

# Akwa Ibom Journalists' Assessment of the Workability of the Freedom Information (FOI) Act in Nigeria

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## **Abstract**

This paper investigates the workability of the two-year old Freedom of Information (FoI) Act in AkwaIbom State. It particularly sought practicing journalists' opinions regarding the subsisting factors affecting the workability of the FOI Act in Nigeria. Nigerians have often cast doubt on the workability of the Act, arguing that there are no proper mechanisms, training and political will to achieve the objectives of the Act in Nigeria. There is yet a general understanding that it is one thing to enact such a law and another to ensure its operationability. The study was anchored on the Social Responsibility and Democratic Participant theories. Studying the general perception of the workability of the Act in Akwa Ibom state, the Survey method was used. 158 journalists were sampled from three media outfits, comprising radio and television stations in Akwa Ibom state. We probed, among other things, Akwa Ibom journalists' awareness of the Freedom of Information Act and their perception of its workability. Using simple percentage and frequency tables, the study among other things found that there is a widespread awareness of the Act among journalists in the state. However, the level of awareness of the Act has not been matched with a corresponding application of the Act or its relevance to the journalists in the discharge of their duties. It was recommended that, among other things, journalists and civil/public servants should be properly trained regarding the provisions of the Act, and lack of compliance to the Act should be severely punished.

*Keywords:* .Akwa Ibom .Journalists .Assessment .Freedom .Information

## **Introduction**

The press, which is an integral and indispensable element of the society, exists for the society. It derives its powers to function from the constitution. As stipulated in Chapter 11, Section 22 of the 1999 Constitution of the Federal Republic of Nigeria, thus: The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this chapter and uphold the responsibility and accountability of the government to the people.

This provision implies that the press shall be a watchdog over the excesses of government, and shall ensure that government delivers its promises to the people. The government on the other hand shall ensure that the press informs the people about its programmes and actions.

The press covers the print sector of the mass media, notably the newspapers, magazines and periodicals (Aliagan, 2006). So powerful is the press in all societies that Edmund Burke in the Late 18<sup>th</sup> Century, England coined the term "Fourth Estate," in reference to the political power possessed by the press, on a par with the other three "estates" of power of the British realm: the lord, church and commons (McQuail, 2000). In America, the press is referred to as the fourth branch of government...coming after the executive, the legislature and the judiciary (Akinfeleye, 2003). But, the term press today is used synonymously with mass media, the vehicles for dissemination of information to wide, heterogeneous and anonymous audiences, scattered in far-flung locations.

The press in Nigeria, unlike their counterparts in many other African countries, cannot easily be whipped into line at the instance of the government. The Nigerian press appears vibrant and aggressive and cannot be crippled by little finger of the ruling elite. The vibrant posture of the press in Nigeria, according to Iyare (2000, p.45), is a function of the boisterous nature of the average Nigerian who tends to resent any form of authoritarianism and dictatorship.

In addition, Jason (2000, p.109) opines that the Nigerian media stand out in Africa in term of asserting a wide scope of freedom of expression. He argues that the press earned its freedom and vibrancy through the furnace of the anti-colonial struggle and advocacy of freedom from oppression over the years. Some people rather perceive the strength of the Nigerian media as flowing from the multi-ethnic nature of Nigeria which itself guarantees a feeling of diversity. Nigeria's heterogeneous environment is abhorrent to the thriving of any form of dictatorship.

The Universal Declaration of Human Rights of 1948 says, "everyone has the right to freedom of opinion and expression." Nevertheless, military dictatorships have not been fair to the Nigerian media. For instance, the late Gen. Sani Abacha-led military junta unlawfully convicted and later sentenced some Nigerian journalists like Chris Anyanwu (Publisher, TSM News magazine), Olu Terele and other staffers of Concord Newspaper; Kunle Ajibade (Editor, News Magazine), Ben Charles Obi (Editor, Weekend Classique), George Mbah (Assistant Editor News magazine) and countless number of journalists and newspaper vendors for spreading of information of a foiled coup attempt.

