

ORIGINAL ARTICLE

Media censorship and the Government

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ABSTRACT

Throughout the world commentators and journalists have an important responsibility to reliably inform the general public of the latest stories, events, and opinions. While doing so, they also have the added responsibility of protecting their sources. However, while media outlets provide myriad benefits, the advances in connectivity and wealth may come at the expense of misinformation, fraud and the country's stability. Today, due to the above, governments around the world are tightening control over devise media houses using claims of "fake news" to suppress freedom of speech. There is no doubt that due to the private ownership nature of most media house in Nigeria, misinformation, bribery, censorship and harassment is possible. In this work, I proposed some sanctions on the freedom of the press that are directly or indirectly related to the national interest. I expressed this view in favour of the fact that there are some cases where the government attempts to constrain freedom of speech when there is a genuine threat to national security. Though I caution that this proposal does not apply to tyrant government.

Keywords: censorship, media, government, Nigeria.

INTRODUCTION

In Nigeria, there are two different types of media, such as fully regulated and partially regulated. Television and broadcasting are fully regulated by the Government of Nigeria, but print media is not fully regulated. Thus, the relationship between the media and the government is very important. It is far more visible in the developing country like Nigeria other than developed countries. Therefore, examining the relationship between media and the government is important. In this sequel, we propose to develop and outline the relationship between media and the government from an ethical point of view. We think that the restriction or constraint on media by the government is colossal and nobody can deny it. It is particularly relevant in

Nigeria. However, in Western countries, there is the free press whose primary objective is to make available the people with a free flow of information. Side by side government equally realises that *information is power* because it helps to build up a public opinion which may eventually fall the government. Therefore, *the government always functions as a watchdog of the media* (Bin Adnan 2015). The government also thinks that control of information is essential to public support for its policies and mandates. Even if the government is not attempting to control the media, but certainly tries to present itself favourably in the media and, in turn, suppresses the information harmful to the government. This, in turn, actually hampers the sanctity of the media. Media, at times, fails to act according to its discretion. That is why some would like to say that that "the single most effective way to extend press freedom would be to pass a Freedom of Information Act" (MacDonald & Petheram 1998, p. 18).

Even though in the developed countries, the relationship is cordial between government and the media, but still in the UK over the last few years several cases have been fought in the courts between the government and the media. The main contention is whether particular or specific information should be made available to the public. In Nigeria, media do not enjoy so much credibility and independence like the Western countries. One of these reasons is because most Television channels and print media always favour some political parties in Nigeria, be in the states or in the central government. When we consider the relationship between government and the media, we cannot ignore the relevance of external and internal threats arising from various intruders. In the past government did not tolerate disloyalty against the government and in most cases government was tyrannical in nature. However, we notice drastic and dramatic changes over the years. Democratic government, in particular, gladly accepts constructive criticisms of their actions. It happens not only in countries like America, but it is also considered true in developing country like Nigeria. The Nigerian media of different sorts criticise the roles and activities of the government and government in normal and most usual cases responses the criticism of their policies and actions. However, one cannot rule out the threats arising out from the illogical activity and in such a case one cannot rule out an apparent inconsistency with the argument from the democracy.

Like internal threats, there are the possibilities of external threats as well. By the term external threats of the media, we actually mean a kind or sort of threat arising from outside the state or country (Edet 2015). Such a threat would equally be linked with national security, solidarity and integrity. Thus, it reveals well that the relationship between government and the media may not, at times, be happy hunting; rather we notice conflicts between the government as well as the media when media in the true sense work as true messengers of the people. That means the conflict between government and media is nothing but the conflict between the government and the interest of the people. Having said this, the problem that seems dangerous is in the case when the government is a tyrant. However, this paper does not support the ban of mass media by any tyrant government. The point that this paper emphasises is that in a democratic government as regard *national interest* where the question of national integrity and sovereignty is involved, the freedom of the press or the freedom of the people, of course, on the relative basis can be minimised in terms of imposing a ban. The reasons for this are stated below.

