



AKWA IBOM STATE JOURNALISTS' REACTION TO THE FREEDOM OF INFORMATION ACT

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ABSTRACT

Access to information is vital to the journalism profession. Nigerian journalists have over the years been practicing in an environment that is bedeviled with the dearth of information that should have been a public right, but the enactment of the Freedom of Information (FOI) Act in 2011 has paved the way for everyone hopefully, to get access to information on request. This study set out to find out the level of awareness of the provisions of FOI by journalists in AkwalbomState and to find out the impression journalists in AkwalbomState have about FOI Act. The study also investigated the experience of practicing journalists in AkwalbomState since the FOI came into force as well as the perception of journalists in AkwalbomState with regards to the enforcement/compliance with the provisions of the FOI. The Anchoring this study on the Libertarian or free press and the social responsibility theories, the survey method was adopted to investigate the reaction of Akwa Ibom State Journalists as regards the Freedom of Information Act. A total of 166 copies of the questionnaire were distributed in Nine Chapels of the Nigerian Union of Journalists (NUJ) in the state. Data collected showed that many journalists have not read the FOI Act, but are aware of its enactment. Among those who have read the Act, inaccessibility to information still prevails as journalists are still faced with the challenge of accessing information both in private and government institutions. It also shows that the benefits of the FOI Act is that of freedom of expression, press freedom and right to access information which is the hallmark of the FOI Act as there is a euphoric response by Akwa Ibom state journalists to the enactment of the Act as they wait to utilize its provisions. The study therefore recommends that journalists should read the FOI Act, sensitization about the FOI Act should be conducted, public officers should update all information in their custody so as to facilitate easy and rapid release of information when requested, the right of access to information should be enjoyed by everyone and the FOI Act should be enforced.

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1. INTRODUCTION

Information is a great need in every society. This means that the usefulness of information in a society is an all-encompassing one as different individuals desire information at specific times for various purposes. Through information citizens get informed about certain trends, innovations, ideas and occurrence in their environment, governmental policies, decisions and laws are also communicated as well as other vital information needed to keep the citizens informed.

Therefore, becomes expedient that information is made available everywhere, and for a society to function effectively, it depends on a variety of rapid, clear, swift, pervasive and useful kinds of information and communication (Kur, 2012). The mass media which include the radio, television, newspapers, magazines, and books, etc are responsible for the dissemination of information.

According to Daruwala and Nayak (2007) “there are structural and political barriers which hinder both the capacity and incentives of government to provide information and the ability of citizens to claim their right to information particularly in contexts where there is a legacy of undemocratic political system or closed government”. More so, citizens may not be aware of their legal right to information or in some cases may be reluctant to assert it, either because of fear of a repressive regime, or a prevailing culture of not questioning the authority. In other words, the structural barriers include the capacity of public to provide information which may be weak and officials may be unaware of their obligations. Also, in low capacity environment, record management and statistics generation may be insufficient to support access to information. The idea for a Freedom of Information (FOI) law for Nigeria was conceived in 1993 by three different organizations, Media Rights Agenda (MRA), Civil Liberties Organization (CLO) and the Nigerian Union of Journalists (NUJ), who subsequently agreed on a campaign for the enactment of a Freedom of Information Act.

The objective of the campaign was to lay down a legal principle for the right of access to documents and information in the custody of the government or its official and agencies as a necessary corollary to the guarantee of freedom of expression. It was aimed at creating mechanics for the effective exercise of rights. It is worthy to note that press freedom is a consequence of freedom of expression guaranteed in Section 39(1) of ([The Constitution of the Federal Republic of Nigeria Abuja, 1999](#)). It states: “Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference”. From the foregoing, it could be said that the mass media are channels of seeking and expressing opinion and information. It is upon the realization of this that the bill to guarantee the “freedom to hold opinions, receive and impart ideas without interference” that two members of the House of Representatives introduced a private member’s bill in 1999 calling for a right of access to public records [Idowu \(2011\)](#).

2. KEY WORDS

2.1. Journalists

For the purpose of this study, journalists are those registered members of the Nigerian Union of Journalists (NUJ) Akwa Ibom State, with a minimum of Higher National Diploma (HND) or a first degree.

2.2. Reaction

In this study, reaction means any form of attitude exhibited by Akwa Ibom State journalists towards the FOI Act.

