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The Media and the Legislative Process

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Introduction

The important role of informing, educating and entertaining lies within the media of print and broadcast. The media are therefore, the nerve center of information flow in the society. However, in a democratic setting, the role of the media extends beyond these traditional roles. In addition to these basic functions, the media has the responsibility of sustaining and nourishing the ideals of democratic ethos, and to constantly assure and guarantee the protection of individual freedom and that of the media themselves, which is the heart of popular participation of liberal democracies, (Suarez, 1978).

A democratic government is expected to promote and encourage a mutually beneficial relationship between it and members of the society. This mutual relationship can only be guaranteed through the mass media who continuously inform, interpret and educate the masses on government activities in order to freely articulate their views on how they are being represented by their representatives.

Media influence in the society, including their effect in governance process may be direct or indirect, intended or unintended. Mc Quail (1987:71) classifies media function in the society into information, correlation, continuity, entertainment and mobilization. These Media functions collectively gave rise to the popular and widely recognition of the mass media as the fourth estate of the realm of government, after the Executive, Legislature and Judiciary. This in turn makes the

mass media powerful watchdogs of the government and the society.

Media across the nations, therefore, saddle themselves with the responsibility of monitoring governance, protecting the interests and rights of the weak in the society and advocating for issues and causes that enhance growth and development of the society within which they operate (Siebert, Patterson and Schramm, 1963).

These functions presuppose the relationship between the media and political actors in the political process. It is on this platform that the media are seen as a vital part in the legislative process by continuously reminding them of their responsibilities to the society and ensuring accountability. This chapter therefore, looks at the role of the media in the legislative process.

Conceptual Clarifications

The media according to Utor (2000:21), "are very important assets a society should have". The Media are the whole gamut of information dissemination institutions and agencies in a political system. They operate by dispensing information to the populace on all aspects and actions of state and governance, (Abagen, 2007). Corroborating this view, Bombote, (1986:12) asserts that "doubtless, the evolution of societies is not the exclusive progressive prerogative of the media. But it is illusory to imagine this evolution could occur without the media as participants".

Explaining this assertion, Friday-Je, (1986:19) asserts:

Because the media have this ability to report and inform so effectively, it could be said with great confidence that as change agents, it has the power to alter, even where resistance is strong the way of life of a community either positively or negatively.

This, by implication means that if the political system of a country agrees on democracy and makes rules that are obligatory in the maintenance of such a government, the media are duty bound to ensure strict adherence of the rules and encourage their survival, as well as exposing political practitioners with subversive interests. Therefore, the role of the media can never be overemphasized.

Mass media, according to Igben (2006:46) are believed to be central to the overall development of the society. This perception which has become accepted by different authorities of mass communication is derived from the long standing role of the media which is collectively regarded as the fourth estate of the realm. As the fourth estate of the realm, the media enhance not only the smooth operation and interaction between the executive, the service of the people, but also prevent any oppression of the people by these arms of government.

The legislature on the other hand consists of a group of people elected from different political parties that constitute one of the three arms of government earlier mentioned. Otherwise known as the lawmakers, they are found at both the federal and state levels (National and State Assemblies). At the federal level, the National Assembly comprises of the upper and the lower chambers; that is the Senate and House of Representatives. The senators are elected to represent their senatorial districts while members of the House of Representatives are elected to represent their federal constituencies. However, the State Assembly members represent their state constituencies.

In addition to law making, the legislators perform an auxiliary function, also known as the oversight function over the executive and the judicial arms of government. This is fallout of the legislative powers enshrined in the constitution of the Federal Republic of Nigeria. The principles of separation of powers equally require checks and balances to function effectively, though all the arms of government are expected to

be independent. However, in practice, there are few areas where they serve as checks on each other. In the relationship between the legislature and other arms of government, the legislature utilizes the oversight function to check the extent to which the executive is implementing set policies such as budget allocation and especially as it pertains to the appointment of public officers such as ministers, Auditor-general of the federation, impeachment of the presidents or governors, removal of judicial officers among others, (1999 constitution, schedule II).