Even during democratic dispensations, the press has not always been fairly treated. During the regime of former President Olusegun Obasanjo, Nigerian journalists suffered one form of extra-judicial maltreatment or the other. For instance, in a suit filed by the Federal Government against African Independent Television (AIT) and Independent Newspaper in publication of Daily Trust of October 11, 2006, reveals that FG had withdrawn her suit against AIT and retained that of Independent Newspaper Limited (INL) on what it called a seditious act in the Daily Independent of June 12, 2006 entitled "*Controversy Over Age Cost Of Presidential Jet.*'

However, to enthrone freedom of expression, opinion and information, which of course, remains a fundamental denominator in any democracy, the 7th National Assembly (after numerous agitations, persuasion, procedures) adopted the Freedom of Information Act 2011 on Tuesday 24th May, 2011. The Act was signed into law by President Good luck Jonathan in May, 2011 (FOI, 2011, p. 17). The law is to, among other provisions, ensure that every Nigerian citizen enjoys free access to public records and information, fight corruption and hold officials and institution accountable. The Act is to provide a legal enabling environment that guarantees the conduct of the news gathering activities of journalists in Nigeria.

In spite of the Act, not much access to public records is still seen as an impossible task. Three years after the act came into the existence, Nigerians, especially Journalists, are yet to start enjoying its benefits. For instance, shortly after the enactment, the Freedom of Information law in Nigeria faced its first major setback, with Ogun State refusing to respect the new FOI law. Responding to the first ever FOI request from the Nigeria Association for the Care and Resettlement of Offenders (NARCO) for access to certain public records, Ogun State Attorney General said: "the FOI is not binding on public institutions and no public institution in Ogun state is obliged, for now, to accede to any request for access to public record (Kamal, 2011). This is not a one-off case; several rebuffs of the FOI by public functionaries have continued to be recorded.

As recent as 16th May, 2013, a Federal High Court in Abuja discharged two Leadership Newspapers journalists who were arraigned by the Federal Government over alleged conspiracy and forgery of the Presidential directive's bromide. The Federal Government had charged the group News Editor of Leadership Newspaper, Mr. Tony Amakeodo; the political correspondent, Mr. Chibuzor Ukaibe, and the newspaper to court on a six-count charge of alleged forgery of a Presidential directive, but the journalists had pleaded not guilty to the charge. However, the federal Government had, on May 2, 2013, withdrawn the case against the two Journalists (Lorakpen 2013).

### **Statement of the Problem**

Communication no doubt has been and will continue to remain a primary need of man. The quality and quantity of reformation a man has, to a great extent determines the quality of life he leads. For this to be optimally utilized, every society especially a democratic one, is expected to provide its citizens with the rights to express their opinions and to receive information. These rights therefore were provided for in the 1948 Universal Declaration of Human Rights, but have hardly really been respected in Nigeria. In pursuance of the above, the government of Nigeria enacted the FOI Act in May, 2011 when President Goodluck Jonathan signed the bill into law.

However, despite the seeming ecstasy that heralded the enactment of the FOI Act; it appears the new law only works on paper and not in practice. It seems as if journalists who should have been the major beneficiaries of the Act, are still not getting the dividends of the Act. This situation has often cast a huge doubt on the workability of the Act, given that it is one thing to enact such a law and another to ensure its operability. The question therefore is, do journalists think the law is practicable, and what is their general perception of the workability of the Act, particularly in Akwalbom State?

### **Objectives of the Study**

The aims of study were to:

1. Ascertain whether journalists in Akwalbom State are aware of the Freedom of Information Act 2011.
2. Determine whether the Freedom of Information Act has any influence on the activities of journalists in Akwa Ibom.
3. Determine the general perception of Akwa Ibom journalists on the workability of the Act.
4. Find out what Akwa Ibom journalists think could make the Act work better.