2.3. Freedom

This implies the right for journalists to access information sources and to be at liberty to publish information without restriction by governmental bodies.

2.4. Freedom of Information Act

The Act makes provision for public records and information to be more freely available, provide for access to public records and information to the extent consistent with the public interest and the protection of personal privacy. The Act also protects public officers from adverse consequences for disclosing certain kinds of official information and establish procedures for the achievement of those purposes, among others.

2.5. Right of Access

This involves the right to collect information from various sources without restriction.

3. THEORETICAL FRAMEWORK

The theories which this study is anchored on are: the Libertarian or free press and the social responsibility theories.

3.1. Libertarian or Free Press Theory

Propounded by [Siebert *et al.* \(1976\)](#), this theory prescribes that an individual should be free to publish what he or she likes and to hold and express opinions freely [Folarin \(1998\)](#).

In libertarian theory, the press is not an instrument of government but rather a device for presenting evidence and arguments on the basis of which the people can check on government and make as to policy.

Therefore, the press exercises freedom under libertarianism and access to information should be freely accessible to journalist and also free to publish in the news or mass media whatever they like without interference from government or from other persons or groups.

3.2. The Social Responsibility Theory

This is also one of the theories of the press as propounded by [Siebert *et al.* \(1976\)](#). The social responsibility media theory attempts to reconcile independence and freedom of the mass media with their obligation to society.

McQuail (2005) outlines the following as the main principles of the social responsibility media theory.

- a. The media have obligations to society and media ownership is a public trust.
- b. News media should be truthful, accurate, fair, objective and relevant.
- c. The media should be free but self regulated.
- d. The media should follow agreed codes of Ethics and professional conduct.
- e. Under some circumstances, government may need to intervene to safeguard the public interest.

4. RESEARCH METHODOLOGY

This study adopted the survey research method. The questionnaire was the research instrument.

The population of this study was the 186 registered/practicing journalists in Akwa Ibom State who are grouped into Chapels. These are: The State Ministry of Information Chapel - 37, Pioneer Chapel - 23, Correspondents Chapel - 19, AKBC Radio Chapel - 24, AKBC Television Chapel - 15, Sensor Chapel - 7, Nigerian Television Authority (NTA) Chapel - 8, Weekly Insight Chapel - 16 and Consolidated Chapel - 17 members. Since the number was manageable therefore a census study was undertaken. However, only 166 of them returned their fully completed questionnaire.

5. STATEMENT OF THE PROBLEM

All over the world, a strong feature of a responsible and reliable government is its ability to enable the citizens and interested individuals to know the happenings in government and society, with legislations to guarantee the freedom to access public records.

The quality of information made available to any society is determined by the level of access the mass media have to sources of information. Freedom of Information is crucial to the quantity and quality of information the mass media make available to the public. With the coming into force the Freedom of Information Act (FOI) more than a year now, what has been the experience of journalists in Akwa Ibom State and what is their reaction to the law? These and other issues are the concern of this study.

6. RESEARCH QUESTIONS

The study had the following research questions:

- i. What is the level of awareness of the provisions of FOI by journalists in AKS?
- ii. What impression do journalists in AKS have about FOI?
- iii. What has been the experience of Journalists in AKS since FOI come into force?
- iv. What is the perception journalists in Akwa Ibom State with regards to the enforcement of compliance with the provisions of the FOI?

7. NEWS AS A SOCIAL GOOD IN A DEMOCRATIC SOCIETY

News as a concept has various definitions and meaning depending on the context it is being used. According to Kamath (2009) news mean “something revealed, something which somebody wants suppressed, anything not known, any event, idea or opinion that is timely, anything that

interests or affects a large number of people in a community and that is capable of being understood by them”.

It could also be a compilation of facts and events of current issues or interests to the readers. It is anything and everything interesting about life and materials in all manifestations. [Udoakah \(2001\)](#) categorizes news as hard and soft. Hard news include issues on public affairs, economic matters, social problems, science and technology, education ,health, labour and religion etc.

The soft news category include stories about crime and corruption such as murder and scandal, social events, accidents and disasters, sports and recreation. They offer immediate satisfaction by making the readers appreciate what the story is all about at mere looking at the headline.

News as a social good or “merit good” is seen from the perspective of its accessibility as it extends to all individuals in the society the rich, poor , old, young , students, farmers, civil servants, public servants, employed, unemployed etc. This implies that it is used to the ideals and actions that promote a greater benefit for society, in addition to being socially responsible for the societal and environmental effects.

