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**Utilization of the 2011 Freedom of Information Act in Selected States of North Central Nigeria**

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**ABSTRACT**

*Before the passage of the freedom of information Act in (2011) the concerns about bad governance, corruption, poor accountability and the poverty of leadership have been blamed on the absence of the FOI instrument among other things to institute a people centred governance through its unarguable merit in accessing relevant government information. Therefore, the study on “the utilization of the 2011 freedom of information act by journalists in North Central Nigeria” was conducted with the objective of examining the extents to which the Act is utilized since its passage 5 years ago and also determine journalists’ knowledge about the benefits and challenges in the utilization of the Act to guarantee access to vital information. The study therefore adopts the survey research method and administered copies of the questionnaire on 95 journalists across three States in the region selected through the random sampling technique to address the research questions. As such the findings of the study reveal that the Act is not utilized in the region despite the enormous knowledge of journalists about the legislation largely due to laziness, the existence of obnoxious laws and the culture of secrecy among others. The study therefore recommends that Government should initiate the process of repealing obnoxious laws while journalists should stop being lazy and rise to appropriate the benefits of the Act for the good of all.*

**Keywords:** Utilization, Freedom, Information, Freedom of Information Act, Freedom of Information, Journalist, Chapel

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**INTRODUCTION**

Freedom of Information Act as an extension of the freedom of expression right is aimed at guaranteeing access to information and media freedom as an imperative for the achievement of the democratization of the country’s news-gathering space with a view to engender timely, accurate and balanced information dissemination that is unhindered for media autonomy (Mendes, 2013)[1]. This is because according to (Abioye, 2010 cited in Akinwale, 2013)[2][3], prior to the emergence of the FOI Act,

almost all the information in the Nigerian public service was classified and the public was then denied access to vital information about governance. For instance, he observed that section one of the Official Secret Act (OSA) for example states that any person who transmits or obtains any classified information shall be guilty of an offence defined as a serious act of misconduct and is criminally liable to dismissal and imprisonment for at least one year. Similarly, the Civil Service Act (CCA) makes provisions relating to disclosure of official secrets in Nigeria, as section 97 of the Act stipulates that any officer who divulges classified information to an organization is guilty of a misdemeanour and liable to imprisonment for two years[2],[3].

This, Gamalial, (2007)[4] described as the criminal punishment of expression because according to him, no government no matter how benevolent, should constitute itself into the guardian of whatever information, opinion or idea a citizen may impart or receive. The FOI right as encapsulated in the FOI Act implies that government should not restrict or prevent a person from receiving information from another person who is willing to impart to him. As a concern, the FOI Act (2011)[5] in section 7 (1) spells:

Where the government or a public Institution refuses to give access to a record or information applied for under this Act, or a part thereof, the institution shall state in the notice given to the applicant the grounds for refusal, the specific provision of this Act that relates to and that the applicant has the right to challenge the decision refusing access and have it reviewed by the court.

This is reinforced in sections 2 (6), 1 (3) and 7 (5) of the FOIA (2011)[5] where it states:

That a person entitled to the right of access conferred by this Act shall have the right to institute proceedings in the court to compel any public institution to comply with the provisions of this section and where a case of wrongful denial is established, the defaulting officer will be liable on conviction or a fine of N500, 000.

No wonder May 28th, 2011 will go down in the annals of history in Nigeria as this marked the triumphant entry for Journalists, supporters of media freedom and the public into the world of free access to information. This day, month and year is historic as it marked the end of the struggle for the passage of the FOI Act, when President Goodluck Jonathan signed the bill into Law to remove the clutches of secrecy to government information, after being unattended to on the floor of the National Assembly for more than 12 years. It was this singular act that has ranked Nigeria as the ninety-seventh country in the world, the ninth nation out of ten in Africa and the sixteenth member of the common wealth to sign the FOI legislation into law (Omotoyo, 2015)[6]. This implies that henceforth, Nigeria has been opened to a myriad of opportunities in terms of growth and development in her socio- economic and political life having conferred on the media, media professionals and the public the instrument to access vital information on development concerns. Savears public(2008) explained that the central and vital role communication plays in closing the gaps between poverty and wealth among nations can only be achieved when there is universal access to basic information. This is more so that the FOIA (2011)[5] in sections 6 (a and b) have mandated that:

All Institutions should release information on request within 7 days unless otherwise the information requested is too large or necessitates consultation to comply with the application that cannot be reasonably completed within the original time limit. This is apart from the provision of appropriate training for its officials on the public's right to access information or records held by government or public institutions, as provided in this Act and for the implementation of this Act. Therefore, this study examines the extent to which these clear provisions of the Act have been utilized by the citizens particularly journalists in Plateau , Kogi and Abuja with all its merits. This is more so that Scholars such as (Omotoyo, 2015: Blanton, 2002: Mmadu, 2011: Dunu, Ugbo, Yusuf, Nnadi, and Obot , 2014)[8],[9],[10],[11],[12][13], are unanimous that the enormous benefits of the Act cannot be realised until the instrument is fully utilized. For instance, Mmadu (2011)[10] stated as one of the benefits of utilizing the

Act to be the preservation of democratic ideals and the eradication of corruption. Omotayo (2015)[8] reechoed that FOIA is a vital tool to ensure democracy and responsible governance in Nigeria. This is because it will curb executive, judicial and legislative recklessness, therefore promoting good governance.

### STATEMENT OF THE PROBLEM

Since, the passage of the FOIA in 2011 several works done in this area have repeatedly revealed that the Act has not been effectively utilized by journalists. For example, empirical studies conducted by Dunu and Ugbo (2014) and Yusuf, (2014)[11],[12], have revealed that Nigerian Journalists understood, positively perceived and valued the FOI Act, but observed that it has not been put to use yet. Therefore, this study asked the question why is the Act not utilized? More so, that, the study by Nnadi and Obot (2014)[11] confirmed that “Journalists are aware of the provisions of the law but have not utilized or tested the specific provisions of the law in their news-gathering/information sourcing. Worthy of mention is the fact that most of these studies therefore dwelt on either perception or knowledge of journalists on the FOI Act and not utilization. As such, the paucity of studies on the utilization is what has necessitated this research study in order to contribute to the body of knowledge in this direction.

### RESEARCH QUESTIONS

1. How aware are journalists of the FOI Act in Abuja, Plateau and Kogi?
2. What level of utilization does the FOI Act enjoy from Journalists in Abuja, Plateau and Kogi?

### RESEARCH OBJECTIVES

1. To determine the level of journalists’ awareness of the FOI Act in Abuja, Plateau and Kogi.
2. To ascertain the level of utilization the FOI Act enjoys from Journalists in Abuja, Plateau and Kogi.

### LIBERTARIAN THEORY

This theory is one of the normative theories of mass communication advocated by Jefferson, John Locke and Lao Tsu in the 16<sup>th</sup> century and expanded by John Stuart in 1860 as a complete opposite of Authoritarianism. According to Mishra (2016)[14] libertarians advocate absolute freedom for the media to publish anything anytime and act as a watchdog. Under the libertarian theory, the purpose is to inform, entertain, sell and serve as a check on government particularly in an open government where absolute freedom lies with the people who are reasoned to be rational enough to choose between what is good and evil. No wonder, Baran and Davies, (2012)[15] explained that researchers, theorists interested in the media's role in a democracy will most likely employ normative theory as the most suitable to explain their thesis. This Although, Lippman (2006)[16] argued that media practitioners can't be trusted to communicate responsibly or to use the media effectively to serve vital public needs especially during times of war or social upheaval, Mcquail, 2005: Siebert, Peterson and Schramm (1956)[17],[18] said that only the right to information and unhindered flow of communication can guarantee public debate and discussion that will stabilize society. This is correctly captured in the words of Jefferson "where it left me to decide whether we should have a government without newspapers or newspapers without government, I will not hesitate to prefer the later. Therefore, Keane (1991)[19] identified three fundamental concepts underpinning the founders' belief in press freedom; (A) Theology - media should serve as a forum allowing people to deduce between good and evil. (B) Individual rights- press freedom is the strongest, if not the only guarantee of liberty from political elites. (C) Attainment of truth: falsehoods must be countered, ideas must be challenged and tested or they will become dogma.