### **Research Questions**

To actualize the objectives of the study, the following research questions were formulated:

1. Are Journalists in Akwalbom State aware of the freedom of information Act 2011?
2. Has the FOI Act so far had any influence on the activities of journalists in Akwa Ibom State?
3. What is the general perception of Akwalbom State journalists on the workability of the Act?
4. What do Akwa Ibom State journalists think could make the Act work better?

### **Review of Literature**

#### **Press Freedom: The Nigerian Experience**

Freedom of opinion and of expression constitutes the cornerstone of any democracy and solid basis for development in all its ramifications. Participatory democracy is inconceivable without free speech and freedom of expression. If democracy is about transparency, accountability and good governance, then free speech is indispensable.

The centrality of freedom of expression was underscored by a one time president of the Philippines, Corazon Aquino, when she said: 'freedom of expression, in particular, freedom of the press, guarantees popular participation in decisions and actions of government, and popular participation is the essence of our democracy.'

In fact, Ronald Regan, in furtherance of America's cold war ideology, made bold to say: "the march of freedom and democracy will leave Marxism/Leninism on the ash heap of history as it has left other tyrannies which stifled the freedom and muzzled the self expression of the people" (Regan 1982).

However, the Nigerian socio-political environment influences press freedom with adverse implications for education, information, entertainment and surveillance. A theoretical recognition of the press as the "Fourth estate" connotes the capacity of the press to monitor the three tiers of government (the legislature, the executive and the judiciary). But, government monitors the press in Nigeria in a manner that negates the principle of the fourth estate.

Freedom of the press was exceedingly sought after in Nigeria, leading to the passage of the Freedom of Information (FOI) into law. However, in many quarters, "it is believed that there is continuous repression of press freedom by the authorities, and this is endangering the country's democracy, because it warps information about the political leader (Onwumere, 2013).

Meanwhile, according to Ezegwu, Nwokeocha and Ejem (2013, p. 114), incidentally, the struggle for press freedom in Nigeria was tied to the struggle for political independence. The early newspapers used their editorials and columns to crusade relentlessly for political independence. As expected, there were provisions for freedom of expression in the Independence Constitution (Nwabueze, 1982), but there was no specific provision granting freedom of the press. The struggle to have definite constitutional provisions guaranteeing press freedom is still on.

There are cases of suppression of truth by the authorities for self-serving purposes. Newsmen are preyed upon when they go further to unravel any attempt made by the leaders to suppress the freedom of the press. More than 25 attacks against journalists were recorded in the event of the April 2011 presidential, legislative and gubernatorial elections in Nigeria (Onwumere 2013). Many newsmen have been detained in Nigeria by the authorities without trial, nor was there any judicial or legal authorization. This perhaps, informs the report by the *Street Journal* of April 30, 2013 with the headline: 'Despite FOI, Nigeria World's 64<sup>th</sup> Worst Violator of press freedom!' The *Street Journal* says that report published earlier in the year by the *Reporters Without Borders*, which circulates an annual press freedom index, ranks Nigeria in 115<sup>th</sup> position among 179 countries in the press freedom index.

In Africa alone, Nigeria is rated very low among the keepers and respecters of press freedom. Its recent detention and humiliation of four journalists from Leadership Newspaper over a purported report on the country's presidency is the most upsetting.

Another distressful report in the *Street Journal* is the story of November 8, 2008, where the same *Leadership Newspapers* had a lead report concerning the then President, late Umaru Yar'adua's ill health. In the report, the paper wrote that the President was coerced to stay indoors for two days. The *Leadership Newspaper* was forced to tender an unreserved apology to the President, after the President's media aides denied the allegation that the President was indoors.

It is perceptible that the authorities in Nigeria do not attach great importance to journalists, but what they publish. The habit is betraying the individual's standing and his or her self esteem, especially among the journalists. While the world's democracies attach more to protecting journalists dignity, the authorities in Nigeria do not see this as a basic fundamental human right that must be protected by the constitution.

