

**Nine Years of Operation of Freedom of Information (FOI) Act in Nigeria: The journey so far and the way forward**

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**Abstract**

**E**ffective practice of journalism requires unfettered freedom from political, psychological, economic, social and other encumbrances to enable the media perform their social responsibilities. This informs why globally press freedom is sought, not necessary for media practitioners only, but as a critical ingredient of democratic sustenance. To further strengthen such freedom, Freedom of Information (FOI) is now a vital tool for improved freedom for the practice of journalism all over the world. In Nigeria, the Freedom of Information Act came into being in 2011. But has it fully guaranteed freedom from restrictions inimical to media practice? This study, thus, undertook a survey of members of the Nigerian Union of Journalists (NUJ) in the Federal Capital Territory, Abuja, to explore how they have fared under the law. Among others, it found that aspects of the Act are inimical to its enforcement; government through its agencies often adopt some measures that hinder the smooth operation of the press, while some practitioners lack adequate knowledge of the law. The paper, therefore, recommends that additional legislative measures should be taken to strengthen the enforcement and operation of the law; all extra-judicial measures used by the government to undermine the practice of journalism in the country should be severed; enlightenment on the essence of the law should be stepped up, while the capacity of media practitioners should be improved through training and reorientation.

*Keywords: Mass media, Journalism practice, Press freedom, Freedom of Information (FOI) Act*

**1.0 INTRODUCTION**

The society expects much from the press and such expectations are justified in view of the enormous powers bestowed on it. The massive powers at its disposal led to branding the press the Fourth Estate of the Realm. This confers on it the fourth position, after the other three arms of the

government, the Executive, Legislature and the Judiciary. Besides, in order to give liberal operational environment with minimal hindrance, the United Nations' Declaration of Human Rights of 1948 (Article 29 (2) provides the right for information, by observing that "Everyone has the right to freedom of opinion and expression; This Right includes freedom to hold opinions without interference, and impart information and ideas through any media regardless of Frontiers".

In furtherance of this goal, other international organisations like the International Centre Against Censorship – Article 19 (ICAC), London, and African Charter on Human and Peoples Rights (Articles 27 (2) similarly advance the cause of press freedom. To further strengthen this leverage, every country domesticates this critical aspect of human liberty by enshrining it in its constitution. Nigeria did as contained in the 1999 Constitution of the Federal Republic of Nigeria (Articles 39 (3) and 45). In addition, it enjoins the mass media to uphold the accountability and responsibility of the government to the people. All these underscores the high premium placed on the role of the press in the socio-economic and political development of any nation, roles that position the press as an essential aspect of the requirements for democratisation. Those roles range from deepening democratic culture, enhancement of political participation and provision of democracy dividends to the people, according to Omodia (2019), Okunna (2018), Moemeka (2016) and UNESCO (1980).

Notwithstanding these provisions, some inadequacies are still noticeable in the operations of the mass media vis-a-vis the existence of press freedom. Thus, came the clamour for Freedom of Information (FOI), which Hornby (2005, p. 593) describes as "The right to see (access) any information that the government has about people and organisations". It is the right of the people, the mass media and their practitioners to have unhindered and unrestricted access to any public information and records, particularly those that border on public interest, FOI Act (2011). Nigeria signed the FOI into law on May 27, 2011 after several decades of struggle; making its operation in the country to span over nine (9) years, time though short, is still adequate to assess the extent of the progress or otherwise made in the course of its implementation and enforcement.

But, to what extent has the additional leverage provided by the enactment of the Freedom of Information Act assisted the operation of the mass media in the country? Has it provided additional value in aiding the press to fulfil its statutory social responsibilities to Nigerians, otherwise, why?;

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and Is there any correlation between press freedom and good governance? Providing answers to these pertinent questions is what necessitated this study.

### **Objectives of the Study**

The study strived to achieve the following objectives:

1. To ascertain how Nigerian journalists fared since the Freedom of Information Action Act (FIO) became effective.
2. To examine the challenges to the effective enforcement of the Act.
3. To identify if any section or contents of the Freedom of Information Act is inimical to its effective implementation and enforcement.

