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Employing the Mass Media for the Promotion of Human Rights in Nigeria

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Abstract

The place of the mass media in the promotion of human rights in any given society cannot be overemphasised; the mass media generally, can be used to bring about positive attitudinal change in the individuals. Thus, the paper examines the role of the media in the promotion of human rights in Nigeria; it explores the various ways through which the media can be used to promote human rights in Nigeria; some of the various ways identified in the paper

are: through editorials, features, news commentaries, discussion programmes. The paper identifies the basic human rights to include: right to life, right to dignity of human beings, right to personal liberty, right to fair hearing, right to compensation from property compulsorily acquired, right to private and family life, right to freedom of thoughts, conscience and religion, right to peaceful assembly and association, right to freedom of movement, among others. The paper discovers that the Nigerian populace does not enjoy these rights, as these rights are still trampled upon in most cases. More so, the paper identifies that the mass media have not really been effective in the promotion of human rights in Nigeria. Thus, it proposes that the media, both electronic and print, should be used to promote the issue of human rights in Nigeria, so that people will know their rights.

Key Words: Human Rights, Violation, Human Rights Promotion and the Mass Media

Introduction and theoretical background

According to McQuail (2005), emphasis is laid that a belief in the power of mass media was initially based on the observation of their great reach and apparent impact, especially in relation to the new popular newspaper press. The popular press was mainly funded by commercial advertising, its content was characterised by sensational news stories and its control was often concentrated in the hands of powerful press ‘barons’.

The media are a collective means of communication by which general public or populace is kept informed about the day to day happenings in the society. The media are also said to be an aggregation of all communication channels that use techniques of making a lot of direct personal communication between the communicator and the public. While talking of mass media however, the word “mass” means a large number of people or a collection of organs of communication and information dissemination that reaches out to a large number of people. The information circulation is not only confined within members of the public but the media also serves to coordinate the information flow between government and the public and vice versa, in our own case, between leaders and the led and vice versa.

McQuail (2005) describes mass media as the organised means for communicating openly and at a distance, to many receivers within a short space of time. Murphy (1999) as cited by Daramola (2005), sums up societal

impacts of the media in different ways: as oil, glue and dynamite. As glue, social cohesion is maintained by communication. Murphy contends that the media give all of us, including strangers, something to talk about, by setting agenda of discussion. He likewise describes the mass media also as dynamites that can rip society apart. Milton (1983) as cited by Egbon (1995) agrees with Murphy when he says the press is capable of making or destroying government given the appropriate conditions: it can cause war or create peace. It can promote development or create difficulties in the way of development. Merril (1995), cited by Asemah (2011) says the media possess the power to work against it. The media can oil and ease the economic wheel of a country or bring them to maintain social equilibrium, facilitate change or to seek radical alternatives.

Human rights violation in most developing nations has become an issue of utmost concern. Human rights law has been developing in an unprecedented way and has become part of international law as a whole. International human rights law serves as a standard against which to measure national behaviour. This is found in the human rights protection system of states, international institutions, transnational professional associations, corporations, trade unions, churches, nongovernmental organisations and other bodies, who respond to distress signals from abroad on the basis of these instruments. With the World Conference on Human Rights in 1993, efforts are being made to develop a rationalised framework within which human rights should be promoted and protected (Shikyil, in Dakas, 2002).

According to Pam (2005, p. 4), human rights as a concept has gone through many stages of development. They are unique virtues highly cherished and valued from time immemorial. The realisation of human rights dates back to spiritual awareness. That is, the natural law created by the will of God. However, the modern day desire for the realisation of human rights dates back to Greek antiquity. It started from the time philosophers started to pick interest in the relationship between states and societies. The emphasis on the rights of individuals led to the emergence of the theory of rights. Pam (2005) notes that in a bid to realise human rights, philosophers held that, laws could be classified into natural laws, which are natural, unchangeable and universal in application and the positive laws, which are derived from the arbitrary will of human authority, they are contracts not to be violated, concluded by state and citizens to preserve the rights of men in the society. Therefore, this paper examines the role of mass media in the promotion of human rights in Nigeria.

Theoretical framework

The study is anchored on two theories; they are social responsibility theory and agenda setting theory.