The National Assembly consists of the secretariat of the National Assembly Commission, the senate and the House of Representatives. The principal officers of the senate include the Senate President, deputy senate President, the Majority leader, the minority Leader, Chief Whip, Committee Chairmen etc. The office of the Clerk to National Assembly is also an important organ of the legislature. The House of Representatives is led by the Speaker, Deputy Speaker and other officers of the House as in the case of the Senate. Likewise, the State Houses of Assembly are led by the Speakers, Deputy Speakers as well as other officers of the Houses (Hansard, 2009).

Theoretical Framework

The parliamentarians are expected to be representative of their constituents, but due to their powers, privileges and immunity, they sometimes neglect their duties to their electorates. The media, as the fourth estate of the realm is saddled with the responsibility of checking their activities and reporting back to members of the society. In order to achieve this effectively, the media must discharge its social responsibility. Mc Quail (1987:11) outlines the main principles of social responsibility as follows:

- a. Media should accept and fulfill certain obligations to society.

- b. These obligations are mainly to be met by setting high or professional standards of information, truth, accuracy, objectivity and balance.
- c. In accepting and applying these obligations, media should be self regulating within the framework of law and established institutions.
- d. The media should avoid whatever might lead to crime, violence or civil disorder or give offence to minority groups,
- e. The media as a whole should be pluralistic and reflect the diversity of their society, giving access to various points of view and right of reply.
- f. Society and public, following the first named principle, have the right to expect high standards of performance and intervention can be justified to secure thereof, the public good.
- g. Journalists and media professionals should be accountable to society as well as to employers and the market.

Social Responsibility theory believes that freedom of the media carries concomitant obligation. This means that while the media enjoys immense freedom, it must be seen to be carrying certain essential functions of mass communication. In the coverage and reportage of the legislative process, the media has the obligation of providing the necessary needed information about the legislators to members of the society as well as avoid things that might lead to violence or civil disorder.

Legislative Procedure/process

This refers to the guidelines or conventions that have been put in place to ensure the orderly conduct of legislative business. There are sources of legislative procedure viz:

1. Standing order or rules of the House. This explains the various rules that govern speech, debate and how the business of the House will be transacted. It also specifies

- how the different committees will function. The content of the standing order is normally drawn from practice and convention, ad-hoc orders (orders given from time to time, resolutions, rulings from the chair, constitution and statutes).
2. The second source is the constitution and statutory authority. The constitution provides for certain aspects of the legislative procedure. This includes:
 - The quorum of the House. That is the percentage to form the quorum for sitting of the House.
 - The process of the election of the leadership of the Assembly.
 - The process for the inauguration of the Assembly.
 - a. How to resolve the chair in the case of voting. Once you have the majority, the vote can occur.
 3. Traditional and customary practices. This refers to issues that might not be spelt out either in the constitution or any written document but are long practices. This refers to issues like how to close a parliamentary session.
 4. Rulings of the chair. This refers to interpretations of the standing order as given by the presiding officer of the House. If the decision or ruling introduces a novel idea or addresses an issue that has not been anticipated by the standing order, that ruling becomes a precedence which might guide the House in its subsequent proceedings (Hansard, 2009).

Procedural Framework

The constitution provides for number of sittings that the House must have. A session in the legislative parlance refers to 1 year or a total of 181 sitting days. In transacting the business of the parliament, there are different procedural frameworks that the parliament uses. These include:

1. Debate - This is the clash of speech upon speech by one member against another. This entails moving a motion,

question being proposed, debate arises, question is put and agreed to or disagreed, and finally resolution or order takes place.

2. Division - Most times, decisions of the parliament especially as provided for by the 1999 constitution are done by simple majority. The presiding officer often uses a voice vote to determine the majority. However, there are situations where the majority is not discernable from the voice vote. In that situation, a member may call for a division which simply means casting of votes.
3. Motion - This is a prayer for an action. It is normally moved by a member of parliament on the floor of the House with the intention that the House will adopt it.
4. Rules governing Parliamentary speech - such as, addressing of speech to the chair, speaking to the House while reading your speech, your speech must be relevant to the issue being discussed by the House and not raising or making a statement that brings to disrepute any member or the collective integrity of the House. Against the backdrop of the above, Erskine opines that good temper and moderation are the characteristics of parliamentary language (Hansard, 2009).