## **2.0 CONCEPTUAL REVIEW**

### **Mass Media as Crucial Components of a Functional Society**

The role of the press in societal advancement is hardly an issue of controversy. Indeed, if there is an area of near-total agreement among communication scholars and analysts, it is certainly on the fact that the media are crucial to development. There is an unequivocal unanimity over the indispensability of the mass media to national development. To Omodia (2019); Okunna (2018); Moemeka (2016); Moemeka (2012); Oso (2012); McQuail (2005); Baran (2004); Opubor (2001); Okunna (2000); Moemeka (2000); Nwosu (1999) and UNESCO (1980), it is a consensus that the media are critical catalysts in the development process and social engineering in any country and Nigeria is no exception.

This argument long ago informed the basis of the emergence of some pivotal theoretical frameworks on which the mass media operate today. Some of them took root from the utilitarian and functional bases of the press. Among such foundations are Libertarian, Social Responsibility, Agenda Setting and Uses and Gratification theories. With their diverse potentials and versatile functions, the mass media service and influence all sectors of our national and daily life, just as the society influences them.

While harping on the impact of the media on development, Omodia (2019, p. 48), highlights media responsibilities, among them: watchdog on the government,

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contributing to political education of the citizens, setting agenda for the society, and preserving and promoting political culture, and succinctly observes that the “Media are an integral part of the democratic process. The practice and mode of operation of the media to a great extent define the political system that is obtainable in a nation-state”.

Yet, the role of the media to national development is not a straight-jacketed kind of process. It is actually contingent on some intervening variables, crucial among which is the extent of freedom of the press in a given environment. Aliede (2014; 2013) vehemently argues that prevailing liberal operational environment is a necessity for the media to maximize its contribution to national development. This contention is backed by Ogbondah’s (2003) lamentation of the incalculable retrogression Nigeria faced between 1993 and 1998 as a result of the totalitarian juntas of the period under which the press in the country suffered the worst draconian treatment. Udeze (2012), Sambe & Ikoni (2004) and Aliede (2003) as well agree with the notion that under watered-down freedom, the media are weighed down in assisting the advancement of the society.

Under smooth operational situation, according to McQuail (2005, p. 97-98), the mass media perform these key functions in the society:

1. Providing information about events and conditions in society and the world
2. Indicating relations of power
3. Facilitating innovation, adaptation and progress
4. Explaining, interpreting and commenting on the meaning of events and information
5. Providing support for established authority and norms
6. Socialising
7. Coordinating separate activities
8. Consensus building
9. Setting orders of priorities and signalling relative status
10. Expressing the dominant culture and recognising subcultures and new cultural developments
11. Forging and maintaining commonality of values
12. Providing amusement, diversion and the means of relation
13. Reducing social tension

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14. Campaigning for social objectives in the sphere of politics, war, economic development, work and sometimes religion.

With these all-encompassing duties, which Lasswell (1948) earlier narrowed to three, namely: Surveillance of the environment, Correlation of parts of the society in responding to the environment, and Transmission of cultural heritage, the media influence and impact on every facet of the society. All sectors of every country's life, whether it is the economy, politics, agriculture, health, education, business, commerce, military, science or technology, depend on vibrant and functional press to develop and grow, (Baran, 2004; Dominick 1993 and Bittner (1989). Conversely, this in turn depends on if the press is free to operate. It is in the light of this that UNESCO (1980) lays emphasis on the significance of press freedom in every society:

The framework within which communication takes place is ultimately determined by the political and social struggles which have shaped the prevailing social consensus in a given society. The way communications are organised in a democratic society is basically a political decision reflecting the values of the existing social system. At a pragmatic level, solutions to the political problems of communication depend on finding a balance between the legitimate interests of the State and the rights of access to information that may be extended to diverse sections of opinion. These solutions will necessarily vary according to the political structure, the degree of development, and the size and resources of each nation. But neither practical necessities nor the claims of ideology should be invoked to exclude freedom of expression from its proper place (UNESCO (1980, p. 13).

