# Evaluation of Conventional and Digital Broadcast Regulation: Challenges and Prospects in Nigeria

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## A R T I C L E I N F O

## A B S T R A C T

This paper tries to evaluate and ascertain the impact of the Nigerian broadcasting system on various broadcasting bodies, the researcher adopted the survey research method to get the sample size of 150 to represent the population of the study a total of 150 questionnaires were distributed to the respondents and 140 or (93.3%) were returned while 10 or (6.6%) questionnaires were not returned. The study findings reveal that the main methods of regulation were monitoring, licensing, sanctioning, and arbitration. It concluded by pointing out that regulations are one tool society uses to monitor media practices and content, and that a nation's political structure dictates the course its laws take. As a result, the report suggested revising the Nigerian Broadcasting Code to strengthen the regulatory body's independence and promote industry diversity and healthy competition.

## INTRODUCTION

Amongst the so many means of communication practiced by societies, broadcasting is the most effective means of communication amongst many societies especially amongst illiterate and poor societies, because in such societies the only access and means of information and news is by word-of-mouth, or radio or both, radio is certainly more authoritative. In more developed areas, television has replaced radio as the most trusted and main source of news. And as well as news, broadcasting provides education and entertainment; in Western societies like the UK, people spend an average of 24.4 hours a week watching television, and 23.9 hours listening to radio. Whoever controls access to so much viewing and listening, and whoever controls the content of what is watched and heard, is in a prime position to influence the way in which viewers and listeners see the world and their attitudes towards their own and other's cultures.

The study of broadcasting that the main methods of regulation were monitoring, licensing, sanctioning, and arbitration. It concluded by pointing out that regulations are one tool society uses to monitor media practices and content, and that a nation's political structure dictates the course its laws take. As a result, the report suggested revising the Nigerian Broadcasting Code to strengthen the regulatory body's independence and promote industry diversity and healthy competition. becoming digitalized. By 2015, according to the deadline by International Telecommunication Union, ITU, every broadcast station in the world would have switched over from analogue to digital broadcasting. Against this backdrop, the National Broadcasting Commission, NBC, (the regulatory body for broadcasting in Nigeria) had set June 2012 as the switchover date for Nigeria, several issues have arisen from scholars and stakeholders since the announcement. "Audio and video output from digital television signals is stronger and clearer." It is noteworthy that, with digital technology, television sets would serve as computers and phone handsets. This suggests that internet access would be possible through TV sets. Data from audio and visual signals that were received could also be stored by it. Essentially, the transient quality of broadcast media would have been diminished, if not eliminated. The broadcast media would start to be valuable as a catalog. For the broadcasters, at least four programs can be transmitted simultaneously thanks to digital broadcasting equipment. and four channels from the same station, which in analog transmission only carried one program or channel. Exposure to digital technologies in broadcasting will facilitate the acquisition of technical principles and applications by broadcasters prior to the proposed deadline. The saying "practice makes perfect" is frequently used. Broadcasters would therefore not be able to understand digital broadcast operations using its technologies if they did not regularly use digital equipment. The impact of globalization and the development of contemporary communication technology have made broadcast organizations—which have not kept up with operational advancements—a challenge to our society. The biggest issue is that broadcasters operate outside of all regulations, which poses

a threat to the advancement of communication, information, and technology in our society.

## Research Questions

The research questions involved in this study were as follows:

1. To what extent are the Are broadcasters equipped to integrate digital technologies into their programming?
2. What are the problems hindering the digitization of broadcasting in Nigeria?
3. What are the socio-economic advantages of digitizing in the broadcasting industry?
4. What advantages and disadvantages do broadcasters see with digital migration and/or a complete digital transition?
5. Is there any possible way of meeting these challenges?

## LITERATURE REVIEW
## Concept of Digital Broadcast

The concept of digital broadcasting refers to the transmission of audio, video, and data content through digital signals over the airwaves or through cable, satellite, and internet-based platforms. It represents a significant advancement over traditional analog broadcasting, offering several advantages in terms of signal quality, efficiency, and versatility. Here are some key points about digital broadcasting:

### Digital Signals

Unlike analog broadcasting, which uses continuous waveforms to carry information, digital broadcasting employs discrete binary code (0s and 1s) to represent data. This allows for more accurate and reliable transmission, resulting in improved signal quality and resistance to interference. Improved Quality: Digital broadcasting offers higher resolution and clearer audio and video quality compared to analog signals. This is particularly important for high-definition (HD) and ultra-high-definition (UHD) content, where details are preserved even during transmission. Efficiency: Digital broadcasting uses compression techniques to reduce the amount of data needed to transmit content. This efficiency allows for more channels to be transmitted within the same frequency spectrum, expanding the variety of content available to viewers.