[Patterson and Wilkins \(2008\)](#) explains that news is “manufactured” daily, just as other goods and just as the manufacturing process entails i.e news gathering, writing and reporting although different in its approach as the process of gathering and reporting are part of the activity in the news.

However, the circulation of news is an aspect of every organized society covering many spheres of social life. It is difficult to imagine that all the advances in administration, trade, education and military development could not have been made without news. [Kamath \(2009\)](#) outlines the following as categories that make news a social good as it embraces various angles.

These include; novelty, personal impact, local news, money, crime, sex, conflict, religion, humor, disaster and tragedy, human interest, the underdog, mystery, health, science, entertainment, food, minorities.

Access to information is regarded as the ability of citizens to obtain information in the possession of the state. This information is real and practical and capable of helping the citizen to make an informed opinion on an issue and not simply being overwhelmed by unlimited amount of government propaganda.

Access to information is a fundamental human right which establishes that everyone can access information from public bodies, subject only to a limited regime of exceptions. It is recognized in different international documents. Article 19 of the International Covenant on Civil and Political Rights establishes that the right to freedom of expression includes the right to seek, receive and disseminate information.

Also, Article IV of the American Declaration of the Rights and Duties of Man recognizes that every person has the right to investigation of opinion and of the expression and dissemination of ideas by any medium whatever. Article 13 of the American Convention on Human Rights also protects the right and freedom to seek, receive and impart information and ideas of all kinds.

Furthermore, the 2001 Declaration on Principles on Freedom of Expression of the International American Commission on Human Rights echoes this right to access information and emphasizes

that access to information held by the State is a fundamental right of every individual. Therefore, the duty of the journalist is to access information for the public interest.

Access to information is required to enable citizens to exercise their vote, to effectively monitor and hold government to account, to enter into informed dialogue about decisions which affect their lives. It is seen as vital for empowering all citizens, including vulnerable and excluded people, to claim their broader rights and entitlements.

Martin and Feldman (1998) summarize the importance of access to information as follows:

- (a) To render the processes of government more open and make those in power accountable.
- (b) To give meaning to freedom of expression, since one can only express meaningful opinion on an issue when he or she is duly informed.

The mass media are essential to the conduct of democratic elections, as a free and fair election is not only about casting a vote in proper conditions but also about having adequate information about parties, policies, candidates and the election process itself so that voters can make informed choice. The concern is for voters to have full and accurate information. It involves parties and candidates to use the media to get their messages across to the electorate. Therefore, the Electorate Management Body (EMB) has a crucial need to communicate information to the electorate as informed electorate are citizens who, when they exercise their right to vote, have the necessary information to protect their own interests.

This function and duty of access to information as fulfillment to the media's watchdog role is an indispensable role in the functioning of democracy as they are to impart information and ideas on matters of public interest and for the public to receive them.

8. FREEDOM OF THE PRESS

Freedom as it relates to the press is interpreted in various ways. Ukonu (2006) states that "press freedom is the provision of those conditions (by the society generally) that supports the dissemination of news and information objectively without any form of unwarranted restraints".

According to Udoakah (2001), press freedom "is that freedom from restraints which is essential to enable proprietors, editors, and journalists to advance the public interest by publishing the facts and opinions without which the electorate cannot make responsible judgments". He therefore argues that the only way the press can realize these sentiments is to be free from government.

Ukonu (2006) outlines the following as the ingredients or elements of press freedom:

- (a) The absence of definite restrictions.
- (b) Absence of pre-and post-publication censorship, unless emerging issues like war or national crisis /natural disaster necessitate such censorship in public interest.
- (c) Freedom from unwarranted legal and administrative injunctions.
- (d) Great freedom to criticize the government. The media should be allowed to constructively criticize all those whose activities have great bearing on public welfare.
- (e) Absence of baseless indictment, decrees and laws such as all kinds of newspaper proscription and prohibition of circulation laws.

- (f) Freedom from absolute authority, dictatorship and high-mindedness from owners and governments.
- (g) Allowance of meaningful competition among the firms in the industry.
- (h) Freedom from domination and control by publicists and advertisers.
- (i) Freedom of access to news and information.
- (j) Absence of restrictions to objectively process and disseminate information.