Egbon (2001, p. 7) as well notes that "Press freedom also implies a free flow of information and the right to disseminate the information. One chief rationale of freedom of the press is to create room for mass participation that will produce educated and well-informed electorate that can influence decision making in public affairs".

### **Nigerian Mass Media and Press Freedom: A Tortuous Journey**

Nigeria's poor records of freedom of the press and expression are as old as governance in the country. As early as 1903, the colonial governor-general, Henry Freeman, slammed an obnoxious Newspaper Ordinance on the second medium in the country, *Anglo African*, to "check the excesses

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of the press”, (Aliede, 2003, p. 6) and also to cripple it financially, (Omu, 1978). This was after he failed to wrestle down *Iwe Irohin*, the pioneer newspaper from performing its legitimate duties. This ugly experience was to continue throughout the colonial, nationalist and pre-independence eras. Still, the struggle continued as the media resiliently soldiered on notwithstanding government’s application of all manners of measures, legitimate, judicial and extra-judicial; in order to curtail the freedom the press needed to function effectively, especially in that era of agitation for political independence.

Therefore, aware that the coveted prize of freedom could not be won on a platter of gold, as Daramola (2008) observes, practitioners and stakeholders continued to fight and endure the persistent battle.

The First Republic was short-lived and the military government that took over the reign of power in 1966 abrogated all civil legislations and replaced them with draconian decrees in order to assert their strength and authority, a painful era for the press that was to last for over three decades (Okoye, 2009).

But of the 33 years of military dictatorship, the most embittered experience for the press was under Muhammadu Buhari (1983-1984), Ibrahim Babaginda (1984-1993) and Sani Abacha (1994-1998). Indeed, it was the darkest period in the history of the Nigerian press. Countless decrees were churned out in order to exert iron-grip control on the media. These they used as instruments to harass, molest, abuse, arrest, detain, maim and kill journalists, besides indiscriminate closure, banning and proscription of media houses. Among the worst victims of the time were *The Guardian* Group of Newspapers and the *Newswatch* magazine. The former was proscribed, fined, its two journalists, Tunde Thompson and Nduka Irabor, jailed and its proprietor, Alex Ibru nearly assassinated. The *Newswatch* magazine had its editor, Dele Giwa, assassinated with a letter bomb, the first of such heinous crime in the country (Okoye (2009); Ogbondah (2003); Okoye (2003); Aliede (2003) and Egbon (2001)).

In fact, Media Right Agenda (2000) in its compendium has the atrocities committed by the military up till 1999, a period regarded as the height of authoritarianism in the country. Among them were: 20 threatening laws, 6 extra judicial killings/murders, 6 attacks leading to bodily harm, 5 attacks

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leading to damage/loss of property, 25 arrests and detention, 11 assaults, 9 suits, 2 operational policy restrictions, 12 denials of rights and privileges, 38 threats to life, oppression and intimidation, 10 seizure of publications/equipment/closure of stations and 15 preventions from performing duty (denial of access to information)/summons.

Some aspects of these repressive onslaughts continued even after the military handed over to civilians in 1999. Under the Obasanjo government, security agencies had running battles with the media under one disguise or another. The current Buhari regime is no better, as there are cases of arbitrary arrests of journalists who are detained indefinitely without trials, while those ordered for release by law courts are punitively incarcerated.

Yet, more worrisome is the prevalence of archaic and obsolete laws that date back to colonial times which the government still allow to exist, though overtaken by events, perhaps, as means of instilling fears into media practitioners, fact Udeze (2012); Sambe and Ikem (2008); Ogbondah (2003); Fab-Ukozor (2000); Momoh (1995); Okunna (1995) and Constitutional Rights Projects (1993) confirm. Indeed, according to Aliede (2013), between 1859 and 1999, Nigeria witnessed a harvest of press laws, having seen the issuance of over 61 legislations directly and indirectly affecting media establishment, ownership, operation and management. Most of these harsh legislations had outlived their usefulness, as there are in existence other legal instruments that have taken their places, for instance, constitutional provisions on the role of the mass media and the 2011 Freedom of Information Act.