### Multimedia Services

Digital broadcasting enables the integration of various multimedia services, such as interactive features, electronic program guides (EPGs), subtitles, multiple audio tracks, and more. Viewers can access additional information and customize their viewing experience.

### Transmission Platforms

Digital broadcasting can be delivered through various platforms, including terrestrial (over-the-air), cable, satellite, and internet-based

technologies. This allows for flexible and widespread distribution of material. Analog to Digital Transition: Broadcasting has switched from analog to digital in many countries worldwide. This changeover involves upgrading broadcasting infrastructure and encouraging consumers to acquire digital-capable devices (such as digital TVs or set-top boxes) to receive the new signals. Standardization: Various digital broadcasting standards exist, such as DVB-T/T2 (Digital Video Broadcasting – Terrestrial), ATSC (Advanced Television Systems Committee), and ISDB (Integrated Services Digital Broadcasting), among others. These standards define the technical specifications for transmitting and receiving digital signals.

### Global Reach

Digital broadcasting enables content to be distributed globally through the internet. This has facilitated the rise of online streaming services and platforms, giving consumers access to material whenever they want. from anywhere with an internet connection. Adaptability: Digital broadcasting is adaptable to technological advancements. As new compression algorithms and transmission methods emerge, digital broadcasting can evolve to accommodate these changes, ensuring continued improvements in quality and efficiency. Spectrum Efficiency: Digital broadcasting's ability to transmit more content in a given frequency spectrum contributes to efficient use of the radio frequency spectrum, which is a limited resource. Overall, the concept of digital broadcasting has transformed how audio, video, and data content are delivered to audiences, offering improved quality, interactivity, and efficiency compared to traditional analog broadcasting methods.

### The Gains of Digital Broadcasting

Broadcasters and audiences alike can benefit greatly from digital broadcasting, in general. These advantages might pertain to multiple channels, high-quality signals, media convergence, and program content. Still, though. Different societal segments may gain in various ways. The benefits of are listed below. digitization.

### National Interest

The nation stands a good chance of benefiting from the nation going digital in its entire operations in the sense that The spectrum will become available once the transition is finished. Consequently, other services can make use of the spectrum. "A huge spectrum will be available for radio and television stations in Nigeria," it is implied. This is because, while digital transmission improves "limited spectrum use" as technologically necessary for the transmission of high definition images, cable, the internet, and DBS—all of which provide numerous programming and data channels—will gain audience share from them. Considering the advantages for the country's interest.

### Viewers' Interest

Digital broadcasting will afford the viewers "more programming choice arising from efficient spectrum utilization" Digital broadcasting "plays a vital

role in information dissemination due to its high receptivity, vast coverage and efficiency" The viewers are going to receive clearer pictures because digital broadcasting "promises television pictures that are as clear and crisp as a Cineplex feature" . There will be optimum utilization because the viewers will be able to receive multiple channels from one station. The variety will, therefore, enhance the gratification efficiency of broadcasting. More so, digital broadcasting enhances media convergence which affords the audience to use TV in conjunction with telephone, computer and other information and communication technologies. sums up the above submissions thus: The technological possibilities of digital television are immense. It could provide the broadcast of theater quality sound and picture via cable, antenna or satellite; multicasting which enables the transmission of multiple programmes within one digital signal; and signals for data communications that could potentially bring to TV the capabilities of web pages and interactive compact discs . Duke (2019).

**Broadcasters' Interest**

The broadcasters are going to enjoy an era of cost effectiveness with digital broadcasting. This is because; a station can carry up to four channels on the same frequency. Also digital programme productions are flexible and faster than the analogue. Again, stations may generally rely on syndicated programmes because the digitalization process encourages equal opportunities that result in a healthy competition. Consequently, this will "delineate content, multiplexing and transmission". However, the amount of money spent on salaries and maintenance and infrastructure will reduce because digital technology does not go with bulky equipment. And few people are required for the manipulation of such equipment. Take for instance in the master control unit where about 12 people were needed to work, one person can effectively manage such a unit with the introduction of digital operations. Thanks to new (digital) technology, you only need two for programme injection these days. this is an efficient way of saving resources. Digital radio gives more business opportunities for radio stations.