According to Pate (2012), journalists in Nigeria are still struggling to cover and balance freedom with responsibility in their duties to avoid the adult's glove of the authorities, therefore being selective in what they report, by merely responding to statements of politicians, ethnic champions, religious zealots and other interested party rather than shelve their own independent inquiries about specific social conflict, issue or disorder. Hence the making of generalized statements not supported by concrete facts and figures is rife.

Pate says that the fears of being persecuted makes journalists to attribute statements by individual to collectives, publishing of rumour as facts, publishing unfair and discriminating adverts, use of inflammatory language in news reporting, the problem of editors allowing the letters column and opinion pages to be used to make inflammatory statements against some people or groups, the use of inflammatory, misleading and sensational headlines to attract sales; demonization of certain ethnic, religious or political groups in an already divided and tensed society, the use of cartoons to malign a community, group or individual, use of unrepresentative pictures, unobjective and clearly biased reporting against some groups, individuals or community, expression of ill informed opinions by columnists writer etc.

However, against the influence, some unsuspecting members of the public say that the media should function according to the laid down rules and at the same time say that the press should be able to express itself freely. How possible this is, is not yet certain. But Pate (2012) further says: "similarly, some of the journalists, even where they appear competent, are often

subdued by the attitudes and policies of their individual media houses to the detriment of their professional honour”.

What many Nigerians did not understand was that there could not be the expected total freedom of press if journalists were asked to follow the ethical rules set by the authorities strictly. Journalists cannot have the freedom to express themselves without trampling on the toes of those who are out to malign them at any slightest reports made of investigative journalism.

Onwumere (2013) avers that when journalists see it as their responsibility and report factually to the public, the authorities become pensive when what is being reported affects their ego. This undermines press freedom to source for news, regarded less the 1999 Nigerian Constitution of Section 39 (1-3), which states that everybody has freedom to expression, to hold opinions, to seek, to impart information and ideas without any interference. Inter alia, the same constitution in section 22 (1), also states that the press, the media and all media agencies are free to uphold opinions, seek, impart information and ideas without any interference.

Aturu in Vanguard (September 10<sup>th</sup>, 2010), says that some fundamental issues, says that what obtains in the country's freedom of the press without freedom of information; freedom without content.

Aturu (2010) claims that all laws, whether it was colonial seditious offence ordinance of 1909, the precursor of the Notorious Public Officers (Protection Against False Accusation) Decree No. 4 of 1984 or even the Nigerian Press Council Act recently nullified by the Federal High Court were enacted all enacted to repress the press and prevent criticism of the government in power.

### **An Overview of Freedom of Information Act in Nigeria**

Since the military system of government has become unpopular throughout the world and democracy is becoming the order of the day, there is an increasing acceptance of the importance of human rights, particularly of freedom of expression. For a country like Nigeria that had witnessed decades of military rule where press freedom was restricted, it came as a relief when the Freedom of Information Bill was signed into law on the 28<sup>th</sup>, May 2011.

The veil of secrecy surrounding government information, according to Ayode (2011) makes it difficult to get information from any state agency (Ayode, 2011). The Official Secret Act, for instance, makes it an offence not only for civil servants to give out government information but also for anyone to receive or reproduce such information.

According to Adeleke (2011), the idea behind these laws is to protect vital government information, but the level of secrecy is so ridiculous that some classified government files contain ordinary information like newspaper cuttings which are already in the public domain, so impenetrable is the veil of secrecy that government departments withhold information from each other under the guise of Official Secret legislation. Journalists are denied access to information that is critical for accurate reporting, and unraveling the web of corruption in Nigeria. These issues motivated **Edetaen Ojo** along with other relevant NGOs to initiate the bill that has become Freedom of Information Act.

