby the youths who engage in, or display such behaviour claim to have copied the acts from the media. Such claims thus tend to portray the media as performing the functions they were not established to perform. This is because the media are usually established to perform certain functions that should engender societal growth and balance. These include socializing the members of the society along lines of behaviour necessary to enhance or foster societal development. But when members engage in such acts that can, at best, be referred to as anti-social, then there becomes the need for serious concern. There is no medium that is deliberately established to work against the goals and aspirations of the society into which they are introduced.

Today, no modern society or that in quest of modernization would establish a medium and expect such a medium to act contrary to the ethics of modern mass media operations. One of the chief characteristics of modern mass media operations is the freedom to purvey information without any form of hindrance or interference. And in pursuance of such performance, the mass media should seek the satisfaction of the majority of the people in the society in which they exist. It is when they put themselves at the service of the majority that they could be seen as displaying the kind of freedom necessary for them to succeed in their operations. But those who have political, economic and social power would always want to annex the media and use them for the protection of their own selfish interests. It is the resilience and doggedness of the media that can ensure their freedom to operate in favour of the majority. There is therefore the constant struggle by the media to free themselves from the apron strings of those who wield power in the society, so that they can perform creditably according to modern demands.

The above discourse, so far espouses the need to use the media to facilitate societal development through the adoption of attitudes that would enhance such development. It is an avoidable incongruity for the media to be performing the functions for which they were not established in the society. This leads to whether what the media do is in public interest. Most

often, those who wield political power seek to control the media in public interest. But the context of such public interest is at variance with the objectives of the majority, which the media should seek to project and protect. For example, in the defense of public interest, various governments in different societies have been known to enact laws on such acts as sedition, by which mass media personnel have been severely punished. This continues to happen even in societies which have laid claim to democracy. Such punishments claimed to serve the interest of control in respect of excesses on the part of media personnel. But any democratic system of government needs a media system that is free from all encumbrances, so that the accountability of those in power could be held to the people by the media. There is, therefore, the issue of how to structure the operations of the mass media in such a way that a balance can be struck between the need for freedom while at the same time, protecting public interest.

It is in this context that this paper examines the issue of mediating between the need for a free media system that would be seen to be performing the functions for which they were established, while, at the same time avoiding putting public interest in jeopardy. The focus here is the Nigerian media system within the context of public interest as could be gleaned from the feelings of those who wield and operate the apparatus of political and economic power. The challenge of attempting to establish this balance is equally discussed, leading to recommendations on how to avoid media content that is dysfunctional.

CONCEPTUAL/THEORETICAL FRAMEWORK: MEDIA FREEDOM, PUBLIC INTEREST AND MEDIA DYSFUNCTIONS

The three key terms in this paper are media freedom, public interest and media dysfunctions. It is necessary that these terms be copiously explained for proper understanding of the need to strike a balance between freedom and public interest, so that the mass media would not be seen as performing what amount to dysfunctions.

Media freedom

Freedom connotes a situation in which a particular entity has the authority to act without any encumbrance or hindrance. Flowing from this, media freedom can be seen as “the right of people to express their opinions publicly without government interference, subject to the laws against libel, incitement to violence or rebellion” (see *www.dictionayr.com>browse>freedom*).

The context in referring to the people here stems from the fact that the media are at the service of the people and represent them. So the people speak through the media.

Media freedom therefore, is the condition of operation whereby the media perform their functions free from government interference. Modern societies enthuse freedom of the media. The organization for Security and Cooperation in Europe (OSCE), in fact, declares that “free and independent media are a cornerstone of democratic societies” (see www.osce.org). The Newsmedia Association (NMA) goes further to state that:

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Freedom of expression is a universal human right. It is not the prerogative of the politicians. Nor is it the privilege of the journalist. It is their day-to-day work. Journalists are simply exercising every citizen's right to free speech.
(See <https://www.massmedia.uk.org>>*current.Topic*)

No society epitomizes the essence of media freedom than the American society whose constitution has even made provision for free media. In its first amendment, the constitution of the United States made provision for the protection of “the right to freedom of religion, and freedom of expression from government interference” (see <https://www.conrell.edu>>*wex>first*).