**Content Providers' Interest**

The content providers do not only have increased revenue for legitimate exploitation of work and revenue for airing programmes, but increased demand for all genres of programmes to fill the additional programming demands in the increased available channels. As the existing broadcast stations start increasing the number of channels resulting from the digitization process, the demand for programme will increase. Consequently, the content providers will be well engaged in the bid to satisfy the numerous stations that will be yearning for programmes. This will create competition which will result to quality content provision. At the end, the content providers will maximize profit.

**Concept of Regulation**

Regulation refers to the state's intervention in spheres of economic, social, or cultural life in accordance with national political norms. National constitutions, executive orders, laws imposed by religious doctrine, and legislative action under representative democracies can all issue regulations. The government may administer regulations directly, as it did in Nigeria prior to 1992. Another way would be through legally mandated organizations that have some degree of autonomy from the government. The Federal Communications Commission (FCC) of the United States; the Independent Television Commission (ITC) of Britain; and the National Broadcasting Commission (NBC) of Nigeria serve as examples of this. Fundamentally, permission-based regulation in broadcasting refers to the process of granting licenses to broadcasting organizations. Private organizations must pay a high price to obtain licenses in most countries, including Nigeria. By 2006, for example, the lowest licence fee for public radio stations was 10 million Naira, while the lowest licence fee for private radio was 15 million Naira (NBC; 2013). Furthermore, cultural norms are a prerequisite for broadcasting regulation, which also "contributes to the shaping of these norms" and occasionally has a major influence on the format and content of programs, which in turn affects the financial and administrative frameworks of broadcasting. A critical evaluation of the theory and implementation of broadcast regulation would demonstrate its influence on Nigeria's broadcast industry as a whole. (Harvey; 2019).

**Challenges of Conventional Broadcast Regulation**

Spectrum Scarcity and Allocation: Traditional broadcasting relies on spectrum allocation, which is limited and valuable. Allocating spectrum to different broadcasters while ensuring fair competition and avoiding interference is a complex task. Content Control and Censorship: Regulating content for traditional broadcasting involves balancing freedom of expression with societal values and cultural norms. Determining what constitutes acceptable content can be subjective and lead to debates over censorship.

*Media Ownership Concentration*

Ensuring diversity of media ownership is a challenge as larger conglomerates may dominate the broadcasting landscape, limiting competition and diverse viewpoints.

*Public Interest Obligations*

Broadcasters often have public interest obligations, such as providing news and educational content. Ensuring compliance with these obligations while safeguarding editorial independence can be tricky.

*Cross-Border Broadcasting*

Traditional broadcasts can easily cross national borders, making it difficult for individual countries to regulate content that originates from outside their jurisdiction.

*Technology and Infrastructure Upgrades*

Transitioning to digital broadcasting requires significant investments in infrastructure and technology upgrades, which can strain both regulatory bodies and broadcasters.

## Challenges in Digital Broadcast Regulation
*Convergence and Platform Neutrality*

The rise of digital broadcasting blurs the lines between traditional broadcasting, online streaming, and social media. Regulators must address issues of platform neutrality and ensure fair competition in this converged landscape. Global Reach and Jurisdiction: Digital broadcasts have a global reach, making it challenging for regulators to enforce rules and regulations across different jurisdictions.

*Content Moderation and Misinformation*

The rapid spread of misinformation and harmful content online poses challenges for digital broadcast regulation. Balancing freedom of expression with the need to prevent the dissemination of harmful content is an ongoing struggle. User-Generated Content: Unlike traditional broadcasting, digital platforms often host user-generated content. Determining liability for such content and regulating user-generated content without stifling innovation and free expression is complex. Data Privacy and User Protection: Digital broadcasting platforms often collect and utilize user data for targeted advertising and content recommendations. Regulators need to ensure that user privacy and data protection are upheld. Technological Advancements: The fast-paced evolution of digital technologies, such as artificial intelligence and virtual reality, presents challenges in adapting regulations to address emerging forms of digital broadcasting.