However, historically, the freedom of information bill in Nigeria could be traced back to 1993 during the regime of Gen. Sani Abacha. Heads of the Media Rights Agenda (MRA), a young organization for the defense of free expression rights, Civil Liberties Organization (CLO), and the Nigerian Union of Journalists (NUJ) Lagos branch spearheaded the drafting of Freedom of Information Bill (FIB). The draft went through several reviews before it was presented to former president Olusegun Obasanjo in early June 1999, with the hope that the FIB would be forwarded to National Assembly as an executive Bill. He declined, advising MRA instead to submit it if they wished. The Bill was then submitted to the National Assembly in 1999, as advised by Olusegun Obasanjo but the legislature's four year term passed without the Bill being passed into law.

The Bill was resubmitted after few years and, it scaled through both the lower and upper chambers of the National Assembly and the harmonized version was passed by both chambers on May 26, 2011. It was conveyed to Goodluck Jonathan on May 27, and was signed on May 28, 2011. Two States in Nigeria (namely Ekiti and Lagos states) quickly adopted the Freedom of Information Act at state level (**Ogbuokim 2011**).

Prior to signing this bill to law, access to information especially of hybrid public authorities was no-go-areas for the journalist. People view some information as being sacred with belief that it was not meant for public consumption. Journalists or media houses that have at one point in time exercised their right on issue bothering 'sacred information' have dearly paid for it (Afolayan, 2013). There have been cases of assault on journalists, arbitrary detention and mass confiscation of newspapers. It was hoped that adequate and correct information will start to be made public following the passage of FIB.

The newly enacted freedom of information Act, according to **Enenche (2012)**:

- Guarantees the right of access to information held by public institutions, irrespective of the form in which it is kept and applicable to private institutions where they utilize public funds, perform public functions or provide public services.
- Requires all institutions to proactively disclose basic information about their structure and processes and mandates them to build the capacity of their staff to effectively implement and comply with the provisions of the Act.
- Provides protection for whistle blowers.
- Makes adequate provision for the information needs of illiterate and disabled applicants.
- Recognizes a range of legitimate exemptions and limitations to the public's right to know, but it makes these exemptions subjects to public interest test that, in deserving cases, may override such exemptions.
- Creates reporting obligations on compliance with the law for all institutions affected by it. These reports are to be provided annually to the Federal Attorney General's office, which will in turn make them available to both the National Assembly and the public.
- Requires the Federal Attorney general to oversee the effective implementation of the Act and report execution of this duty to parliament annually. With the new law, Nigerians finally vital tools to uncovers facts, and hold officials and institutions accountable" (Enonche, 2012). The new law will profoundly change how the government works in Nigeria.

#### **Problems of Freedom of Information Act in Nigeria**

In analyzing the Act and its problem, several questions need to be addressed including the following:

- i. Should the public know everything?
- ii. If the answer to the above question is no, what are the exceptions?
- iii. Are there other laws or regulations in place which prevent public institutions to disclose details of their activities, operations and business?

There are always limitations as to what can be accessed in the operation of freedom of information, even in developed countries where freedom of information Act has been in existence for long. This type of information must have been taken care of in the Bill and they are always in few cases. In Nigeria, the case is different as the Freedom of Information Act, according to **Ogbuokiri (2011)**, contains more exemption sections and clauses than sections that grant access to information. This means that some mischievous public officers can use these sections for unjust and mischievous purposes. For instance, **Ogbuokiri** added that only sections 1 and 3 grant accesses to information: but as many as ten sections (Sections 7, 11, 12, 14, 15, 16, 17, 18, 19 and 26) are meant to deny the public access to information.

Nonetheless, the Omnibus proviso against denial of information that says "where the interest of public would be better served having such record being made available, this exemption to disclosure shall not apply" is commendable, with the expectation that the judiciary would interpret the provision liberally for the public good.

In Nigeria, Official Secrets Act, Evidence Act, the Public Compliant Commission Act, the Statistic Act and criminal code all aimed at suppressing the free flow of information. All these laws may affect the effectiveness of the Act in the long run as some mischievous public officers

can use these aspects of the Acts for their selfish purpose just like what happened in the United Kingdom parliament in 2009.