There is no over-emphasizing the need for a free media system. But many parts of the world do not enjoy press freedom. In examining the global situation, Freedom House, a civil society organization while claiming that, “press freedom declined to its lowest point in 12 years in 2015”, puts the situation in actual perspective thus:

Only 13 percent of the world's population enjoys a free press-that is, where coverage of political news is robust, the safety of journalist guaranteed, state intrusion in media not subject to onerous legal or economic stress. (See <https://freedomhouse.org>>*report>freed*).

Freedom House has divided the remaining 87 percent as 41 percent being partly free, while 46 percent are living in not-too-free media conditions. However, it must be stated that freedom is relative and it is the level of interference that determines the extent of freedom a particular media system enjoys. The interference may be at the level of verbal reprimand. It may be at the level of prosecution. But the media could be said not to be free when journalists and other media personal perform their functions under the grave risk of extrajudicial incarceration, threats and even death. This is notwithstanding the fact that the governments under which they function continue to claim that their media are free.

The Nigerian system has fallen into the different categories depending on the government. During military regimes, the system fell into partly free or not-too-free. However, the Nigerian media currently enjoy a free system. Criticism of the media may stem from their intrusion into the political realm whereby they may not be objective. Here, it is either the media are protecting the interest of a political entity or a critic is protecting the interest of his political party. The Nigerian media system can thus be said to be enjoying an appreciable measure of freedom.

Public interest

The concept of public interest borders on acts that affect the welfare of the generality of a society's members in a positive way. Thus when an act is done in furtherance of the general good, it may be said to be in public interest. Some scholars agree that the term is somewhat ambiguous. For example, the International Conference on Gender Equality and Women (ICGEW) posits that the term is often abused as even those who use it do not understand its meaning. According to ICGEW:

the public interest is used by many to justify a wide range of actions and proposals. However, it is often unclear (even to those using the term) what they mean by this, and there can be a natural suspicion that the phrase may be used as smokescreen to garner support for something that is actually in the advocate's own interest. (See *icgew.com>technical>the-public*)

The submission by ICGEW clearly shows that the term is subjected to arbitrary usage. Despotic governments may engage in repressive acts, citing public interest. However, a concise and reasonably acceptable definition can be found in the Business Dictionary. The dictionary defines the term as:

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Welfare of the general public (in contrast to the selfish interest of a person, group or firm) in which the whole society has a stake and which warrants recognition, promotion and protection by the government and its agencies (See *www.businessdictionary.com*>definition)

Explaining the term precisely, the West's Encyclopedia of American Law, says public interest is:

anything affecting the right, health or finances of the public at large. Public interest is a common concern among citizens in the management and affairs of local, state and national government. It does not mean mere curiosity but it is a broad term that refers to the body politic and the public weal. A public utility is regulated in the public interest because private individuals rely on such a company for vital services (West's Encyclopedia of American Law 2nd Edition).

From the definitions above, it is expected that any government should act in public interest. By that token, every government should promote, and protect the interests regarded as those of the public, as against those of an individual (such as a high ranking government official) or a group (such as the ruling party or particular ethnic group). It is equally the responsibility of government agencies as well as the media to perform their functions always in public interest.

Media dysfunction

This is a term which refers to the converse of media functions. Harold Lasswell (1948) and Charles Wright (1959) are about the first scholars to establish the functions of the mass media. They note the mass media to perform the following four functions;

1. Surveillance of the environment
2. Correlation or interpretation of information gathered from surveillance of the environment
3. Transmission of social heritage from one generation from another
4. Entertainment

However, the media may inadvertently do the opposite. This is because these four functions together, are crucial for the stability of the society. So when the society, for instance, gets the wrong information (through media surveillance), the wrong interpretation may be given regarding a particular issue. This would lead to the transmission of the wrong heritage. This, in simple terms, explains how the media can become dysfunctional in any particular society. Severin and Tankard (2001:323) present a list of media dysfunctions to include such elements as

“possibility of panic, over emphasis, over exposure, perpetuation of stereotypes, reducing variety of subcultures, encouraging escapism, lowering tastes and narcotization”, which Vil’anilam explains in the following words:

the view that the heavy dosage of negative news, including those of murders, rapes and robberies reeled off at every newscast or presented on the front page of every newspaper will over a period make media users immune to the shock of such deviant action by wrong doers. (*media magazine in >content>dysfunction*)

From the foregoing, it follows that when the purpose of media content is defeated and there is what Ibagere (2009:23) refers to as “aberrant interpretation of media messages”, one could begin to talk of dysfunctions. This point is well noted by Eco (1972) and Smith (1973). It is such misinterpretation that results in media dysfunction. Media dysfunction therefore, refers to the inculcation of the wrong attitudes in the users of mass media through media content.