The application of these harsh decrees was not enough for the military. Indeed, as if their harsh use was not sufficient, the juntas unleashed untold havocs and brutality on the press through extra-judicial measures. Udeze (2012, p. 93) sums up the ugly scenario:

In addition to the legally recognized methods of controlling the mass media by government such as laws of libel, sedition, invasion of privacy, violation of copyright, obscenity and indecency...the government in most parts of the world still adopt some unconventional, illegal, and most times brutal methods of controlling the press...extra-legal methods...They are so named because such punishments do not have their roots in the law or authorisation from any court of law. They are based on the whims and caprices of those in authority and their over-zealous aides.

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This tale of woes, perhaps, helped to embolden the media and their practitioners and therefore, accelerated the quest for improved media operational environment.

### **Background of the Emergence of Freedom of Information (FOI) Act in Nigeria**

Nigeria is a signatory to most global instruments, frameworks, charters and conventions for guaranteeing freedom of expression, speech and of the press. But, in practice these tools have not provided the requisite leverage with which the press is to optimise its performance.

Early crusade for realistic freedom of expression was carried out in Europe and the United States of America, (USIS, 1984). American nationalists like Thomas Jefferson, John Erskine and John Stuart Mill were in the forefront of the struggle that eventually led to a Constitution today seen as the friendliest to media operations. It states: “Congress shall make no law...abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievance”.

The United Nations’ 1948 Universal Declaration of Human Rights was another pivotal instrument as it highlighted individual’s right to freedom of opinion and expression, including freedom to hold opinions, pass across information and ideas to others through the media unhindered. It also generated another reaction, the need to strengthen the right to freedom of expression. This movement was championed by Sweden, which was the first country to adopt Freedom Information in 1976, followed by Finland. As Egede (2012) notes, as of 2012 about 85 countries in the world had implemented the law. Consequently, Freedom of Information became a universal issue and a means of enhancing man’s rights to freedom of expression.

In Nigeria, its realisation was a tug of war. Series of military administrations ignored the call for this instrument of emancipation. But it was a laudable cause worth pursuing, no matter how long, hence, those organisations which hitherto fought repression on freedom of expression in the country spear-headed it. They included, according to Dawodu (2016), Media Rights Agenda (MRA), Civil Liberties Organisation (CLO) and the Nigerian Union of Journalists (NUJ). It took the National Assembly seven years to pass the bill, but the Obasanjo administration reneged in signing it into law. The process later began again and it eventually sailed through the Sixth National Assembly culminating in its presidential assent by Goodluck Jonathan in 2011. With the hurdle

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scaled, the next issue became its implementation and enforcement. According to Husani (2017), Aliede (2013), Onwosi (2013) and Nwabueze (2005), there is an overwhelming evidence of challenges facing its operation. These include:

1. Its existence side by side with obsolete and draconian laws like Official Secrets Act, Criminal Code, Penal Code and other obstructive measures
2. Public apathy, ignorance and poor knowledge of freedom of information among civil servants
3. High level of secrecy within the bureaucracy
4. Managements' threats and intimidation to civil servants in the cause of executing the law
5. Some courts' rigidity and conservative disposition in interpreting the law
6. Fading culture of thorough investigative journalism, inadequate and decayed working tools and infrastructure
7. Some journalists often compromising the ethics and social responsibility of their practice
8. High cost of obtaining licenses for establishing the broadcast media.

These barriers work against the effective application of the Freedom of Information Act and hence mass media's ability to efficiently contribute to the country's development. These circumstances rather would create anxiety, fears and self-censorship in media practitioners as they are not congenial for the functional operation of the press. The atmosphere lacks the conditions of freedom of the press which Sambe and Ikoni (2004, p. 13) present as follows: "No prior or subsequent restraint; Freedom to gather information; The right not to be compelled to disclose the source of information; Freedom to impart; The right to receive information, and Freedom from unreasonable punishment for what is published".