Even in countries like the UK, members of the parliament (MPS) had misused the permitted allowance and also claimed some unlawful expenses: members now bank on freedom of information legislation to prevent disclosure of the atrocity.

There are other challenges of complying with the FOI Act. Some of these include poor culture of record keeping / maintenance and retrieval capacity challenge in many public institutions, frustrating and time consuming bureaucracy in public service as well as widespread corruption and the high level of ignorance among the workforce in the public sector.

### **Theoretical Framework**

This study is anchored on the Social Responsibility and the Democratic-Participant media theories relevant.

Robert Hutchins (the head of Hutchins commission on freedom of the press) once said that “freedom requires responsibility” Marzolf (1991). If the press would be free to publish anything, it behooves on them to be willing to accept responsibility for whatever is published. This study focuses on Freedom of Information Act and agrees that freedom has a great responsibility behind it. In such a case, the best theory that would be appropriate is social responsibility theory.

This theory according to Christian (2004), maintains that the press should service the political system, enlighten the public, safeguard the liberties of the individual, service the economic system, entertain the public and maintain its own financial self-sufficiency.

The Commission saw the social responsibility theory as being a “safeguard against totalitarianism”. Hutchins’ main goal was to make the owners of the press responsible and still maintain freedom of the press. Siebert Peterson and Schramm (1986) warn that the power and near monopoly position of the media impose on them an obligation to be socially responsible, to see that all sides are fairly presented and that the public has enough information to decide: and that if the media do not take on themselves such responsibility it may be necessary for some other agency of the public to enforce it.

This theory is relevant to the works because it cautions the media to be careful while exercising their freedom. The Nigerian media need to know the assumptions of the social responsibility media theory before jumping to make use of the freedom of information Act. McQuail (1987) cited in Anaeto, Onabajo, Osifeso (2008) gives the assumptions of the theory as follows:

- (a) That media should accept and fulfill certain obligations to society.
- (b) That, through professional standards of informativeness, truth, accuracy, objectivity and balance, these obligations can be met.
- (c) That media should regulate itself within the framework of law and established institutions to be able to carry out its responsibilities.
- (d) That whatever might lead to crime, violence, civil disorder, or offence to minority groups, should be avoided by the media.
- (e) That the media should reflect its society’s plurality, giving access to various points of view and granting all the right to reply.
- (f) Based on the principle in (1), the society has the right to expect high standards of performance from the media. Intervention can only be justified to secure public good.
- (g) Accountability of media professionals should be to the society, employers and the market with the above principles, it is glaring that the “freedom” carries obligations, and the Nigerian press, which now enjoy a privileged position under the new freedom of information Act, is obliged to be responsible to Nigerians in carrying out certain essential functions of mass communication.

### **Methodology**

This paper employed survey research method. Survey research method is one in which a group of people or items are studied by collecting and analyzing data from only a few people

considered representatives of the entire group, either through the use of interview schedule or questionnaire instrument (Ekott and Nseyen, 2006, p. 43). The survey method allows researchers examine many variables and to use a variety of statistics to analyze the data.

### Population of study

The population of study is the entire population figure of registered members of Nigerian Union of Journalists (NUJ) in AkwalbomState. The total number according to information gotten from the Council record of registered members is 260.

### Sample Size:

A sample size of 158 subjects was selected. This was statistically determined using the formula propounded by Taro Yamani cited in Uzoagulu (1998, p. 383).

The formula:  $n = [N/1+N(e)^2]$

Where n = Sample

N = Population

E = Error limit

### Sampling Technique

The Non probability sampling procedure christened purpose or judgment sampling technique was adopted. According to Akpan (2009, p.51), in this technique; respondents are selected on the grounds that they meet certain criteria. Thus, this technique tends to select a section of the population that meet specific objective prescribed by the researchers. Based on the researcher judgment, three media outfit which are in Akwalbom State were selected for this study.