Several theories have been propounded in response to the way the mass media are operated. But crucial to this paper is the development media theory within which precincts the Nigeria media system is situated, by virtue of the fact that Nigerian is still a developing country. Folarin (2002:35), in defining the theory, states that the theory “seeks to explain the normative behavior of the media in societies that are conventionally classified together as developing countries”. The operating principles of the theory, as explained by McQuail include two elements that are fundamental to the issue under discussion in this paper. These are;

1. Media must accept and carry out positive development tasks in line with nationally established policies.
2. In the interest of development ends, the state has a right to intervene, or restrict media operations and devices of censorship, subsidy and direct control can be justified. (See McQuail, 1983:121)

It has already been noted that Nigerian is still a developing country. By virtue of this situation the Nigerian media are expected to adopt the principles of the development media theory. They should therefore, assist the government in the development of the Nigerian society. The pertinent issue remains how the media can perform this role effectively in the face of acts that threaten the nation’s very existence. Put succinctly, how would the media exercise their right to freedom and, at the same time, contribute to national development when certain developments in the society continue to impact negatively on their right to freedom and objectivity? To

properly ground the understanding of this issue, it is necessary to discuss briefly, some crucial factors that impact on the performance of the media in this regard. These are corruption, national unity and religion.

Corruption is a phenomenal factor in the development of the Nigerian society. It has become an endemic disease pervading the entire fabric of the society. It affects all spheres of life. So crucial it is to national life that the Nigerian Labour Congress (NLC) has referred to it as “a crime against humanity”. (See *Vanguard*, Wednesday, October 16th, 2016:14). Corroborating the view of the NLC, Gbinigie (2016:33), opines that corruption:

has become a tradition, a custom and culture that has not only permeated Nigeria, not only from grassroots level, but from root hair base to the tree top heights, mummified, institutionalized, extensively glorified, consummately idolized and placed in the sacred pantheon of revered untouchability.

The above epitomizes the monstrosity of the phenomenon. In fact, it is seen as the bane of the country's quest for development. This is why the government of Muhammadu Buhari that was voted into power in 2015 has focused on the phenomenon as one of the main issues that his government would eradicate. The media should join the government in its quest at expunging the phenomenon from the socio-political life of the society. But how would the media function efficiently when they are equally riddled with corruption?

Religion, on the other hand, has served to push the people further from belonging to one country. Those who practice African traditional religion continue to use the social media to denigrate both Islam and Christianity – the two major religions. At the same time, there is both overt and covert animosity between Christians and Muslims. The Boko Haram insurgency which later translated to terrorism took root from Islam. By early 2017, the battle was still on to suppress Boko Haram whose fighters had occupied most of the North East of the country for almost six years. Religious animosity has compelled the call by well-meaning individuals for tolerance in order to ensure a peaceful co-existence. The media are expected to champion this call. But again, how objective would they be if they have to exercise their right to freedom, and still obviate dysfunctions?

The issue of unity has always been a sore thumb in the life of the country. In recent years the problem started with a new dimension. The Niger Delta region which produces over 80 percent of the country's revenue continues to claim being neglected by government. This has

resulted in militancy as the region felt alienated from the development plans of the country. Again, the Eastern region, predominantly populated by the Igbo has continued to agitate for their own country, claiming that the region has remained marginalized. The proponents of this agitation have gone ahead to establish a radio station (Radio Biafra), from which broadcasts have been made to urge the people of the region to actualize their secession from Nigeria.

The mass media in this configuration has the onerous duty of working in tandem with government to encourage unity and ensure that no part of the country contemplates breaking away. Obaro Ikume (2006:149-150) opines that “national policy must be such that guarantees to a reasonable and identifiable degree, equal recognition, equal opportunities, fair and equitable distribution of amenities and infrastructure”. The media must assist the government to actualize this vision. But would the media perform this function without suspicion of aiding some particular ethnic groups or interest? It is imperative to thus examine the performance of the media in their attempt at obviating dysfunctions while exercising their right to freedom of speech.