He explains that press freedom is a situation that guarantees absolute press professionalism. This entails allowing journalists to search for, gather, process and disseminate information fit for the mass audience. He further explains that press freedom is an important hallmark for democracy.

Press freedom is contained in Section 39(1) of [\(The Constitution of the Federal Republic of Nigeria Abuja, 1999\)](#) which states inter alia “Every person shall be entitled to freedom to hold opinions and to receive and impart ideas and information without interference.” In addition, press freedom is contained in other constitutional provisions of other International documents like the Article 19 of the [Universal Declaration of Human Rights \(1948\)](#) which states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media, regardless of frontiers”.

Information is a vital tool in every society. It is likened to the life wire that binds the society. According to [Freedom of Information Act \(2011\)](#) Section 8, information includes all records, documents and information stored in whatever form, including written, electronic, visual images, sound, audio recording etc. Freedom of Information is the right of individuals to seek, receive and impart information from any source whether private or public. [UNESCO \(1981\)](#) asserts that “freedom of information is the citizen’s right to information, the right to be kept informed of whatever might affect his daily life, help him to make decisions and contribute to his thinking”. He further explains that the other aspects of the freedom of information is the journalist’s freedom to acquire knowledge in the shape of facts and documents, clearing away the secrecy in which the conduct of political affairs had been shrouded, and the freedom to publish the information obtained. According to [Nwannekanma \(2011\)](#) Freedom of Information is a fundamental human right and the touchstone of all freedoms to which the United States is consecrated. Access to information is a basic right therefore and not a luxury, indispensable to the functioning of a democratic society in which individuals have the opportunity to participate in decision making.

Therefore, the right of access to information has emerged one of the most significant of rights in the present age, it is vital to the enhancement and realization of all other rights be it civil, political, economic, social or cultural rights. However, there are some limitations or barriers to freedom of information, according to [UNESCO \(1981\)](#). These include the following:

- a. Physical violence and intimidation.
- b. Repressive legislation.
- c. Censorship.
- d. Blacklisting of Journalists.
- e. Banning of books.

- f. Monopolies established by political action.
- g. Bureaucratic obstructions.
- h. Judicial obstructions such as closed hearings and contempt of court rules.
- i. Parliamentary Privileges.
- j. Restrictive professional practice.

Other obstacles include economic, and social constraints and pressures, de facto monopolies (public, private or transnational), inadequate infrastructures, narrow definitions of what is news, what should be published, shortage of professional training and experience. Freedom of Expression is guaranteed in Section 39(1) of [\(The Constitution of the Federal Republic of Nigeria Abuja, 1999\)](#). It states, “Every person shall be entitled to freedom of expression including freedom to hold opinions and to receive and impart ideas and information without interference”. In other words, the freedom of expression upholds the right of all to express their views and opinions freely. This is recognized in Article 19 of the [Universal Declaration of Human Rights \(1948\)](#) which states: “Everyone has the right to the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.

The idea of a Freedom of Information law for Nigeria was conceived in 1993 by three different organizations, working independently of each other. The organizations which include the Media Rights Agency (MRA), Civil Liberties Organization (CLO), and the Nigerian Union of Journalists (NUJ) subsequently agreed to work together on a campaign for the enactment of a Freedom of Information Act. The Freedom of Information bill was one of the longest bills in the National Assembly. According to [Ajulo \(2011\)](#) the Freedom of Information had a tortuous journey which spanned over eighteen years before it was passed to law. The FOI bill was first submitted to Nigeria’s 4th National Assembly in 1999 when the country returned to democracy, but did not make progress until it returned to the legislative chambers in the first quarter of 2007. However, after several attempts, it was returned to both chambers of the 6th National Assembly in 2007 and was finally passed to law on May 24, 2011.

9. MAJOR PROVISIONS OF THE FREEDOM OF INFORMATION ACT

The Freedom of Information Act is a law that gives individuals the right to access information or request for information without restriction to the individual’s nationality, age or residence.

The [Freedom of Information Act \(2011\)](#) makes public records and information freely available and provides for access to public records and information. It also protects public records and information to the extent consistent with the public interest, protects personal privacy as well as public officers from adverse consequences for disclosing certain official information.

According to [Ajah \(2011\)](#), the Act stipulates punitive measures against distortion of information. The Freedom of Information Act, Section 8 states that “It shall be an offence punishable with one year imprisonment for any officer of a public institution to destroy, alter, falsify or deliberately misrepresent information.