These outfits were:

- Akwa Ibom Broadcasting Corporation (AKBC), Uyo;
- Nigeria television Authority (NTA), Uyo; and
- Atlantic FM, Uyo.

A total of 158 copies of the questionnaire were distributed to respondents in each outfits. In two of the selected outfits, 50 copies of the questionnaire were issued to Akwa Ibom Broadcasting Corporation (AKBC) and Nigeria television Authority (NTA); in Atlantic FM, where 58 copies of the questionnaire were administered.

### Data presentation and analysis

Out of the 158 copies of the questionnaire distributed, 138 (87.3%) were properly filled out.

**Table 1: Demographic Characteristics of Respondents**

Variables	Frequency	Percentage
Sex		
Male	98	71%
Female	40	29%
<b>Age Range</b>		
20 - 24	11	8%
25 - 29	13	9%
30 - 34	48	35%
35 - 39	29	21%
40 - 44	30	22%
45 and above	7	5%
<b>Education Qualification</b>		
ND / NCE	68	49.3%
HND / BSC	60	43.5%
MSC and above	10	7.2%
<b>TOTAL</b>	<b>138</b>	<b>100%</b>

Source: Field Survey, 2013

The demographic characteristics of responses presented in Table 1 above reveals that majority of the respondents, 98 (71%), were males while 40 (20%) were females. The responses cut across diverse age groups. The data show that 11 (8%) were between 20 and 24; 13 (9%) were between 25 and 29; 48 (35) % fell within 30 and 34; 29(21%) fell within 35 and 39; 30 (22%) fell within 40 and 44; and 7 (5%) were 45 years and above.

On their educational qualification, the data shows that 68 (49.3%) had either National Diploma (ND) or NCE; 60 or (43.5%) had either first degree or the Higher National Diploma (HND) and 10(7.2%) had MSC or higher degrees.

**Answers to Research Questions**

1. Are Journalists in Akwa Ibom aware of the Freedom of the Information Act 2011?

**Table 2: Response On Whether Respondents Are Aware Of The 2011 FOI Act.**

Responses	No. of respondents	Percentage
Yes	138	100%
No	0	0%
<b>TOTAL</b>	<b>138</b>	<b>100%</b>

Source: Field Survey, 2013.

The table shows that 100% of journalists in Akwa Ibom are aware of the Act. It reveals a widespread awareness of the Act among journalists in the state.

2. Has the Act so far had any influence on the Journalists assignments?

**Table 3: Showing Whether the FOI Act 2011 Has Had Any Influence on Respondents Assignment**

Responses	No. of respondents	Percentage
Yes	36	26%
No	102	74%
<b>TOTAL</b>	<b>138</b>	<b>100%</b>

Source: Field Survey, 2013.

The Table 3 indicates that 36 (26%) journalists in Akwa Ibom State have so far been influenced by the Act, whereas 102 (74%) have in no way been influenced by the Act, in carrying out their journalistic assignments.

3. What is the general perception of the Act by AkwaIbom State journalists?

**Table 4: Showing Respondents Perception of the FOI Act 2011.**

Responses	No. of respondents	Percentage
Exposes corruption	22	15.9%
Give more access to information	92	66.6%
Enhances accountability	8	5.8%
It is a waste of resources	3	2.2%
It makes no difference	7	5%
None of the above	-	-
All of the above	-	-
Undecided	6	4.3%
<b>TOTAL</b>	<b>138</b>	<b>100%</b>

Source: Field Survey, 2013.

The table reveals that 22 (15.9%) of the respondents said that the Act exposes corruption; 92 (66.6%) of the respondents said it gives more access to information; 8 (5.8%) said it enhances

accountability; 3 (2.2%) said it is waste of resources; 7 (5%) respondents said the existence of the Act makes no difference; and 6 (4.3%) other respondents had no opinion regarding the Act.