Reporting the Legislative Process

The legislature appears to be the most dramatic institution of government for most reason that it is constituted by people who are expected to be elected by free choice expressed through the votes. They emerge from political wards where they are closer to the people for effective representation. Moreover, the legislators owe their tenure in the parliament to the acceptance of those who elected them with the power to recall any legislator who falls out of favour. In view of the popular nature of the parliament, the power they wield in checking government and the economic life of the people, its activities naturally attract the attention of the public.

The media, being socially responsible to members of the society, in an attempt to bridge the gap between the legislators and the electorates achieve this by assigning reporters to cover and report their activities back to the members of the society.

In reporting the legislature, the process of law making and performance of oversight functions, all of which are done on the floor of the House provide a point of public interest. Equally important are the activities of the various committees. The reporter is expected to bring to the fore the regular debates, issues and other reports that form the bulk of legislative business.

In addition to the debates and committee reports presented, the public is interested in the activities of their representatives; what the legislators think about specific issues that have taken place during the sitting, and what they are planning to do next. The daily conflict of opinion and associated drama, accusations and counter-accusations are essential elements of public interest. The reporter is also attracted by the personal lives of the legislators who because of their status as public officers have little or no privacy anymore. Virtually everything they do, attract people's attention.

As a reporter covering the parliament, you have a role to play in helping members of the public to understand fully the duties of the legislators. This is important so that the electorates will know how to hold the legislator accountable instead of placing unrealistic demands on them.

Again, in Nigeria, there is a high turnover of legislators (the policy of turn by turn from different zones). Some people believe that the longer the legislator stays in the Assembly, the better he matures. Because of this turnover, a reporter sometimes finds it difficult to get something meaningful and exciting from the new members to report.

The National Assembly or State is made up of members drawn from different political parties. So in terms of contestation of different ideologies, the Assembly is more vibrant. If there be any conflict between the political parties

and within the politicians, it manifests even more in the legislature and yet they are expected to operate as one focused body. These various conflicting characteristics provide very rich sources of information for a parliamentary reporter. They are as exciting for the reporter as they are dangerous. The reporter must be careful not to be caught in the web of intra or inter-party conflict. His credibility and that of his media establishment may suffer serious damage if in reporting the proceedings of the parliament, the sensibilities of the contending parties are unjustly offended.

Legislators enjoy some degree of immunity within the Assembly premises and indeed the chambers as given by the 1999 constitution, (section 89). But we should note that during debate some members engage in emotional outburst. The reporter must be careful in reporting such to avoid litigation, since he does not enjoy the kind of immunity as the legislators. As Ogunsiji, (1989) stated, a reporter can be charged with contempt of the senate or parliament.

A parliamentary reporter should also be acquainted with such things as order paper (agenda for the day's business), bill (parts of a bill, origins of bill, what it takes for a bill to become law), public sitting, sitting behind closed doors and press gallery. The reporter must always note that resolutions, rules and amendments are adopted while bills are passed and laws are enacted (Hansard, 2009).

Qualities of a Parliamentary Reporter

These qualities are not different from that of a reporter generally but there are some salient points that should be noted. These include:

1. **Patience** - Parliamentary debates could sometimes be boring and long. A parliamentary reporter must seek to learn through all the long boring debates. He must be able to separate the chaffs from the seedlings; he must avoid getting angry no matter the provocation.

2. He/she must have very good listening skills and concentration span. This is necessary when monitoring legislative proceedings on the floor of the House. In every chamber, there is a press gallery where reporters are expected to sit, which is normally separated from the main floor where the members sit and if this skill is not applied, the reporter will find it difficult to follow the proceedings.
3. He/she must have good note-taking skills. This is important in order to capture copious details of the proceedings so as to avoid inaccurate reporting.
4. He/she has to avoid any report that may be considered contempt of the committee or the House.
5. He/she must have sharper skills in objectivity so as to cover the different shades of opinion on any matter before the House.
6. Avoid publishing any proceeding of any meeting of a committee or group of the House that met secretly unless there is an overriding public interest.
7. He/she must have a good memory and recognition of faces. Most members feel very important so they easily feel slightly offended when you cannot recognize them or match their faces with their constituencies.
8. He/she should know the standing order of the House he/she is covering.
9. He/she must be a good student of History and know the political development in the country and the locality of coverage.
10. He/she must be professional and friendly to the members but avoid befriending them.