This implies in this study that government and communication policy makers should evolve a framework that will counter any attempt from any segment of society or arm of government that may be developed to bastardize media freedom in whatever guise.

Secondly, since press is the strongest of all liberties, it means that professionals must articulate this force in putting political office holders on track through people

oriented and truthful reportage. Again, the study will be testing to see how the theory can guarantee freedom in a democracy like the one Nigeria is practising.

## REVIEW OF RELATED LITERATURE

### 2011 FREEDOM OF INFORMATION ACT AND ITS BASIC PROVISIONS

The freedom of information Act (FOIA) 2011 is a 30 section document which according to Nnadi and Obot (2014)[11] have these major provisions. For instance, section 1(1) states that:

Notwithstanding anything contained in any other Act, law or regulation, the right of any person to access or request information, whether in any written form, which is in the custody or possession of any public official, agency or institution however described is established[20].

Right to know Nigeria (2012). in section 1(2) said “Any applicant under this Act needs not demonstrate any specific interest in the information being applied. While (13) reads “any person entitles to the right to information under this Act, shall have the right to institute proceeding in the court to compel any public institution to comply with the provisions of this Act.

This scenario has explained why several studies (Dunu and Ugbo 2014, Omotayo, 2015)[21] have unanimously submitted that media professionals in Nigeria must test the law now that there is a sunshine document guaranteeing access to information which hitherto never existed.

Keane, (1991)[19] asserted that Information is a vital tool in every society. It is likened to the life wire that binds the society. That is why according to Sawntong, (2011)[22] section 2(1) the document stated that “a public Institution shall ensure that it records and keeps information about all its activities, operations and businesses. Sub section 2 of the same section says “A public Institution shall ensure the proper

organization and maintenance of all Information in its custody in a manner that facilitates Public access to information. This is because according to Uche (2011)[23] access to information is crucial for the making of a good society. This is also underscored by former President Thomas Jefferson who reasoned that “information is the currency of democracy and amplified by his colleague James Madison who expanded this by noting that “knowledge will forever govern ignorance, and a people who mean to be their own governors, must arm themselves with the power, knowledge gives. A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy or perhaps both.

Therefore, Abone and Kur (2014)[24]. highlighted major provisions of the freedom of information Act to include: Right of access to record, access to information if refused, destruction or falsification of records, Application for access to information and exemptions in the freedom of information Act.

Therefore, in making access to information, the Keane, (1991)[19] in section 2 (4), (5), (6) and 7 have made a clear prescription on how information should be assessed or ultimately handled. For instance section 2(4) states clearly:-

“That a public institution shall ensure that information referred to in this section is widely disseminated and made readily available to members of the public through various means, including print, electronic and online sources and at the offices of such public institutions.

Section (5) in the same vein has mandated public institutions to update and review information required to be published periodically when there are changes. Section (6) on the other hand accords anyone entitled to information the right to institute a legal action in a court to compel any public institution to comply with the provision of this section. Public Institutions in sub section 7 includes legislative or judicial agencies, ministries, extra ministerial department and all corporations established by law and all companies in which government has a controlling interest and private companies utilizing public funds and providing public service.

In section 3, Keane, (1991)[19] stipulated the release of documents of public institutions in other formats. Also, if illiterates or disabled applicants have been empowered to make request through a third party due to their circumstances, the section again says all oral applications must be reduced into writing by the official of government to whom the application is made and a copy of the written application be given to the applicant.

Section 4 which talks about "Access to information if refused" says that all applicants shall be given information needed within 7 days. This is except for only where they can't be so processed within the time period, and only when no other institution has greater interest in that information. Also Sawntong, (2011)[22] suggested that reasons must be given stating justification for denial and where that is not stated the applicant can appeal to either the High Court or the Federal High Court[10].