The Freedom of Information Act according to [Olaide \(2011\)](#):

- (a) Guarantees the right of access to information held by public institutions, irrespective of the form in which it is kept and is applicable to private institutions where they utilize public funds, perform public functions or provide public services.
- (b) 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.
- (c) Provides protection for whistleblowers.
- (d) Makes adequate provision for the information needs of illiterates and disabled applicants.
- (e) Recognizes a range of legitimate exemptions and limitations to the public's right to know, but it makes these exemptions subject to a public interest test that, in deserving cases, may over ride such exemptions.
- (f) 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.
- (g) Requires the Federal Attorney General to oversee the effective implementation of the Act and report on execution of the duty to the parliament annually.

The Freedom of Information Act shall briefly be summarized taking into consideration the following: Right of Access to Records, Application for Access to a Record, Access to Information if Refused, Destruction or Falsification of Records and the Exemptions of the Freedom of Information Act.

9.1. Right of Access to a Record

The Act stipulates that every person has the right to access or request for information. The essential records or documents, information that every citizen has the right to access in an organization as contained in Section 3(4) includes;

- (a) A description of the organization and responsibilities of the institution including details of the programmes and functions of each division and department of the institution.
- (b) A list of all classes of record under the control of the institution.
- (c) A list of all manuals used by employees of the institution in administering or carrying out any of the programmes or activities of the institution.
- (d) A description of documents containing final opinions including concurring and dissenting opinions as well as orders made in adjudication of cases.
- (e) Documents containing substantive rules of the institution.
- (f) Documents containing statements and interpretations of policy which have been adopted by the institution.
- (g) Documents containing final planning policies, recommendations and decisions.
- (h) Documents containing factual reports, inspection reports and studies whether prepared by or for the institution.
- (i) Documents containing information relating to the receipt or expenditure of public or other funds of the institution.

- (j) Documents containing the names, salaries, titles and dates of employment of all employees and officers of the institution.
- (k) Documents containing the rights of the State, public institutions or of any private person(s).
- (l) Documents containing the name of every official and the final records of voting in all proceedings of the institution.
- (m) A list of files containing applications for any contract, permit, grant, licenses or agreement.
- (n) A list of reports, documents, studies or publications prepared by independent contractors for the institution.
- (o) A list of materials containing information relating to any grant or contract made by or between the institution and another public institution or private organization and
- (p) The title and address of the appropriate officer of the institution to whom an application for information can be made.

Access to information according to the Act is free, Section 8 of the FOIA provides that “Fees shall be limited to standard charges for document duplication and transcription where necessary”.

9.2. Application for Access to Information

Application for access to a record shall be made in writing. Section 2(1) of the Act establishes the right of any person to access or request information, whether or not contained in any written form, which is in custody or possession of a public official, agency or institution. Request for information can be exercised by anyone, irrespective of age, race, gender, sex etc which is to be granted to public records and documents held in the custody of public institutions and private institutions. Also, Section 4(3) provides for illiterates or disabled people to access information or records and may make for application through a third party. In addition, subject to Section 6 to 8, the FOIA provides that a public institution must grant access to a request for records or information within a time limit of seven days. The institution also has three days within which to transfer the request to another institution if it discovers that another institution holds the information or record being asked for. Furthermore, where the information or record is a large one, an extension of seven more days is given for the institution to provide the information.

9.3. Access to Information if Refused

Where access to information is refused by government or a public institution, it is expected according to Section 8(1) of the FOIA that the person seeking for the information must be informed about the refusal and he or she has the right to be reviewed by a competent court. Also, Section 8(2) provides that any notification of denial of any application for information or records shall set forth the names, designation and signature, of each person responsible for the denial of such application.

9.4. Destruction or Falsification of Records

The FOI Act, Section 11 states that it is a criminal offence punishable by a competent court with a minimum of one year imprisonment for any officer or the head of government or public institution who willfully destroys any records kept in his/her custody or attempts to doctor or otherwise alter same before they are released to any person, entity or community applying for it.

Also, according to Section 8(5) where a case of wrongful denial of access is established, the defaulting officer or institution shall on conviction be liable to a fine of #500,000 (Five Hundred Thousand Naira).