ECONOMIC PRESSURES

One should not forget that media is a business organisation or enterprise aimed at making money. Accordingly, it can be said that a newspaper is a private enterprise owing nothing whatsoever to the public, which grants it no authorization. As a business enterprise, its main objective is to sell a manufactured product at its own risk. Thus, as a business enterprise, media cannot avoid or ignore the financial aspect. It reveals that broadcasting media, such as, radio and television all over the world are financed out of advertising and from the commercial point of view. In Nigeria, different channels earn money from advertising and in most cases, the pattern of advertising is commercial in nature and it puts a question mark to the test of decent people (Oyebode 2017). There we find a subtle difference between the public channel and the private channel. Public channels have been controlled by the government and they are paid by government grant or through a license-free and do not match with the taste with the private channels. Having said this, in the age of commercialisation even public channel feels commercial pressure and in most cases, they are forced adopt it. In Nigeria, most organizations have been commercialised. Even the most sacred organisation such as various religious centred is being commercialised. Even though there is a strong tradition that the press should be free from government control, but it seems interesting to observe that the press very often loses its freedom or ready to sacrifice its freedom or ready to compensate freedom and autonomy from commercial pressures.

The question that needs to be taken care of at this juncture is that whether commercial pressure inhibits the freedom of the media. Even within the grandeur of commercialisation, I still think that freedom in the market is a necessary proviso for flourishing democracy. It has been suggested by saying that the market arrangements encourage a diversity of opinions and best serve the democratic need for informed citizens. Market, in fact, is supposed to be the best institutional arrangement for ensuring that the press can act as a test out on government. In fact, the market undermines the relationship between journalism and democracy, for the values of journalism conflict with the requirements of the marketplace.

To survive in the market place the press has to satisfy the preferences of its customers. Precisely speaking the press gives its readers only what it wants (O'Neill and Chadwick 2002). Even media or the press of the modern world has been contained by the capitalist system. In recent times, we witness a drastic change in print media. In the last one year, it has been noticing that the first page of newspapers is full of advertisement. Earlier on, we have conventionally noticed that the first page of a newspaper has been coverage by the most important news. Why this drastic change takes place? It is all about economic pressures. Even a naked picture or ugly picture at present can occupy the first page of a leading newspaper if the nominee of the picture offers a sufficient amount of money to the press. Of course, the taste of the people has been changing every passing day. Media or the press senses it beforehand and accordingly acts together to fulfill the requirement of the people. Thus, media cannot ignore economic pressures in the true sense of the term. In this regard, it can be said that media act as a representative of economically powerful agents. Thus, it has been said that 'capitalists use their economic power with a commercial market system to ensure that the flow of public information is consonant

with their interests' (MacDonald & Petheram 1998). Thus, 'there we witness regular propaganda campaigns' (Harman and Chomsky, 2010) where the economy actually takes the upper hand of the media or the press.

Thus, the cordiality between media and society is not as much as good as it is supposed to be. If media or the press acts in favour of economic pressure first by the trend towards concentration of ownership in the media, and second, the influence of advertising and marketing on the media, then the commitment and accountability of the media or the press do not last in the optimal level in the desired sense and it thus violates the ethical and moral standard. Of course, the term 'media' is an umbrella term and it encompasses various media, such as television, mass-market newspapers, periodicals and magazines, etc. We think that due to economic pressures, media ownership puts under a serious question mark. Media as a business organisation cannot ignore the relevance of economic. Otherwise, its survival is put under question mark or threat.

MEDIA OWNERSHIP

The concept of ownership theory is another important dimension of human existence. It portrays individuality without which a person cannot be identified as a free moral agent. Ownership theory occupies an important position in media ethics as well. The media as a mouth place of the public must enjoy the right of freedom. Thus, ownership theory is linked or associated with individual freedom and responsibility (Papandrea 2002). The main objective of media of any kind whatsoever cannot be fulfilled in the real sense of the term if it does not have ownership. In philosophy in general and in ethics in particular, the concept of ownership plays or occupies an important position (Essien 2005). However, it is a cause of concern that there is plenty of evidence to show that the ownership of the media is concerned in the hands of the capitalists, politicians. In Nigeria, media in most cases play in favour of politicians and there is a common perception among the media that without the favour of the ruling political party, their existence would be a danger (Essien 2015). This propensity of the media contents the concept of the ownership of the media.