*Licensing and Distribution*

The ease of digital distribution can make it difficult to enforce licensing agreements and copyright protection, potentially impacting content creators' revenue streams.

*Economic Viability*

The shift to digital broadcasting can disrupt traditional revenue models, requiring regulators to find new ways to ensure the economic viability of content creators and broadcasters. Overall, both conventional and digital broadcast regulation require adaptable and forward-looking approaches to address the complex challenges presented by technological advancements, changing consumer behaviors, and the globalization of media. Balancing innovation, freedom of expression, and societal values remains a central concern in the regulatory landscape.

The Diffusionist ideology has piqued the interest of academics studying communication and served as the foundation for their research because of the advanced technological innovations seen in the media sector. "Diffusion is the process by which an innovation spreads over time among the members of a social system through specific channels." It is a unique kind of communication in which the messages are about novel concepts, whereas innovation is the introduction of a novel project, method, or concept. Therefore, it is pertinent to observe that those who are embracing digitization place a high value on understanding and applying digital technology, given that it is a global innovation designed to enhance broadcast operations' functionality. Furthermore, if users of digital technology are knowledgeable about how it operates, the technology will flourish Rogers (2015).

1. Awareness: This phase involves introducing innovation to an individual who lacks sufficient knowledge, recognizes the need for additional information, or is considering purchasing or utilizing the good or service.

2. Interest: In this case, the decision to learn more about the innovation is made even though the individual is unsure of its potential applications or usefulness.

3. Evaluation: This has to do with the person deciding what innovations to innovate. He could give the innovation a try if it seems beneficial.

4. Trial: The innovation is only being used partially at this time.

5. Adoption stage: People in a social system are classified as adopters based on innovations, and the decision to adopt an innovation is influenced by data gathered during the interest and evaluation stages as well as the trial stage's results.

**METHODOLOGY**

The use of questionnaire distributed to 140 respondents. For clarity, simple percentages, tables and explanations were used in presenting the data collected. 75 60 respondents, or 43.3% of the sample, agreed, with 53.6% of the respondents strongly agreeing. that digital versatile disc (DVD) gives better audio visual transmission, 70 respondents representing 50% strongly agree and 60 respondents representing 42.8% agree that digital television give a higher image quality than analogue. 60 of the participants, 42.8% strongly concurred 50 percent of respondents, or 70 people, agreed. that there is a differenceinsoundqualitybetweenadigitaltelevisionandanaloguetelevision.

Table 1. This Reveal That Digitization Integrate the Computer and Television for Improved Service

| /N | Respondents Knowledge on Research Questions | Strong Agree | | Agree | | Disagree | | Strongly Disagree | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | F | % | F | % | F | % | F | % | F | % |
| 1 | Doyouagree thatdigitalv ersatiledisc( DVD)givesb etteraudiovi sualtransmi ssion? | 75 | 53.6 | 60 | 42.8 | - | - | 5 | 3.6 | 140 | 100 |
| 2 | Doesdigitaltelevisiongi veahigher image quality then analogue? | 70 | 50 | 60 | 42.8 | 5 | 3.6 | 5 | 3.6 | 140 | 100 |
| 3 | Isthereanyd ifferenceins oundquality betweenadi gitaltelevisi onandanalo guetelevisio n? | 60 | 42.8 | 70 | 50 | 5 | 3.6 | 5 | 3.6 | 140 | 100 |
| 4 | Can digitization integrate the computer and television for improved service? | 50 | 35.6 | 70 | 50 | 10 | 7.2 | 10 | 7.2 | 140 | 100 |
| 5 | How would you rate the audio and visual quality of a digital television over analogue Television? | 60 | 42.8 | 70 | 50 | 5 | 3.6 | 5 | 3.6 | 140 | 100 |