The social responsibility theory is an offshoot of libertarian theory. The theory sprang up in the middle of 20th century. Okunna (1999, p.35) cited in Asemah (2011, p, 146), describes it as a modern theory because it was born in the twentieth century. According to McQuail (1987), the social responsibility theory owes its origin to an initiative- Commission on Freedom of the Press. Its main impetus was a growing awareness that in some important respects, the free market had failed to fulfil the promise of the press and to deliver expected benefits to the society. The theory has a wide range of applications, since it covers several kinds of private print media and public corporations of broadcasting, which are answerable through various kinds of democratic procedures to the society. The theory has thus tried to reconcile independence with obligations to society. McQuail (1987) outlines the principles of the social responsibility theory as:

- media should accept and fulfil certain obligations to the society;
- these obligations are mainly to be met by setting high or professional standards of information, truth, accuracy, objectivity and balance;
- in accepting and applying these obligations, media should be self-regulating within the framework of law and established institutions;
- the media should avoid whatever might lead to crime, violence or civil disorders or give offence to minority groups;
- the media as a whole should be pluralist and reflect the diversities of their society. Giving access to various points of views and granting all the right to reply;
- society and the public, following the first named principles, have a right to expect high standards of performance and intervention can be justified to serve the public good; and
- journalists and media professionals should be accountable to society as well as to employers and the market.

The theory is relevant to the study because it calls for responsibility on the part of the journalist. Thus, the journalist should be able to use the mass media to promote human rights in Nigeria

Agenda setting theory on the other hand says that the media are not always successful at telling us what to think, but they are quite successful at telling us what to think about. The theory was proposed by Maxwell McCombs and Donald L. Shaw in (1972/1973). According to McCombs and Shaw (1972), cited in Asemah (2011), in choosing and displaying news, editors, newsroom staff and broadcasters play an important part in shaping political reality. Readers learn not only about a given issue, but how much importance to attach to the issues from the amount of information in a news story and its positions. Wimmer and Dominick (2000) observe that the theory on agenda setting by the media proposes that the public agenda or what kind of things people discuss, think and worry about is powerfully shaped and directed by what the media choose to publicise.

The theory is therefore relevant to the study because the media can be used to set the agenda of human rights in Nigeria, so that the people will think along that line.

The concept of human rights

There is no generally acceptable definition of human rights. This is perhaps because scholars have different opinions about the concept. It is something which is owing to every human being simply because he is human. Human rights are freedoms and benefits enjoyed by individuals in the society in which they live. To Bryan (2004, p .10), human rights are freedoms, immunities and benefits that, according to modern values, all human beings should be able to claim as a matter of rights in the society in which they live. In the same vein, Craston, (1976, p.52) sees human rights as something of which no one may be deprived of, without great affront to justice. There are certain deeds, which should never be done, certain freedoms, which should never be invaded; some things which are supremely sacred.

From the foregoing, human rights can be seen as all those rights that every citizen of a state ought to have without any deprivation. They are those inalienable rights of every individual, whether old or young, poor or rich, male or female. They are not given to human beings as gifts. This explains why Arinze (2008, p. 12) argues that human rights are not gifts from men to

women or other men that are open to withdrawal or cancellation at the whims and caprices of the giver. Human rights are not subject to withdrawal or to be held at the pleasure of anybody or granted when it pleases the giver. Eze, cited in Gasiokwu (2003, p. 2) sees human rights as that which represents the demands or claims, which individuals or groups make on society, some of which are protected by law and have become part of “Lex Lata” while others remain aspirations to be attained in the future. Gasiokwu (2003, p. 4) avers that some human rights provisions have been enacted into various national constitutions of the world in some of which are being referred to as fundamental rights. Perrett, cited in Gasiokwu (2003) argues that if the fundamental rights being asserted is intended to be legal rights, such rights are properly called fundamental when they are expressed in or guaranteed by laws, which are basic or pre-eminent laws of the legal system in question. For example, rights which are specified in a written constitution or in judgements of a legislature designed to render the constitution more specific in certain areas. Some other legal rights may be called “fundamental” where, although the rules containing them are not all constitutional, in the sense that they are or closely appertain to the rules that Kelsen would call “part grundnorms” or “Hart, the basic” rules of recognition, adjudication and change of the legal system. Nevertheless, these rights are legally basic in the sense that their existence and content is essential to the existence and content of many other lesser rights of the system.

Corroborating the above view, Oduah (2011, p. 6) notes that there is a great difference between fundamental rights and human rights. Oduah, quoting Nasir, notes that due to the development of constitutional law in this field, distinct difference has emerged between “Fundamental Rights and Human Rights”. It may be recalled that human rights were the wider concept of natural rights. They are rights which every civilised society must accept as belonging to each person as human being. These are termed “Human Rights”. When the United Nations made this declaration, it was envisaged that certain rights belong to all human rights, irrespective of citizenship, race and religion, etc. This has now formed part of our international law. They are fundamental because they have been guaranteed by the fundamental law of the country that is, the constitution.