PERFORMANCE OF THE NIGERIAN MEDIA

Against the backdrop of the three issues of unity, religion and corruption, it is clear that the responsibility of the media is really onerous. It obviously shows that the media are operating on a very difficult terrain. In all cases the media cannot be expected to operate without criticism because of the social, cultural and political diversity. It is either the government is using the media to protect the interest of its officials or the opposition uses them to attempt to bring down the government. So the Nigerian media continues to receive criticism regularly. For example, the Department of State Services (DSS) has condemned some media organizations which they claim are engaged in “divisive tendencies which negate their constitutional role as the fourth estate of the realm” (See *vanguard*, Monday, February 27th 2017:5). In the report, the DSS also claims that politicians were using radio stations to broadcast hate speeches in campaigns, even when the electoral commission has not given permission for campaigns to commence.

In this same vein, Governor El Rufai of Kaduna State in *Sunrise Daily*, an early morning programme on Channels Television on February, 28th 2017 suggested that continued broadcast of the ethnic clashes involving herdsmen and the natives of Southern Kaduna was detrimental to peace efforts because, according to him, the issue was being used by some church pastors to get

money from overseas donors. According to him those pastors raise alarm, and receive money from abroad on the grounds that they want to use the money for the reconstruction of churches that were destroyed during the clashes.

The National Broadcasting Commission (NBC) has equally noted that the broadcast media have degenerated to playing dysfunctional roles. The Director- General, while warning stations on the need to pay for the renewal of their licenses observed that hate speeches were being broadcast by some stations. Noting that “there were too many stray dogs around the house promoting hate speech.” (*Vanguard*, Friday, February 24th 2017:8), he admonished media personal to promote decency and unity in the country.

It appears from the foregoing that the Nigerian media are not on the right path as regards the functions they were established to perform. A situation in which they are being accused of being used by politicians to protect their selfish interest does not portray a system that is performing its function effectively. Also, broadcasting hate speeches in a country that requires the people to be united equally negates the principles of the development media which such a media system should emulate.

There seems, therefore, a compelling necessity to subject the media under some form of control. But the level of such control could undermine the efficiency of the media operations. As noted by Udoakah (2014: 13) “one society’s “better form” of control may be another’s “worst form”. It therefore boils down to what form of control would be suitable for the Nigerian media system in order to obviate dysfunctions.

But the media, in a democratic system should operate freely without any interference. However, their operations should not undermine the social foundation of the society. Besides as a system in a developing society the media should owe the people the responsibility of assisting them to realize their goals and aspirations according to the principles of the development media theory. The Nigerian media ought to purvey information that should serve to discourage indulgence in acts of corruption as well as information that should foster religious tolerance and freedom of worship. Above all, the media should encourage unity among all ethnic groups. But this should not discourage the need to publish the truth. This leads to an examination of the challenges which the media face in the performance of their functions. This is in regard to the exercise of freedom while not jeopardizing public interest. The issue is how to create an

equilibrium between freedom to speak and not hurting public interest so that the media would not be seen as dysfunctional.

THE CHALLENGE OF BALANCE: MEDIA FREEDOM VERSES PUBLIC INTEREST

It has been noted that the responsibility of the Nigerian media remains daunting owing to several factors. One serious challenge the media face in their quest of freedom and also protect public interest is the multi-ethnic nature of the country. Each ethnic group is identified by its language. Coleman (1958: 15) says that, “within the boundaries of Nigeria, there are approximately 248 distinct languages” These could be regarded as ethnic groups. In a situation like this, what may be regarded as public interest by some groups may be public danger to others. The reality, thus, is that there can be no uniform public interest. More so, there is political mistrust whereby every ethnic group claims to be marginalized either in terms of infrastructural development or political appointments. While, therefore, information about the development of certain areas may generate positive interest in some sections of the society, it may be the beginning of crisis in other areas. Unity then, is a condition that is yet to be attained in the country. Chief Obafemi Awolowo had declared in 1945 that “Nigeria is not a nation, but a mere geographic and distinctive appellation to distinguish those who live within the boundaries of Nigeria from those who do not”. (Cited in Sklar, 1983: 223). This observation, sadly, is still the situation today as could be seen in some ethnic groups’ threat to break away and become independent nations. This cannot provide the necessary platform needed by the media to operate freely and protect public interest at the same time. This is because there are several publics in this regard.