Sources of News in the Legislature

In covering and reporting the legislative process, there are different sources of news which include:

1. Hansards - This is the daily official publication of the proceedings of the House which is normally prepared by

- professional parliamentary reporters who are staff of the Assembly.
2. Committee meetings/proceedings.
 3. Press releases by individual legislators, groups of legislators or from the management and leadership of the Assembly.
 4. Regular press briefings - Almost on a daily basis, the chairman of the committee on information of most Houses, or chairman of the ad-hoc or standing committee gives press briefings to parliamentary reporters on burning issues of the day or activities of the House.
 5. Legislative aides - These are personal aides/staff to the legislators who assist them in coordinating their affairs.
 6. Proceedings of the House
 7. Interview of members
 8. Political party's secretariat and leadership of the political parties
 9. Constituency projects
 10. Informal activities of the members such as birthday parties, marriages etc.

Although, the above list of news sources is inexhaustive, however, the reporter or media utilizes these sources in enhancing effective information dissemination. This is no doubt with the fact that the legislature as earlier stated being the most dramatic institution of government, possess a threat to a parliamentary reporter who needs to acquaint himself with the process. Therefore, with these sources of news, the reporter is better equipped with information worth reporting to the electorates about the legislative process without endangering his credibility and that of the media he reports for.

This also go a long way in enhancing accountability on the part of the legislators having known that the electorates are well informed of their activities and have the right to recall them if they are not properly represented.

Conclusion/Recommendations

In as much as the media play important roles in representing the legislature to the outside world as well as helping members to do their jobs well, it is equally important to know that the legislative process is one of the most complex and least understood aspects of most democracies. Reporters assigned to cover this beat will also do well to have varying degrees of understanding of how the system works. Most often, reporters may well see that the pace of the inherent process is slow, thus indicating inefficiency and ineffectiveness; and they may view legislator's willingness to move towards resolution and consensus through compromise as 'selling out'. When that happens, it results to what is referred to as the conflict between media freedom and legislative privilege. This sort of thing happened on November 7, 2003 in India when the Tamil Nadu Assembly sentenced The Hindu's editor, N. Ravi and four others - the Publisher, Executive Editor, Bureau Chief and Special correspondent to 15 days of simple imprisonment for what was termed offensive news reports resulting to a breach of privilege. The world media saw this as condemnation without trial and vindication of press freedom and centre - staging of the press to world social systems by certain democracies, (Nirmaldasan, 2007).

To avoid such further occurrence, legislators should take time to explain to reporters the principled reasons certain things happen, why it was deemed necessary to make a significant change in a piece of proposed legislation, how a compromise was struck to break a stalemate or why it was not possible to get members to support the party leadership on a crucial vote.

The media needs adequate knowledge on the workings of the system, what is really going on, without being offensive. Therefore, likely actions should be anticipated so as to avoid surprise and prescience.

Journalists should be provided with as much information

as possible as this is considered the best chance for receiving the desired reportage on an issue, Bill or advance agenda and discussing expectations for an upcoming meeting.

Reporters also expect and appreciate advance notice of the legislative schedule so as to meet media deadlines. Press conference/releases, briefings, provision of reasonable work – space are capable of making the job much easier and avoid time consuming efforts to gather information. This could be achieved by legislators and journalists cultivating friendships amongst themselves – Press/legislative relations. Some schools of thought aver that both should however beware of such friendships as it could turn sour at times.

As a catalyst for change, the media play their watchdog role by constantly monitoring government's activities and reporting same for public consumption. Lack of cooperation from those concerned should and will never deter an enterprising reporter from undertaking the required research for a story he/she is pursuing. The same goes for provision of so much information and assistance which does not mean that a good journalist will not still carefully review and examine every document and statement provided by a helpful legislator.

Journalists on this beat are also warned that in as much as they enjoy some sort of freedom, care must be taken in order not to fall prey to pitfalls. Always strive to fulfill your obligations to the society by setting high professional standards of information which is based on truth, accuracy, objectivity and balance. These enhance positive media coverage for both parties.

Media-crew participation in legislative conferences, training, workshops and other refresher courses could also enhance their knowledge in legislative procedures and performance.

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