Section 7(1) says that in the event of refusal to give information, grounds must be stated relating specific provisions that allow that. Again, where an institution cannot give or provide information within specified time, such an institution will be deemed to have refused to give access to information. Section 7(5) states that: where a case of wrongful denial of access is established the defaulting officer or institution commits an offence and is liable on conviction to a fine of 500,000 Naira.

In section 10, the Sawntong, (2011)[22] has made it a criminal offence punishable on conviction by the court with a minimum of 1 year imprisonment for any officer or head of any government or public institution to which this act applies, to wilfully destroy any records kept in his or her custody or attempt to doctor or otherwise alter same before they are released to any person.

However, sections 11-17 say denying application for any information can only be so appropriate when the disclosure of such may be injurious to the conduct of international affairs and defence of the Federal Republic of Nigeria. Even at that, Mmadu, (2011)[10] explained that all exemptions and limitations to the public's right to Know, can only be determined using the public interest test which in deserving cases, may override such exemptions.

Other information that can be denied are proceedings of court, correctional agency, trial investigation or those that can lead to the commission of an offence. Others are: journalism confidentially or client information, third party secret and so on.

To emphasize the importance of access to information and its full utilization, Sawntong, (2011)[22] has in section 13 provides for the training of officials on the public's right to access information or records by government or public institution. Consequently, section 20 of the Sawntong, (2011)[22] says that "Any applicant who has been denied access to information or a part thereof may apply to the court for a review of the matter within 30 days after the public institution denies or is deemed to have denied the application, or within such further time as the court may either before or after the expiration of the 30 days fix or allow.

Although in section 22-28, the Official Secret Act, Evidence Act are standing tall, Mmadu, (2011)[10] asserted that the FOI Act also invalidates existing legislations that otherwise hinder public access to information held by public institutions and relevant private bodies. But Yusuf (2014)[12] argued that only Sections 1 and 3 grant access 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. Similarly, sections 2, 3, 4(1), 10, 20 are very useful provisions; journalists can use to deepen journalism activities in the country. And this to a very large extent captures the importance of information in any society as contextualized in the word of Historian Michael cited in sawntong (2010)[22]:

When the flow of information is hindered, darkness falls and we grow anxious, our hut, apartment, village or city becomes a sorry place, the world becomes as it were too quiet.

Remembering his ordeal behind bars in Robin Island prison, sawntong (2010)[22] posits that "newspapers were more valuable to political prisoners than gold or diamond, more hungered for than food or resources". They were the most precious contraband on Robin Island. We were not allowed any news, at all and we craved for it.

## **UTILIZATION OR IMPLEMENTATION OF THE FREEDOM OF INFORMATION IN NIGERIA SINCE ITS PASSAGE IN 2011**

Omotayo (2015)[6] reported that some successes have been recorded with regard to the utilisation of the law. There has been an encouraging increase in the number of individuals and organisations demanding for information pursuant to the provisions of the Act. There have also been varied reactions by public institutions who request for access to information that range from outright and unsubstantiated refusal, to delays in granting requests. Reported instances of testing the law, have come mainly from civil society organisations such as National Human Rights.

Right to Know Nigeria (2012)[20] reported that it had made several requests to public institutions for information pursuant to the Act. In June 2012, R2K made a request for a copy of air crash investigation report not currently available on the Accident Investigation Bureau Official Website. Also, in seeking to test and evaluate the implementation or utilisation of the Act, R2K made requests to Ministries, Departments and Agencies (MDAs) of government for copies of their statutory FOI reports as mandated by the FOI Act 2011 in section 29 (1) which provides that 'on or before February 1 each year, every public institution must submit to the Attorney-General of the Federation a report on the Institution's implementation, in compliance with the FOI Act covering the preceding fiscal year. There were also requests made to the Attorney General for copies of all the annual FOIA compliance reports that have been submitted to that office and a copy of the annual report submitted by the Attorney General to the National Assembly pursuant to sections 29 (7) and (8) of the FOI Act. The National Human Rights Commission (NHRC), Legal Defence and Assistance Project (LEDAP), Progressive Shareholders Association (PSA), Socio-Economic Rights and Accountability Project (SERAP), Civil Society Network Against Corruption (CSNAC), Media Rights Agenda (MRA), Socio-Economic Rights and Accountability Project (SERAP), Citizen Assistance Centre, Right to Know (R2K), among others have been using the FOI Act to demand for information, accountability and good governance in Nigeria. However, majority of these request end in lawsuits (Right to Know Nigeria, 2012).