Source: FieldSurvey2023

**RESULTS AND DISCUSSION**

One tool the society uses to monitor media portrayals and content is regulation. The direction that a nation's regulations take is determined by its political structure. By Decree 38 of 1992, the National Broadcasting Commission, or NBC, was founded in Nigeria to register, oversee, and manage broadcasting in the country. However, it has been proven that the commission acts as a government agent, casting doubt on its goal of promoting pluralism in the broadcast industry. However, its regulatory strategies encompass licensing, oversight, disciplinary action against noncompliant parties, mediating and settling disputes, and additional control mechanisms. The commission is a "irregular" regulator because it carries out all of these tasks with blatant bias against the private stations.. It is thought that the president, not the commission, has the authority to grant licenses, which prevents NBC from carrying out its obligations on its own. Additionally, the commission was wrongly granted two distinct sets of powers by the laws, making it both an arbitrator and a regulator. As a result, the commission has several basic flaws that cause the nation to lag far behind other countries in terms of positive regulation. Following the issuance of licenses by the highest political body in the nation, the commission consistently flouted the law to defend the government-established stations. The authoritarian theory's tenets are reinforced by this situation. To maintain democratic values during a time when Nigeria is undergoing a rebranding, it would be appropriate to embrace libertarian principles by examining the Nigerian Broadcasting Code and how it is applied, and to establish a level playing field for everyone. This will be compliant with the fairness doctrine, equal opportunities, and the international standard that forbids the publication of indecent content (Dominick 2009, 380-1). Nigeria ought to imitate the successful broadcasting environments in the United States, Ghana, South Africa, and Britain, among other countries.

**CONCLUSIONS AND RECOMMENDATIONS**

Enhancing broadcast regulation in Nigeria is crucial for ensuring quality content, promoting diversity, and maintaining ethical standards in the media industry. Here are some recommendations to consider: Strengthen Regulatory Framework: Revise and update existing broadcasting laws and regulations to address current challenges and emerging technologies. Ensure that the regulatory framework is flexible enough to accommodate technological advancements while also maintaining ethical and content standards. Independent Regulatory Body: Establish an independent and autonomous regulatory body with the authority to oversee and enforce broadcast regulations. This body should be transparent, free from political influence, and adequately funded to carry out its responsibilities effectively. Content Standards and Guidelines: Develop clear and comprehensive content standards and guidelines that address issues such as hate speech, incitement to violence, misinformation, and inappropriate content. Broadcasters should be required to adhere to these standards to maintain their licenses. Diversity and Local Content: Implement measures to promote diversity and local content in

broadcasting. Set quotas for the inclusion of local programs, languages, and cultures to ensure a rich and varied media landscape that reflects the country's diversity.

**Digital Broadcasting**

Update regulations to cover digital broadcasting platforms, including streaming services and online content providers. These platforms should also adhere to content standards and guidelines to ensure a level playing field with traditional broadcasters. Licensing and Renewal Process: Establish a transparent and fair licensing and renewal process that takes into account factors such as adherence to content standards, audience reach, and commitment to local content. Consider periodic reviews of licenses to ensure compliance.

**Consumer Protection**

Include provisions for consumer protection, ensuring that broadcasters provide accurate information and protect the interests of their viewers. This could involve mechanisms for addressing complaints, false advertising, and ensuring accessibility for persons with disabilities.

**Training and Capacity Building**

Provide training and capacity-building programs for media professionals, including journalists, producers, and technicians. This will help improve the quality of content and ensure adherence to ethical standards.

**Monitoring and Enforcement**

Invest in robust monitoring and enforcement mechanisms to ensure that broadcasters are complying with regulations. Implement penalties for violations, ranging from fines to suspension or revocation of licenses for severe breaches.

**Public Participation**

Involve stakeholders, including media professionals, civil society organizations, and the public, in the regulatory process. Consider setting up mechanisms for receiving input on proposed regulations and policies.

**International Best Practices**

Study and adopt international best practices in broadcasting regulation to learn from the experiences of other countries and adapt them to the Nigerian context.

**Research and Data Collection**

Invest in research and data collection to understand audience preferences, content consumption habits, and emerging trends. This information can guide regulatory decisions and ensure that regulations remain relevant.

**Collaboration with Industry**
Foster collaboration between regulatory authorities and industry stakeholders to promote self-regulation and address challenges collectively.

Enhancing broadcast regulation in Nigeria requires a comprehensive and multi-faceted approach that balances freedom of expression with the need to uphold ethical standards and protect the public interest. It is important to engage various stakeholders and continuously review and adapt regulations to keep pace with technological advancements and changing societal dynamics.

**FURTHER STUDY**
This research still has limitations so further research needs to be done on the topic "Evaluation of Conventional and Digital Broadcast Regulation: Challenges and Prospects in Nigeria."

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