From the foregoing, fundamental human rights may be seen as such freedoms, which are expressed in or guaranteed by basic or pre-eminent laws. These rights are usually referred to in some constitutions as the rights to

freedoms of thought, conscience and religion, right to freedom of press and speech, right to freedom of movement, freedom from discrimination The freedom of information law that was signed into law in Nigeria recently is a fundamental human right. Thus, in this context, fundamental rights are tied to fundamental freedoms.

Basic human rights

The basic universal human rights, as identified by Pate, in Oso and Pate (2011, p .159) are:

- right to life;
- right to dignity of human beings;
- right to personal liberty;
- right to fair hearing;
- right to compensation from property compulsorily acquired;
- right to private and family life;
- right to freedom of thoughts, conscience and religion;
- right to peaceful assembly and association;
- right to freedom of movement;
- right to freedom from torture;
- right to freedom from discrimination on the grounds of ethnic group, place of origin, circumstance of birth, sex, religion or political opinion; and
- right to freedom of expression.

The rights mentioned above, as argued by Pate , in Oso and Pate (2011), can generally be categorised into civil, social, political, economic and cultural rights.

Violation against children's rights

The Child's Rights Act (2007) defines a child as one who is below the age of eighteen years. It categorically provides that such a child's best interests shall remain paramount in all considerations. A child shall be given such protection and care as is necessary for its well being, retaining the right to survival and development and to a name and registration at birth. The Child Right's Act 2003, passed into law in the Federal Capital Territory (Abuja), defines a child as a person who has not attained the age of eighteen years.

People and children with disability are the least cared for and discrimination against them, both within the family and in society in general. They live on the margins of society, often ignored, neglected and mistreated; they remain targets for abuse and exploitation. As in other African countries, disabled children are often considered taboo, because disability is associated with bad luck. The population of people with a disability continues to increase alarmingly, but the country's social services, including the sector providing assistance to disabled children, remain poor. There are few specialised institutions for disabled persons, but most of them are run by NGOs and lack appropriate facilities, in spite of some governmental funding. Reasons for disability in Nigeria do not only include birth defects, which can be caused by poor living conditions or malnutrition, but also accidents and the environment in which people are living. Vending or begging, communal and military violence, early pregnancy or female genital mutilation is cause of disability. But it also recognises that these efforts are inadequate and that awareness in the situation and plight of disabled children is lacking. It also admits that financial allocation for this special group of children is low and that training of professionals/caregivers have not been encouraged by the government over the last years. However, the report does not provide information on how the government intends to tackle the problem, since the Committee already expressed concern about the absence of proactive measures to combat discrimination against disabled children.

Violation against women

The following are the ways through which the rights of the women are violated:

- a. **Gender discrimination:** Although, the Constitution provides for gender equality, cases of violations of women's rights and gender discrimination are alarming. Women and girls are subject to violence at domestic and public levels.
- b. **Harmful traditional practices and early marriages:** In Nigeria, due to inconsistencies in legislation and the absence of any stipulation of a minimum age for marriage before the adoption of the Child Rights Act in 2003, early marriages continue to take place, in many cases as a means to preserve chastity. Section 18 of the Marriage Act allows persons under the age of 21 to get married, provided that parental consent is given. The official report admits

that the age of marriage is a highly controversial issue and varies from place to place. The federal authorities seek however to make 18 the minimum age of marriage, not only in law, but also in practice. Nevertheless, customary positions on that issue differ and important parts of the population are still not aware of the negative effects early marriages can have on girls. In most cases, it limits the opportunities for girls to accede to education, putting them in a disadvantaged position. But, even more worrying, early marriage can also be detrimental to girl's physical, mental and emotional health. Apart from the fact that it deprives girls from their rights to have control over their body and reproductive health, it puts them in a position of complete dependency from their husband. For instance, in Northern Nigeria, where the majority of girls face the prospect of early marriage, this has resulted over the years in a large number of cases of vesico-vaginal fistula, a condition caused by giving birth when the cervix is not well developed. It occurs because the pelvic bones have had insufficient time to develop to cope with child-birth.

- c. **Female genital mutilation:** Female Genital Mutilation (FGM) is still practised in some parts of the country and among all religious groups. The age of mutilation varies from 3 months to 17 years. Any state interference into the practice of FGM is considered as a violation of the right to privacy. Yet, many girls face several health risks through this, including that of HIV infection, due to unhygienic methods that accompany the practice, which in itself, is a public health issue.
- d. **Access to education:** Another area of concern with regard to discrimination against girls is their access to education. If the government has officially been more concerned about girls' schooling for the last few years, the rate of girls attending school is still much lower than that of boys in large parts of the country. This is particularly true for the Northern part of the country, where the highest rate of illiteracy (70%) was registered and where girls attending schools are very few. As explained above, this is partly due to harmful traditional practices, such as child-marriage. But it also highlights the high degree of boy preference in the Nigerian society and underlines the need for policies, promoting girls' education and status.