The other anxiety of media is that where the issue of ownership of media is in danger, where many media institutions are owned by outside corporations, they do not commit to the qualities of journalism (Essien 2017). In such a case, it would reveal that they get more profit for less quality. However, one can find a different picture where media institutions are not owned by outside corporations. A third concern over the concentration of media ownership is with companies expanding into different areas. The tendency of media partnership is at times hampers the quality of the media. The reason is very simple. In any sort of collaboration, one form of media or agency must compensate something which eventually hurts the originality of the media. In a case like this, there may be a temptation for the news arm to deal favourably. Let us think of such a collaboration of print media. A company's newspapers may not investigate the activities of other companies in the group. It may perhaps be the case that a newspaper has been used to pursue commercial feuds. Even though we insist on the ownership issue of media ethics, but there have been attempts to limit the concentration of media ownership. The Broadcasting Act passed in 1996 actually tackles the problem of the ownership issue of media

of comparing different markets of newspapers and broadcasting with a definition of 'national voice' and thereby setting limits for media ownership. It also ensures that no media proprietor owns a monopoly of media within an industry sector nationally or across the media within a region. As far as the ownership issue of media is concerned, at least two important questions need to be taken care of. First, how important is media pluralism for a fully free press? Secondly, has there really been a decline in media outlets? Or, how is media pluralism to be measured? In this regard, it can be said that media pluralism can be determined by the number of publications and broadcast outlets in the marketplace. This is where the ownership issue hinges on as it leads us to assume that the more outlets from different ownership available, the healthier it is.

ADVERTISING IS AN IMPORTANT ASPECT OF MEDIA

Advertising is an important aspect of media because it opens up the financial independence of the media (Marcus 2018). Even in the present scenario newspapers, magazines and most television could not exist or survive without advertising. It is an important source of income without which media ethics as a business organisation cannot stay alive. Through advertisements, television programmes are constructed to reach an impressive climax at a commercial break. Advertising through television helps people of the globe to know what is good for them and what is bad for them, what is happening here and there. Truly speaking, it determines the habit and choice of the people. Advertising, in fact, is the determining factor of modern-day human life. In Nigeria, football is a religion in terms of its popularity. During a football match, there is a series of advertising in every alternative over or in every break. There are other various ways through which newspapers, television, etc., can be affected by advertising. Of course, there are positive and negative aspects of advertising. In Nigeria, some commercial advertisements actually put into a question mark to Nigerian culture and tradition (Asemah & Edegoh 2012). As the whole universe functions as a global family, television and print media coverage various sorts of advertisements from all over the world. Of course, television must obey the rules and principles set up by the Press Trust of Nigeria, but due to the propensity of excessive commercialisation, some advertisements at times appear to be objectionable. Even at times, it would appear that some portion of the original advertisement had been omitted considering its negative public rating. In Nigeria, we notice such incidents in many cases.

The main objective of advertising is to boost marketing (Oyekunle & Tihamiyu 2010). It will help companies or product makers immensely to enhance the marketing of their products. Thus, from one perspective every company or product maker immensely relies on advertisement for their respective product and media of various sorts can do this job. On the contrary, without taking the root of advertisement, it would be difficult for modern people to make up their decisions of purchasing products. Thus, media plays an important role in advertising. Truly, speaking, newspapers, magazines and most television could not exist without advertising as they can accumulate or procure a considerable amount of profit through advertising. Interestingly, advertising is so powerful that most of the newspapers in Nigeria at present coverage the first page of the respective newspaper with an advertisement instead of normal coverage of important events. It was a general practice even a few years back that the first page