9.5. Exemptions in the Freedom of Information Act

The head of a government or public institution may refuse to disclose any record or information of which may be injurious to the conduct of International Affairs or the defense of the Federal Republic of Nigeria.

Section 15(2) states that a public institution shall deny an application which contains personal information. Such information includes;

- (a) Files and personal information maintained with respect to clients, patients, residents or other individuals receiving social, medical, educational, vocational, financial, supervisory or custodial care or services directly or indirectly from public institutions.
- (b) Personnel files and personal information maintained with respect to employees, appointees or elected officials of any public institution or applicants for such positions.
- (c) Files and personal information maintained with respect to any applicant register or licensee by any government and/or public institution cooperating with or engaged in professional registration, licensure or discipline.
- (d) Information required of any tax payer in connection with the assessment or collection of any tax unless disclosure or otherwise requested by statute.
- (e) Information revealing the identity of persons who file complaints with or provide information to administrative, investigative, law enforcement or penal agencies on the commission of any crime.

Also, a public institution may deny an application for information that contains the following, as outlined in Section 16 (1) of the FOI Act:

- (a) Trade secrets and commercial or financial information obtained from a person or business where such trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause harm to the interest of the third party, provided that nothing contained in this sub-section be construed as preventing a person or business from consenting to disclosure.
- (b) Information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of a third party.
- (c) Proposal and bids for any contract, grants or agreement, including information which if were disclosed would frustrate procurement or given an advantage to any person.

In addition, in accordance with Section 17, a public institution may deny an application for information that is subjected to the following privileges;

- (a) Legal practitioners- Client privilege
- (b) Health Workers- Client privilege
- (c) Journalism confidentiality privilege
- (d) Any other professional privileges conferred by an Act.

Section 18 states that a public institution may also deny an application for information which contains course materials or research materials prepared by faculty members.

Furthermore, a public institution may deny an application for information that contains the following as stated in Section 20.

- (a) Test questions, scoring keys and other examination data used to administer an academic examination or determine the qualifications of an application for a license or employment.
- (b) Architects' and engineers' plans for buildings not constructed in whole or in part with public funds and for buildings constructed with public fund, to the extent that disclosure would compromise security and
- (c) Library circulation and other records identifying library users with specific materials.

10. DATA PRESENTATION, ANALYSIS AND DISCUSSION OF FINDINGS

Data collected during the study on Akwa Ibom State Journalists Reaction to Freedom of Information Act are presented and analyzed with the help of simple percentage method.

One hundred and eighty copies of questionnaire were administered. One hundred and sixty copies were retrieved and used for the analysis.

Table-1. Respondent's Awareness of the Freedom of Information Act

Chapels	No of Respondents	Percentage of Respondents
State Ministry of Information(MOI)	37	22.3%
Pioneer	23	14.0%
Correspondents	19	11.4%
AKBC Radio	24	14.5%
AKBC Television	15	9.0%
Sensor	7	4.2%
Nigerian Television Authority(NTA) Uyo	8	4.8%
Weekly Insight	16	9.6%
Consolidated	17	10.2%
Total	166	100%

This table shows that all the members of the respective Chapels were aware of the Freedom of Information Act. That is: 37 (22.3%) from the State Ministry of Information Chapel, 23(14%) from 'The Pioneer' Chapel, 19(11.4%) from The Correspondents Chapels, 24(14.5%) from AKBC-Radio,15(9%) from AKBC-Television, 7(4.2%) from Sensor Chapel, 8(4.8%) from Nigerian Television Authority(NTA) Uyo Chapel, 16(9.6%) from 'Weekly Insight' Chapel and 17(10.2%) from Consolidated Chapel.

Table-2. Distribution of Responses on whether the Respondents have Read the Freedom of Information Act

Responses	No of Respondents	Percentage of Respondents
Yes	58	34.9%
No	108	65.1%
Total	166	100%

The table shows that 58 (34.9%) of the journalists said they have read the FOI Act, while 108(65.1%) said they have not read the Act.

Table-3. Respondents' Perception of the Freedom of Information Act

Responses	No of Responses	Percentage of Responses
Satisfactory	106	63.9%
Dissatisfactory	60	36.1%
Total	166	100%

Table 8 shows that 106 (63.9%) said the Act is Satisfactory, while 60(36.1%) considered it unsatisfactory.