### **Theoretical Framework**

In furtherance of more definitive clarification of the theme of the study, Social Responsibility theory of the press was applied as a means of its illumination. According to McQuail (2005), the theory relates to the unwritten obligations the mass media owe to the society mainly bordering on ethical and moral principles.

The theory is an aftermath of the Hutchins Commission constituted to assess the condition of the mass media, a kind of post-mortem after the attainment of press freedom in the United States. Its

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1947 report criticised a lot of failings of the press, while making landmark recommendations on the way forward. As McQuail (2005, p. 171) notes, the Commission among others, “...supported the concept of a diverse, objective, informative and independent press institution, which would avoid causing offence or encouraging crime, violence or disorder. Social responsibility should be reached by self-control, not government intervention”. This is a call for ethical standards and professional conduct to ensure adherence to truthfulness, accuracy, fairness and balance. Backing the notion, Siebert, Peterson & Schramm (1956) insist that government should not only allow freedom of the press, but also actively promote it, as the derivable gains outweigh any conceived negative effect it may have. They, nonetheless, advised that the government may sometimes take interventionist measures, if necessary, in order to protect the rights of its citizens from media onslaught.

McQuail (2005, p. 171) further argues that the concept of social responsibility theory of the press looks at “...media ownership as a form of public trust or stewardship, rather than as an unlimited private franchise”. The media should be seen as public asset and thus, should serve public interests. The idea of media social responsibility as canvassed by the report reverberated across the Atlantic. Consolidation of the gains of the concept was widely embraced by European nations which see the idea as a critical tool for deepening democratic values and culture. For instance, the United Kingdom had its own British Royal Commission on the Press in 1977.

In all, the concept of social responsibility is that the mass media should be given the maximum leverage to operate unrestrictedly, though such freedom should go hand in hand with obligations and accountability. Impliedly, press freedom or unfettered implementation of the Freedom of Information Act is not sought, even in Nigeria, for mere or undue liberty for the mass media or their operators, but somewhat to place them in positive positions to use their powers to aid national development, hence the relevance of the theory to the study.

### **3.0 METHODOLOGY**

The study adopted survey research method. Since the population is too large for the researcher to realistically observe all the elements, the survey method was considered appropriate, Cresswell (2012). The survey probed journalists’ perception of the operations of the mass media since the FIO Act became law in Nigeria. Accordingly, structured questionnaire was used as instrument for

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data collection. The instrument was administered on randomly selected journalists of various media establishments in Federal Capital Territory, Abuja. They included practising journalists of radio and television stations, some Federal ministries and correspondence chapels of the Nigerian Union of Journalists, the population of study - all the registered journalists in Abuja. According to the Secretary of the FCT Chapter of the Union, there are 2753 registered journalists in the Federal Capital Territory, Abuja. To draw the sample size for the study from this population, the Australian online sample size calculator was used to obtain 250 samples at 95% confidence level and 0.5 significant level. Of the 250 copies of the questionnaire, 245 or 98% were retrieved from the respondents and their analysis yielded the information for decision on the subject of this research work.

#### **4.0 DATA PRESENTATION AND ANALYSIS**

**Table 1: Condition of press freedom before FOI Act's enactment**

<b>Variables</b>	<b>Frequency</b>	<b>Percentages</b>
Though Section 39 of the 1999 Constitution was in place, there was a lot of undue pressure on the press via harassments, arrests and detention of journalists		
Existence of obnoxious laws	236	96.33%
Extra-judicial measures existed with which the government coerced the press	213	86.94%
There was direct and indirect censorship of the press	187	76.33%
Difficulty in obtaining licenses for media establishment	164	66.94%
Nonetheless, under these issues the press were viable and vibrant	155	63.27%
	148	60.41%

The views of the respondents on the condition the mass media faced before the advent of the FOI Act are as contained in the above table. Impliedly, although press freedom existed in principle as enshrined in the constitution and the press tried to leave up to its calling, a lot of hurdles existed

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which did not allow the media to function optimally. Also, their opinions were almost equally divided on if the Freedom of Information Act is aiding the smooth operation of the mass media in the country, as 118 or 48.16% agreed, 122 or 49.80% disagreed, while 5 or 2.04% had no answers.