The cases that have been taken to court in which a request for information was denied or simply ignored, have recorded positive responses from the judiciary. The very first reported lawsuit being the case instituted by the Committee for the Defence of Human Rights (CDHR) against the Economic and Financial Crimes Commission (EFCC) in August 2011 in Abuja, seeking an order to compel EFCC to provide information substantiating an allegation made against it is still fresh (Right to Know Nigeria, n.d.) Daily Trust Newspapers on July 31, 2012 reported that Nigerian National Petroleum Corporation (NNPC) denied a request made by Daily Trust Newspapers. The Corporation wrote back to the newspaper that it was not bound by the FOI Act, as it was not a statutory corporation. However, after media scrutiny and pressures from civil society organizations, the NNPC eventually pledged its commitment to abide by the provisions of the FOI Act. Other refusals have led to the institution of legal proceedings to compel public institutions to grant requests for access to information. In January 2012, two civil society groups, Socio-Economic Rights and Accountability Projects (SERAP) and Women Advocates Research attempted using the Act (Right to Know cited in Omotayo, 2015).

#### **EMPIRICAL STUDIES ON THE AWARENESS, KNOWLEDGE, PERCEPTION AND UTILIZATION OF THE 2011 FREEDOM OF INFORMATION ACT**

In a study conducted by Abone and Kur (2014) of journalists awareness on Freedom of Information Act it was revealed that out of 160 respondents, 134 of them accounting 83.8% said they were aware of the provisions of Nigerian Freedom of information Act. Only 22 or 13.2% respondents said they were not aware. Similarly, in the study done by Uche (2011), 243 or 71% agreed that the Act seeks to strengthen the information seeking power of the people against 76 respondents or 22% who agreed that the Act makes guarantee and the process of governance more important. Again, 300 or 100% respondents agreed that the Act was meant to service the interest of the general public and not just the journalists as it's wrongly perceived in some quarters. A Nigerian journalist's survey conducted by Dunu and Ugbo (2014) showed high level of

awareness of the FOIA, as all the respondents agreed that they are aware of the existence of the Freedom of Information Law. 100% of them affirmed their awareness of the FOIA, while only two thirds or (26%) indicated lack of knowledge of the Act, an indication that awareness and knowledge of the Act is high among the journalists.

Again, journalist's level of knowledge about the Act showed that the degree or extent of their awareness and understanding of the principles is high among the journalists, considering that 78% of the respondents fully understood the principles of the Law while only 13% of them did not have such understanding even though they knew the law exists. This analysis clearly demonstrates that majority of Nigerian journalists are knowledgeable about the principles of FOIA.

This further confirmed the study of Nnadi and Obot (2014) when it was found out that all members of the respective chapels were aware of the freedom of information Act. That is 37 accounting 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 journalism practice 64 (22.2%) indicated that the strength of the Act in facilitating journalism practice lies in the provisions of the Act which guarantee free availability of information to all including journalists. For 52 (21.3%), the strength is in the provision of access to public records and information making it available even if not solicited for. 30 (12.3%) indicated that this is where lies the strength of the Act in Journalism practice.

On the journalists perception of the weakness of the Act in journalism practice, 78 or 58.2% respondents said that the Act could be a challenge to journalism practice. Only 52 or 38.8% respondents held a contrary view and 4 or 3% respondent were undecided.