Table-4. Enforceability of the Freedom of Information Act

Responses	No of Respondents	Percentage of Respondents
Yes	51	30.7%
No	115	69.3%
Total	166	100%

Regarding the enforceability of the Freedom of Information Act in Nigeria, 51(30.7%) indicated that the FOI Act is enforceable while 115(69.3%) indicated that it is not enforceable.

Table-5. Distribution of Responses on whether FOI Act has enhanced Transparency and Accountability in Government

Responses	No of Respondents	Percentage of Respondents
Yes	115	69.3%
No	51	30.7%
Total	166	100%

From the above table, 115(69.3%) respondents said the FOI Act would enhance transparency and accountability in government, while 51(30.7%) indicated that it will not.

Table-6. Promotion of Press Freedom through the Freedom of Information (FOI) Act

Responses	No of Responses	Percentage of Respondents
Yes	102	61.4%
No	64	38.6%
Total	166	100%

This table shows that 102(61.4%) respondents believe that the enactment of the FOI Act has promoted press freedom, while 64(38.6%) indicated that the FOI Act has not promoted press freedom.

Table-7. Provisions in the Freedom of Information Act That Has Enhanced Journalism Practice

Options	No of Respondents	Percentage of Respondents
Right of access to information	64	38.6%
Protection for whistle blowers	4	2.4%
Extension of time limit for granting or refusing information	13	7.8%
Request for access to record	18	10.8%
None of the above	31	18.6%
All of the above	36	21.7%
Total	166	100%

With regards to the provisions of the FOI Act that have enhanced journalism practice, 64 (38.6%) listed the Right to access to information, 4(2.4%) mentioned the Protection for whistle blowers, 13(7.8%) indicated Extension of time for granting or refusing application, 18(10.8%) selected Request for access to record while 31(18.3%) selected None and 36(21.7%) selected “All of the above” option.

Table-8. Distribution of Respondents on Freedom of Information Act’s Enhancement of Accessibility to Information

Responses	No of Responses	Total
Yes	55	33.1%
No	111	66.9%
Total	166	100%

This table shows that out of the 166 respondents, 55(33.1%) said the Freedom of Information Act has enhanced access to information, while 111(66.9%) respondents disagreed with it.

Table-9. Distribution of Responses on whether respondents had applied for Information in Government or Private Institutions.

Response	No of Respondents	Percentage of Respondents
Yes	37	22.3%
No	129	77.7%
Total	166	100%

This table indicates that out of the 166 respondents, only 37 (22.3%) had applied for information based on the provisions of the Act, while 129 (77.7%) of the respondents have not.

Table-10. Respondents' Experience in Gaining Access to Information

Options	No of Respondents	Percentage of Respondents
Denial of Access to information	29	80%
Information being partially released	-	-
No feedback	8	20%
None of the above	-	-
Total	36	100%

The above table shows that 29 (78.4%) of the respondents said they were denied access to information, 8(21.6%) noted that they were not given any feedback.

11. DISCUSSION OF FINDINGS

The findings of this study are discussed in relation to the research questions.

Research Question 1

What is the Level of Awareness of Akwa Ibom State Journalists As Regards the Freedom of Information Act?

Data in Table 1 shows that all the 37(22.3%) respondents from the State Ministry of Information Chapel, 23(14%) from Pioneer Chapel, 19(11.4%) from Correspondents Chapel, 24(14.5%) from AKBC Radio Chapel, 15(9%) from AKBC Television Chapel, 7(4.2%) from Sensor Chapel, 8(4.8%) from Nigerian Television Authority (NTA) Uyo Chapel, 16(9.6%) from Weekly Insight Chapel and 17(10.2%) from Consolidated Chapel, are aware of the Freedom of Information Act. This shows that all the journalists from the various chapels are aware of the Freedom of Information Act. However, data on table 2 shows that out of the 166 registered practicing journalists in Akwa Ibom State who returned their completed questionnaire, only 58 of them had read the Act.

Therefore, it is concluded that although Akwa Ibom State journalists are aware of the Freedom of Information Act, as indicated stated in Table 1, majority have not read the Act (table 2). This is worrisome as lack of firsthand knowledge of the provisions of the law makes the Act useless to a vital sector of the populace.

Research Question 2

What is the Impression of Akwa Ibom State Journalists towards the Freedom of Information Act?