Specifying, those in affirmation gave such reasons like: public and private media were operating side by side; there have been some cases of court ordering the enforcement of the Act, and that harassment of the press was not as rampant as it was before its enactment. On the other hand, those who opposed the statement justified their claim by stating that journalists and media organs were still intimidated, harassed and brutalised; accessibility to public information and records was still denied the media, and that insistent on getting information and records from public and private institutions in accordance with the Act was seen as been confrontational with the government.

Earlier, we preliminarily sought to ascertain the level of knowledge of the Freedom of Information Act among the members of the Abuja Chapter of the NUJ. The data indicated they had no full awareness of the contents and essence of the Act, as only the most senior categories of the respondents displayed full knowledge, making up 102 or 41.63% against 143 or 58.37% who lacked adequate knowledge of the law.

**Table 2: Areas the Act could further assist journalism practice**

<b>Variables</b>	<b>Frequency</b>	<b>Percentages</b>
Provide unfettered access to public information and records	235	95.92%
Exposition of government inadequacies	216	88.16%
Holding public office holders accountable to the people	200	81.63%
Protection of journalists covering private and public institutions	178	72.65%
Assist the media in investigative journalism on government activities, programmes and policies	156	63.67%
Promote good governance	142	57.96%

The respondents believed that the Act could be more effective and functional, if made to provide unfettered access to public information and records, expose government inadequacies, hold public office holders accountable to the people and protect journalists covering private and public institutions.

On if any section(s) of the Act was inimical to its effective implementation and enforcement, 151 or 61.63% affirmed, while 74 or 38.37% responded negatively. The majority who agreed variously cited wide range of Sections of the Act like 11, 12, 14, 15, 16, 17, 19, 20, and 21. According to them, these Sections were not only contradictory, but also grossly antithetical to the realisation of the objectives of the Freedom of Information Act. The sections tried to except some institutions and organisations from disclosing information and records, though in some cases, it states unless public interest “outweighs whatever injury that disclosure would cause”

In another vein, although the law provides in Section 13 that for effective implementation, every government and private institution is to train its officials on the public’s rights to access information and records at their disposal, this is hardly done.

However, more disturbing is the fact that there is no single provision in the Act for the adequate protection of journalists or other members of the public who may wish

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to access information or records from public and private institutions from attacks or molestation. This is, perhaps, the greatest loophole in the Act.

**Table 3: Challenges facing the enforcement of the FIO Act**

Variables	Frequency	Percentages
Weak institutional capacity for its enforcement	223	91.02
Lack of its awareness especially among public servants	201	82.04
Incapacitation of the judicial system	187	76.33
Existence of loopholes which make its application very difficult	166	67.76
Absence of strong common front for media practitioners	152	62.04
Fear and distrust among media practitioners	145	59.18
Quackery in the journalism industry	138	56.33
Poor remuneration of media practitioners	130	53.06
Corruption in public and private organisations	124	50.61

The respondents provided wide range of challenges facing the effective enforcement of the Act, Table 3. This is indicative of their appreciation of the difficulties and experiences they encounter in the field in the course of their work. It could not have been more encompassing. Though not all the problems directly emanate from the perceived weakness of the law, others like poor institutional ability, low awareness, judicial incapacity and prevailing loopholes are. Others like weak common front, fear and mistrust among media practitioners, quackery and poor welfare are incidental.