On whether FOIA has been utilized or not the study by Nnadi and Obot (2014)[13] revealed that out of the 166 respondents, only 37 (22.3%) had applied or used the provisions of the Act, while 129 (72.7%) respondents have not. This is elaborated in the study conducted by Dunu and Ugbo (2014)[11] which found out that an overwhelming

85% majority of respondents indicated that they have not been using the Act. This is further discovered when a large number of respondents constituting (85%) indicated the existence of challenges In the use of the Act with just 15% and 81% not agreeing to the presence of challenges. This is in tandem to (Blanton 2002 cited in Dunu and Ugbo 2014)[11] observation that government and public institutions failed to comply with the principles of the Freedom of Information Act and that the few that eventually comply, either delay in the stipulated duration of compliance or comply after a long process of litigation.

## METHODOLOGY

The survey research method was used in the collection of data on 95 respondents as the 10 percent of the total number of Journalists from Abuja, Plateau and Kogi to represent the whole zone. This number was arrived at after ascertaining a census on the total number of journalists in the three states of the zone put at 903, before the Ten percent formula prescribed by American Psychological Association (APA) for determining the selection of a population in a survey study was used to arrive at the sampled size of 95. In Plateau, the total number of registered journalists was 203 and ten percent of this number is 23 while Abuja recorded the total of 502 journalists with ten percent of that put at 52 and Kogi had 200 registered journalists and ten percent of it is 20. Again, the reason for the choice of Plateau was because of the history of ethno-religious and sectarian crises in the State which has made it a stronghold for all kinds of security establishments whose modus operandi is predicated on secrecy and hiding information from journalists. While Abuja, on the other hand was chosen not only as the Federal Capital Territory (FCT) with the highest number of journalists next to Lagos in the Country but most importantly because the Freedom of Information Act is fully domesticated there. Similarly, Kogi, was selected because of its reported antecedence recently of hoarding news information from journalists largely due to the perceived distrust the newly enthroned government has for journalists because of the total absence of publicity they accorded him during his electioneering campaigns. Copies of the 12 item likert scale measuring scale covering all the domains of the key variables was administered face to face by the researcher using the simple random sampling method after debriefing was conducted and informed consent implored to win the confidence of the respondents. The study used a five (5) response format was captured in respondent's measurement of the magnitude of agreement/disagreement as represented in either strongly agree, somehow agree, neutral, somehow disagree, strongly disagree,

**ANALYSIS OF DATA**

Out of the total number of 93 copies of the questionnaire distributed among journalists, 93 were filled and returned. Therefore the analysis of this study was done on the 93 returned copies of the questionnaire.

**DEMOGRAPHIC PROFILE OF RESPONDENTS**

The demographic results show that 25 of respondents representing 26.9% were females while 68 others constituting 73.1% were males. The study also reveals that 29 respondents representing 31.5% were Diploma holders, 58 others representing 63.1% were BSc holders while 5 other respondents constituting 5.4 were Masters degree holders. This finding reveals that most of the journalists were BSc holders.

**Table: Journalists Level of Awareness on the Freedom of Information Act**

Response	Frequency	Percentage (%)
<b>Very large extent</b>	65	69.9
<b>Large extent</b>	25	26.9
<b>Low</b>	3	3.2
<b>Very Low</b>	0	0
<b>Total</b>	<b>93</b>	<b>100</b>

**Source:** Field survey 2016

Table 1 above shows that 65 respondents (69.9%) said they were knowledgeable about the Freedom of Information Act to a very large extent while the remaining 25 respondents (26.9%) said their knowledge on the Act was to a large extent with only 3 (3.2%) belonging to the category of the people whose knowledge on the Act was low. Lastly, none of the respondents representing 0% had a very low knowledge on the Act. This implies that majority of the Journalists in North Central Nigeria have substantial Knowledge about the Freedom of Information Act.

**Table 2: Journalists Utilization of the Freedom of Information Act by demanding for Specific Information**

Response	Frequency	Percentage (%)
Very large extent	25	29.9
Large extent	68	73.1
Low	0	0
Very Low	0	0
<b>Total</b>	<b>93</b>	<b>100</b>

**Source:** Field survey 2016

In the table above, 25 respondents (26.9%) said they have demanded information to a very large extent using the provisions of the Act while an overwhelming 68 respondents (73.1%) said their rate of demand was only to a large extent with the absence of responses for those demanding for information at a low and very low levels. This reveals that preponderance of the Journalists in North Central Nigeria don't utilize the Act. This is because there can't be utilization without demanding for information by Journalists.