Discourse on media and the promotion of human rights

The media have a very crucial role to play in the promotion of human rights in any country. The media, according to Asemah (2011), are agents of social change that can bring about positive attitudinal change in the audience; they set agenda for the people to follow in any society. The mass media are crucial to opinion formulation and eventual outcomes of events. The media are champions of human rights. They act as the eyes, ears and voices of the public, drawing attention to abuses of power and human rights, often at considerable personal risk. Through their work, they can encourage governments and civil society organisations to effect changes that will improve the quality of people's lives. Journalists, photographers and programme-makers frequently expose the plight of children caught up in circumstances beyond their control or abused or exploited by adults. It is equally important to consider the children's angle in more conventional news coverage. A good way of testing the value of changes in the law or fiscal policy, for example, is to consider the extent to which children will benefit or suffer a consequence. The way in which the media represent or even ignore children can influence decisions taken on their behalf and how the rest of society regards them. The media often depict children merely as silent 'victims' or charming 'innocents'. By providing children and young people with opportunities to speak for themselves about their hopes and fears, their achievements and the impact of adult behaviour on their lives, media professionals can remind the public that children deserve to be respected as individual human beings. Media professionals have an obligation to respect children's human rights, in how they operate and how they represent them.

International Federation of Journalists (2005) notes that all journalists and media professionals have a duty to maintain the highest ethical and professional standards and should promote within the industry, the widest possible dissemination of information about the United Nations Convention on the Rights of the Child (UNCRC) and its implications for the exercise of independent journalism. Media organisations should regard violation of the rights of children and issues related to children's safety, privacy, security, their education, health and social welfare and all forms of exploitations, as important questions for investigation and public debate. Children have an absolute right to education, the only exceptions, being those explicitly set out in these guidelines. Journalistic activity, which touches on the lives and

welfare of children, should always be carried out with appreciation of the vulnerable situation of children.

Furthermore, by providing children with opportunities to speak for themselves about their hopes and fears, their achievements and the impact of adult behaviour and decisions on their lives, media professionals can improve the representation of children's issues. The challenge is to cover these issues within the context of journalist independence and in a manner, which respects the ethical issues involved.

The media as the watchdog of the society have a crucial role to play in promoting and protecting human rights in Nigeria. The media serve as an effective network for educating and informing the people of human rights and also, making those who often trample on people's rights to know that they are doing the wrong thing. The media generally, could be of immense assistance in this direction. The role of the media in safeguarding human rights cannot be overemphasised. Through the media, the people can be aware of their fundamental human rights and the constitutional protection of their rights. Through constant vigilance on infringement of human rights and by exposing police brutality and repression, the media have caused a significant rise in public awareness of these issues.

The media can be used to fight against child tracking and women tracking in Nigeria and the world beyond. This implies that the media can create awareness about gender issues. In societies where human abuses are rampant, the media can be used to raise international and national awareness of human rights. Only the media can presently fulfill this watchdog function of promoting human rights (Pate, in Osoh and Pate, 2011). Pate argues that the role of the press in the protection and advancement of human rights within the context of its social responsibility in the society includes:

- exposing cases of human rights abuses and violations;
- to expose perpetrators of human rights abuses for moral condemnation and legal actions;
- to publicise the plights of victims for people to know or see, so that they could wake up, react and demand for justice;
- to discourage human rights abuses.
- to help secure redress or compensation for victims;
- to enlighten and sensitise the general public on possible human rights violations;

- to assist law enforcement officials and human rights groups to track down cases of human rights abuses; and
- to educate the people on how to use appropriate communication channels to articulate their views and give expressions to their aspirations.

Summary

The media play an important role in promoting and protecting human abuses. This is because, they are agents of information and they can educate the public on the fundamental rights. These rights are numerous; they, among others, include: right to life, freedom of expression, freedom of association, etc.

Recommendations

The paper gives the following recommendations:

- a. The media should be massively employed to promote the issue of human rights in Nigeria, because they are persuasive in nature.
- b. The media, whether broadcast or print, must know the values that are non-negotiable; one these issues is the issue of human rights. The media must address these fundamental issues to be able to practise its delegated duties effectively and efficiently.
- c. There is the need to pass laws banning the early marriage practices that normally keep girls out of schools. When a girl marries at a very tender age, it affects her chances of getting a quality education.
- d. To fight against human rights, the media can work with non-governmental organisations to strengthen human rights and the media can also be used to wage war against gender discrimination and religious extremists and can also oppose violence against women and children.

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