Another challenge is the kind of politics being practised in the country. The political terrain is so rough, such that anybody can say anything and get away with it, in the name of politics. Crick in discussing politics in developing countries (Nigeria inclusive) declares that:

it comprises those noisy and incoherent promises, the impossible demand, the hotchpotch of unfounded ideas and impractical plans of ... opportunism that cares neither for truth nor justice, the inglorious chase after unmerited fame, the unleashing of uncontrollable passion, the exploitation of the lowest instincts, the distortion of facts ... all that feverish and sterile fuss. (1962: 68).

In a situation as stated by Crick above, there can hardly be anything that is illegal once it relates to politics. In fact legal luminary, Femi Falana has declared that the offence of criminal libel or sedition is inconsistent with the provision of section 39 of the Nigeria Constitution (2017: 27). The meaning of this is that criminal libel and sedition are no longer in the country's penal system. It appears therefore that the government cannot successfully prosecute an offender for purveying information that is detrimental to public interest, especially if it is connected to policies. In such a situation, it becomes difficult to determine the information that may be detrimental to public interest because virtually every action is politicized. Media too cannot be successfully subjected to serious control in this regard, since politicians would protect them and use them to protect their selfish interests.

It appears from the foregoing that the major issue here is the determination of what constitutes public interest as well as evolving acceptable means of protecting such interest. Again it brings to question who should determine that interest. This is fundamental because the society does not seem to have uniform values. Besides, the dirty nature of the country's politics results in the condemnation of every policy of the government by the opposition, irrespective of the good intentions such a government may have in evolving such a policy.

Another challenge, is corruption whereby media personnel think of their selfish interests to the detriment of public interest. Thus information dissemination may not depend on the value of such information, but to protect some personal interest. Ibagere, (2015: 7) has noted that:

the 'brown envelope' syndrome is still part of the operation of media men. A news event can only become relevant depending on the size of the brown envelope (amount of money inside it). Otherwise such an event may never be broadcast or published.

Media dysfunction can hardly be obviated in such a situation since the ethics of the media would be regularly compromised.

To tackle these challenges, it is pertinent to, first, realize that the media are dysfunctional in certain ways, which do not serve to protect public interest. But public interest must depend on and be determined by the interest of the vast majority of Nigerians who wallow in abject poverty. This majority should be encouraged through the dissemination of the kind of informing that would bind them together and make them cherish the same goals and aspirations as citizens of the same country. In this regard, any information capable of engendering diversity should be seen as against public interest and, therefore, dysfunctional. There should be appropriate interpretation of information in order for the people to avoid acts that would lower societal esteem.

The truth therefore must be disseminated. This point is expatiated by Ibagere (2011: 2015), who declares that the media should “ensure that the truth and nothing but the truth is disseminated. Half truths and rumours must be avoided in the purveyance and of information” By disseminating the truth, the media would free themselves from political manipulation and be at the service of the majority.

The regulatory bodies in charge of evolving policies regarding media operations should be strengthened through appropriate legislation to make them truly independent. This would enable them operate efficiently. Such legislation should insulate the regulatory bodies from government interference regarding the appointment of their chief executives. In this way they would be free to discharge their duties effectively.

The regulatory bodies should evolve a template that should specify what constitutes public interest and be able to control media organizations to purvey information that would not be detrimental to public interest. In this way, the regulatory bodies would determine how public interest can be protected by the media rather than leaving such duty to selfish politicians.

Further more, regulatory bodies must engage in strict monitoring of media organizations to ensure that they operate in public interest at all times. Appropriate sanctions may be imposed in this regard, in the event of any transgression. In this way, a balance would be struck between the need for the media to purvey information freely and the responsibility of purveying such information without jeopardizing public interest. When such a balance is struck, media dysfunctions would be avoided.

CONCLUSION

The key terms in this discourse-public interest, media freedom and media dysfunctions are terms open to arbitrary usage and abuse. Government officials, most times, equate personal interest with public interest and go ahead to oppress the media. In the same vein, media personnel may, under the guise of media freedom purvey information that may be injurious to public interest. Dysfunctions can occur from the abuse of media freedom and the equation of personal interest with public interest. But if appropriate measures as recommended above are put in place, the Nigerian media system would operate efficiently in line with the requirements of the development media theory and equally avoid being dysfunctional. The Nigeria society has advanced beyond the era in which the repression of the media was tolerated under the guise of an amorphous public interest. The functions of the media can therefore only be modified to advance their capacity to aid national development.

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