From the result of the data presented in Table 3, 106(63.9%) of the respondents considered the Freedom of Information Act to be Satisfactory while 60(36.1%) considered it unsatisfactory. With regards to enhancing transparency and accountability in government, Table 5 indicates that 115(69.3%) of the respondents agreed, while 51(30.7%) disagreed. On the promotion of press freedom in Nigeria through the Freedom of Information Act, Table 6 indicates that 102(61.4%) of the respondents agreed while 64(38.6%) disagreed.

On the benefits of Freedom of Information Act, majority listed Right of access to information which had been denied for years now, others stated that it will enhance press freedom, transparency and accountability especially in the conduct of government while others indicated freedom of expression.

Generally, it was discovered that there is a euphoric response to the Freedom of Information Act.

Research Question 3

What Are The Experiences of Akwa Ibom State Journalists Since the Freedom of Information Came Into Existence?

Data in Table 8 shows that 111(66.9%) of the journalists complained about inaccessibility while 55(33.1%) agreed. This shows that even with the enactment of the Freedom of Information Act, information is still withheld as journalists are still restricted from getting information especially from government institutions.

Also, data in Table 10 shows that 29 (78.4%) of the respondents who applied for information were denied access to such information, while 8 (21.6%) were never given feedback. In essence, inaccessibility to information still persists which was the problem before the enactment of the Freedom of Information Act. That means, although the FOI Act is in force, journalists are still hindered from gaining access to vital information which would aid development and transparency in the country.

Research Question 4

What is the perception of journalists in Akwa Ibom State regarding the enforcement/adherence to the Provisions of the Freedom of Information Act?

Following the data in Table 4, it was discovered that 51(30.7%) of the respondents indicated that the Freedom of Information Act is enforceable. on the other hand, majority of the respondents – 115 said the FOI Act has not been enforced. The result of this research shows that the Press in Akwa Ibom State cannot discharge its obligations to the society in a socially responsible manner, because they are hampered by lack of access to information.

12. SUMMARY, CONCLUSION AND RECOMMENDATION

12.1. Summary of Findings

The following constituted the major findings of the study:

- i. Majority of the journalists have not read the Freedom of Information Act, but are only aware that it has been enacted / signed into law. Therefore they are not versed with the provisions of the Act.
- ii. The Freedom of Information Act (FOIA) would have been a catalyst to effective journalism practice, however journalists still experience difficulties in accessing information.

- iii. Transparency and Accountability, Press Freedom, Freedom of Expression and Accessibility to information were highlighted as some of the benefits of the Freedom of Information Act.
- iv. Right of access to information, Protection for whistle-blowers, Extension of time limit for granting or refusing application and Request for access to a record was identified as specific provisions of the Freedom of Information Act that will enhance journalism practice.
- v. There is a euphoric response by Akwa Ibom State journalists to the enactment of the Freedom of Information Act as discovered in the research, but the Act is still on trial to see if the provisions would be enforced.
- vi. Journalists often utilize the Right of access to information as one of the most beneficial provisions of the Freedom of Information Act which will enhance press freedom.

13. CONCLUSION

It is obvious from this research that the long awaited law is going through a trial by those who were supposed to be the major beneficiaries. Journalists are either unaware of the provisions of the law or have not utilized or tested the specific provisions of the law in their newsgathering / information sourcing. In spite of its enactment, the enforcement of FOI Act is the concern of journalists. Therefore, government institutions and non-governmental bodies have the obligation to give information on request, except information requested for falls within the category which cannot be given, so as to enhance effective utilization of the Act.

14. RECOMMENDATIONS

Arising from the findings of this study, the following recommendations are therefore made:

- i. Journalists should read the Freedom of Information (FOI) Act as this will enable them to fully appreciate the import of the law.
- ii. To address the problem of inaccessibility to information, a thorough public sensitization about the Freedom of Information (FOIA) is needed urgently. Individuals should be enlightened through the various media of communication about what the Freedom of Information Act entails.
- iii. Workers should update all information in their custody so as to facilitate easy and rapid release of information when requested for, and consequently promote transparency and accountability especially in government and other bodies.
- iv. The Right of access to information should be enjoyed by everyone and not only restricted to any privileged few, therefore information should be provided for everyone as it is the right of everyone to have access to information as contained in the Freedom of Information Act.
- v. Implementation of the Freedom of Information Act should not only be theoretical but also practical as information is needed in all sectors of the economy which will promote press freedom and the freedom of expression.

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