### DISCUSSION OF FINDINGS

The findings of the study have not revealed anything new but have largely reinforced previously conducted studies in this field. For example, research question 1, which sought to find out the knowledge of Journalists in North Central Nigeria, shows that 65 respondents accounting to 69.9% admitted they were aware of the existence of the Act as opposed to only 25 respondents constituting 26.9% who said they were not aware and another negligible 3 respondents making up 3.2% who noted did not know the answer.

This confirms the outcome of the studies conducted by (Dunu and Ugbo, 2014; Nnadi and Obot, 2014; Baran and Davis (2003) and Mcquail (2005); Siebert, Peterson, Schramm, (1976). cited in Dunu and Ugbo 2014)[11],[13],[15],[17],[18]. This suggests that Journalists in North Central Nigeria have to rise to the occasion and utilize the Act

having been aware of its existence. This is because according to Dunu and Ugbo (2014)[11], the Act can only create an impact on the nation's socio-political space when it is being utilized. This is more so that the follow up question seeking to know if the Act guarantees access to information in North Central reveals that an overwhelming majority of 58 respondents representing 63.3% as opposed to an insignificant 29 respondents accounting for 31.5% and 5 respondents resulting to 5.4% respectively said the Act guarantees access to information. Notwithstanding, the study done by Omotayo, (2015)[6] disconfirms the outcome of this empirical research by revealing that one of the disturbing obstacles to the effective utilization of the Act is the obvious lack of knowledge among Journalists.

In addressing research question 2 which was intended to find out the extent to which the Act is utilized in North Central Nigeria, the result shows that an overwhelming 68 respondents constituting 73.1% have affirmed that they have never utilized the Freedom of Information Act while 25 respondents representing 26.9% admitted using the provisions of the Act.

This confirms the findings of the study conducted by (Nnadi and Obot 2014 cited in Dunu and Ugbo (2014)[11] who also observed, that Journalists are aware of the Act but is generally not often used by them.

## CONCLUSION

The study found out that Journalists in North Central Nigeria are aware of the Act, incidentally, it is largely not been used by them. Also, the Freedom of Information Act guarantees access to information which is the hallmark of every democratic practice. Again, it was also discovered in the study that the Act has immense benefits among which are: the promotion of democracy, good governance, reduction of the rate of corruption ultimately serving as sufficient checks and balances among the tiers of Government. Lastly, it was revealed that the Freedom of Information Act is not utilized to a large extent in the region because of the existence of impediments such as: obnoxious laws (Official Secret Act, Criminal Code Act, Civil Service Act, Sedition and so

on), culture of secrecy and Lack of sufficient Knowledge about the Act. Others are: poor remuneration of Journalists and the non domestication of the Act in most Nigerian States. The study has also established that the Libertarian theory which prescribes the practice of democracy has taken a strong root in Nigeria as a great majority of respondents have agreed that the Act guarantees access to information which is the cornerstone of every democracy.

### RECOMMENDATIONS

For policy, practice and research, the following recommendations were made:

Government must initiate a legislative principle that will repeal all obsolete and obnoxious laws that serve as impediments to the full utilization of the Act.

Secondly, Journalists must as a matter of urgency keep aside laziness in discharging their duties in order for the enormous potentials of the Act to be harnessed. Journalism bodies such as the Nigerian Guild of Editors, Newspapers Proprietors Association of Nigeria and the Nigerian Union OF Journalists must intensify sensitization of their members on the need to read the provisions of the Act and adequately understand them.

Lastly, researchers considering this area of study in the future should expand their coverage to include the application of Focus Group Discussion (FGD) or combining two different methods and open the scope of their study to cover the whole country or a larger sample size for the purpose of achieving a more valid result.

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