4. What do AkwaIbom State journalists think could make the Act work better?

**TABLE 5: Showing Respondents' Views on what could make FOI Act 2011 Work Better**

Responses	No. of Respondents	Percentage
There should be a supportive legislation to enhance workability	22	15.9%
Organizations / Individuals who do not comply should be punished or prosecuted	86	62.3%
Enlightenment campaigns should be carried out to foster awareness of the freedom information Act 2011	29	21%
Other views not listed	1	0.7%
<b>TOTAL</b>	<b>138</b>	<b>100%</b>

Source: Field Survey, 2013.

From the table above, 22 (15.9%) respondents said that there should be a supportive legislation to enhance its workability; a modal frequency of 86 (62.3%) respondents said that organizations / individuals who do not comply should be punished or persecuted; 29 (13%) respondents said that enlightenment campaigns should be intensified to create more awareness of the Act; and 1(0.7%) suggested the removal of inhibiting laws that might impinge on the effective workability of the Act.

**Discussion of Findings**

The findings in this study are quite revealing: While 100% of journalists in Akwa Ibom are aware of the Act, the study indicates that 74%, have in no way been influenced by nor have been able to take advantage of the existence of the Act in the discharge of their journalistic duties in the state and beyond.

Journalists in the state perceived the functioning and essence of the Act in various ways: While majority, 66.6% thought the Act gives more access to information to journalists, a sizeable percentage, 15.9%, of the respondents believed that Act exposes corruption; and 5.8% said it enhances accountability by public officers. They were some cynical views of the Act by journalists in the state, as 2.2% of them said it is waste of resources; 5% thought the existence of the Act makes no difference; and 6 (4.3%) other respondents had no opinion regarding the Act. As Adeleke (2011) understands the idea behind these laws is to protect vital government information, but the level of secrecy is so ridiculous. So impenetrable is the veil of secrecy that government departments withhold information from each other under the guise of Official Secret legislation. The journalists' views are in sync with Adeleke's.

Regarding the workability of the Act, the study revealed various suggestions of journalists in the state of the ways to make the Act more practicable. A modal proportion of 62.3% of the journalists said that organizations/individuals who do not comply or in any way inhibit access to public information should be punished or persecuted; an ample fraction of 15.9% of the respondents said that there should be a supportive legislation to enhance its workability; 13% suggested that enlightenment campaigns should be intensified to create more awareness of the Act; and 1(0.7%) opined the need to remove inhibiting laws that might impinge on the effective workability of the Act. Like we identified earlier the Official Secrets Act, Evidence Act, the Public Compliant Commission Act, the Statistic Act and criminal code all aimed at suppressing the free flow of information. All these laws may affect the effectiveness of the Act in the long run as some mischievous public officers can use these aspects of the Acts for their selfish purpose

**Summary of Findings**

Based on the findings discussed, the following conclusion was drawn from this study:

- There is a widespread awareness of the Act among journalists in the state, and by extension, Nigeria.
- The level of awareness of the Act has not been matched with a corresponding application of the Act or its relevance to the journalists in the discharge of their duties. Only very few journalists in the state have been able to take advantage of the Act, in one way or another.
- Journalists are of the general opinion that the FOI Act gives them more access to public information and helps them to expose corruption, as well as enhance accountability among government functionaries.
- The Act will work better if punitive measures are enforced against any failure to comply with the letter and spirit of the Act; and enlightenment campaigns would be intensified to create more awareness. There must also be a supportive legislation to enhance the workability of the Act.

### Recommendations

This study recommends that:

- There should be continuous enlightenment campaigns to create more awareness of the FOI Act 2011.
- Effective implementation of the provisions of the Act should be taken seriously as the Act seems to exist only on paper and not in practice.
- Deliberate and conscientious effort must be made by government and civil societies to ensure that the Act works, mostly through enactment of supportive legislations and administration of punishment against offenders.
- The Nigerian government should establish the internal systems and processes to provide information and training of civil servants to ensure understanding and compliance.

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