of a newspaper had been reported by important events or glimpses. But at present, we see a different picture altogether. What makes this difference? Money makes this difference. Media, at present, gives over emphasise on the path of the money-making process. It can even publish any distasteful picture if a particular company offers excessive money. This is the danger of the media. Even in a business organisation, though money matters the most, the consequence or the impact of the advertisement should not go against the decent taste of the common and general people. The influence of advertisement is colossal on the society or community and nobody can deny it. A child of two to three years starts his language and physical movements with the influence of the advertisements of the media. Thus, in the case of advertising, every sort of media must take responsibility, moral and ethical, keeping in mind the interest of the common people. The genesis of media, to me, is to restore the sentiment and interest of the greatest numbers of people in the best possible means so that the outlook of the society would not be shifted from good to worse.

SOME BASIC ISSUES OF MEDIA ETHICS

Privacy

Privacy is an important aspect of media. What exactly is privacy? A distinction needs to be drawn between privacy and secrecy. Letters, for example, are private, but not necessarily secret. The private is the area over which individuals feel they have control, where they can invite or exclude without having to give justifications. Privacy is something we like to protect. It should first be noted that some areas of privacy are protected by law. Most papers avoid printing the names of rape victims. It is a kind of privacy of media. The reasoning is that rape, unlike other crimes, places a stigma on the victim, who should be spared the additional pain of being publicly identified (Madhisetty & Williams 2017). Women are reluctant to report rapes anyway, and by keeping their names out of the paper, newspapers can encourage the increasing numbers of victims.

However, privacy can be disrupted in different ways. By publication of embarrassing private facts or by taking photographs with telephone lenses, or by publishing information that places someone in a false light through reporting falsehood or distortion, etc., (Henne & Smith 2013). Having said this nobody can deny the relevance of the right to privacy of media. There is no provision in the Nigerian constitution, though some of its aspects such as defamation, nuisance, criminal trespass, criminal breach of trust, copyright, etc., are indirectly protected by law as actionable wrongs or even as offenses with penal sanctions. There is a school of thought which holds that the right of privacy is a fundamental right integral to 'personal liberty' guaranteed by the Constitution and also as a derivative of the freedom guaranteed by Article 19(1) (a).

Taste and Decency and Pornography of the Media

Issues like sex and violence on the screen (in cinema or television), bad language in television and radio, blasphemy, etc., are the great concerns of media. We notice the same in print media as well. In the morning when we go through newspapers we find a picture of young

women on the front page of the newspaper which puts the question of decency before the print media. On Internet, we find even more ugly pictures. All we know that the internet is the most important source of information and the people of the 21st century cannot avoid it. But when we open any side on the internet, we find ugly pictures at every passing moment which in turn hamper the mind-set of the young generation. Therefore, the taste and decency of the media are very important. In television, in print media, on the internet, women are being used as the symbols of sex. The problem of pornography is as current as it has ever been. But interestingly, it can now be found in most media. There is the question of so-called 'adult' channels being available on cable television: if people wish to subscribe is that not their business? Should the government interfere? Even these days there is the possibility of pornography on the Internet. The situation is complicated. Media works under laws and with the prior approval of the authority. But when advertisement comes on television, then it hampers the decency of decent people and we notice at times that the advertisement has been banned immediately.

CONCLUSION

The society of the 21st century is a shared society that involves a shared history, culture and values. It also rests on moral consciousness. Now whatever threatens that moral consensus threatens society. It is the business of law to protect society. It can therefore be used to protect moral consensus. Even there are kinds of acts that are not necessarily harmful in themselves, but which are morally disapproved of by a majority of citizens. If these acts are not discouraged, then certain moral and social harms will follow. However, these moral and social harms do not follow simply from the kind of activities they are, there is the additional consideration that the act is morally disapproved of by that society's citizens. It may perhaps be the case that in another society these acts might not be disapproved and no harm would follow. In short, we can say that to a paternalistic line of thought, something is wrong if it offends a majority of people in society. The moral opinion does change without the disintegration of society. A society can move to a new consensus and it can support a degree of variety and pluralism.

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