**Table 4: Solutions to the challenges**

Variables	Frequency	Percentages
Strengthening the judicial system	214	87.35
Revisiting some sections of the Act	201	82.04
Full and effective implementation of sections of the Act	189	77.14

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Protection of journalists/media practitioners	180	73.47
Mandatory disclosure of information by government agencies	168	68.57
Adequate publicity of the law and sensitisation of all relevant stakeholders on its essence	152	62.04
Adequate welfare and remuneration of media workers	138	56.33
Sincere campaign against corruption	132	53.88

They strongly voiced what they believed were answers to the obstacles they named earlier, Table 4. Some like strengthened judiciary, amending some sections of the Act, its full execution and creation of enough awareness of it directly address some of its inherent inadequacies.

Another pertinent question was on the correlation between freedom of the press and good governance. Most of the respondents affirmed that there was a link between press freedom and good governance, as indicated by 192 or 78.37%, against the 53 or 21.63% who disagreed. Therefore, wherever press freedom is prevalent, good governance would exist, all things being equal. It is, therefore, inferred that when the press operates with optimum liberty, the enabling environment is created for the ruling class to be responsible and accountable to the people, ensure the full and active participation and involvement of the masses in governance, create equal opportunities for all and ensure there is rule of law. Thus, press freedom is a prerequisite for good governance.

## **5.0 DISCUSSION OF FINDINGS**

This study set out to explore if the enactment of the Freedom of Information Act brought about any added values to the operation of the mass media in Nigeria since its inception nine years ago and if not why, as well as recommend the way forward. With descriptive analysis and survey research, data were collected to back the reviewed literature and theoretical framework.

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The findings showed that most of the members of the Abuja Chapter of the NUJ though mature in age, qualification and occupying various positions in their media establishments, surprisingly, had no sufficient knowledge of the Freedom of Information Act. Their knowledge of the contents and essence was inadequate. Notwithstanding, most of them indicated appreciation of what freedom of the press was like in the country before the enactment of the Act in 2011, including the leverages the law has brought to bear on the operations of the media. There is room for improvement on this.

The study identified some areas the Act should be improved on in order to assist journalism practice in the country, among them: provide unfettered access to public information and records, exposition of government inadequacies and holding public office holders accountable to the people.

It equally identified some loopholes and sections of the Act which required legislative restructuring as such areas ignored some salient aspects of its objectives like guaranteeing the security and protection of journalists/media practitioners as they performed their statutory responsibilities. Some sections, indeed, conflicted with the objectives of the Act. Most prominent among these were sections which attempted to rob its powers by excluding some institutions and organisations from disclosing information and records at their disposal.

The data also showed the respondents massively agreed there were challenges facing the implementation and enforcement of the Act and proffered solutions to them. The study also affirmed there is an interface between freedom of the press and good governance and that the absence of freedom of the press could however hinder it, a vivid indication and acknowledgement of the pivotal role of the mass media in national development.

These findings are in concert with the postulation of the social responsibility theory. It asserts that the press needs maximum leverage to operate freely, though the freedom should go with obligations and accountability. Thus, press freedom or unfettered application of the Freedom of Information Act is required in Nigeria in order to position the mass media to contribute to good governance and also assist in national developmental programmes of the government, which one of the most critical now is the crusade against corruption.

### **Way Forward**

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In the light of these findings, the study recommends the following as the way forward:

1. Sections of the Freedom of Information Act should be revised and strengthened in definite terms so as to make their functions very clearer, effective and applicable, to guarantee mandatory and full disclosure of information by government and private institutions.
2. An unambiguous section should be inserted in the Act on the protection of journalists, other media practitioners and indeed members of the public desirous of information or records from any public or private institution.
3. Vigorous reorientation, sensitisation, publicity and enlightenment of all relevant stakeholders, especially civil, public servants and media practitioners on the essence of the law should be embarked on by both the government and the mass media.
4. The judicial system in the country should be reinforced to give it more powers for fearless and positive interpretation of the Act.
5. All existing obsolete laws and extra-judicial measures hindering the freedom of the press should be expunged.

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