

# Freedom of Information Act (FOIA) and Librarianship in Nigeria

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## **Abstract:**

**Purpose:** The paper highlights the challenges and issues concerning the Freedom of Information Act (FOIA) in Nigeria and the role which libraries, librarians, and stakeholders in the profession could play. It gives a global overview of FOIA and the status quo in Nigeria, dwelling on the activities of the International Federation of Library Associations (IFLA) on its Manifesto on Transparency, Good governance and Freedom from Corruption.

**Design/Methodology/Approach:** This is a position paper on the relevance and need for the practical utility and level of awareness of the Freedom of Information (FOIA) in Nigeria since its enactment in 2011. It gives a global outlook and the Nigerians outlook of the FOIA to show that the “right to know” and the “right to ask” has not been entrenched.

**Findings:** Legislation of FOIA unaided cannot guarantee freedom or access to information except some stakeholders drive its practical utility by creating the awareness of the “right to know” and the “right to ask” in the citizenry. It raises issues which must be addressed, and the need for librarianship in Nigerian to key into IFLA’s ideals of “progressive librarianship”. Libraries must be contributors to freedom of (official) information as well as helping to establish a modus operandi. The FOIA as it is today in Nigeria only resides in the constitution of the Federal Republic and not in the hearts of individual citizens.

**Implications:** The FOIA can only be useful when the citizens are aware of their rights. The FOIA in Nigeria provides librarians the opportunity to further assert their relevance in contributing to good governance and protecting human rights. The Nigerian Library Association, the National Library of Nigeria must take a cue from what Associations do in advanced countries as drivers of FOIA. Suggestions include the need for libraries to align with Civil Liberty groups and other NGO’s on intellectual freedom and FOI principles. Need to render the FOIA in Nigerian languages and libraries, should become propagating centres; while librarians stay up to date on legislations and court cases that could affect freedom of Information and intellectual freedom, while taking action against legislations which could tune down the FOIA among others.

**Original Value:** Libraries are in the consciousness of the people and they are visible in various communities. Librarians must build on this strength to become propagating agents of FOI and defenders of human rights. Librarianship must adapt to change and seek new affiliations while reshuffling responsibilities and functions.

**Keywords:** Freedom of Information Act; Intellectual Freedom; Librarianship; Nigeria

## **Background:**

Freedom of Information may be regarded as an offshoot of freedom of expression or speech, which is a fundamental human right recognized in international law or human rights charter. Freedom of information pertains to a citizen or an individual’s right to access information that is held by the state or its agents or other organizations that relate to the public and draw

its existence from the continued patronage or activities of the populace. The academia is often described as a good example in democratic freedom, which stems from the concept of academic freedom. This freedom is derived from the philosophy of the ancient Greeks which brought rhetoric’s and learning to the fore through Socrates, Plato and Aristotle and other early Greek Philosophers. Students were free to gather at the feet of these philosophers to hear

from them. They were also free to leave after individual students must have acquired enough knowledge – hence the beginning of intellectual freedom through access to knowledge from these philosophers. The concept of freedom of information has a lot to do with librarianship, with the idea of open access to information. Open Access in Librarianship did not come easy, as Thomas Muir a respectable Scottish Advocate was arraigned in 1793 for lending a copy of Tom Paines “Right of man” and for advocating the reform of parliament. He was lucky to escape with his life, but he was banished to Botany Bay. It is therefore safe to say that issues concerning education, learning freedom and access to information cannot be fully discussed excluding the library as the Public Library Act in Britain came into force in 1850, indicating the importance of libraries, while the Education Act was promulgated in 1870 (Irwin 1978). The concept of open access has therefore evolved over the years in librarianship to its present state of universal open access to information. Librarians have therefore been in the fore-front of open access since they stopped chaining books to the wall.

Freedom of information and intellectual freedom go hand in hand. Sturges (2012) believes that intellectual freedom provides the circumstances in which rational and well informed human beings can conduct debates that are essential stuff of a democratic society and the freedom of information is as a derivative. Seen in this light the main project of governance in a democracy could be the welfare of all citizens, while at the same time offering appropriate scope to the creativity and enterprise of individuals within the society. The Information Society of the twenty first century is seen as a product of intellectual freedom. It is believed that the ideas of intellectual freedom and freedom of information are embedded in the concept of human rights; and the first legal expression of this principle was in 1791 in the USA with the ratification of the Bill of Rights which states:

*“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or 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 grievances”*

Further to the above was the United Nations General Assembly’s Declaration of Human Rights in 1948. Therein Article nineteen provides the basis for a clear and unambiguous formulation of the right to information which has become generally accepted by member states.

The article nineteen states that:

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, to seek, receive and impart information and ideas through any media and regardless of frontiers”.*

The Article nineteen therefore provides the solid basis to individual member states of the UN for a system of freedom of access to information. Individual countries have therefore continued to supplement this with further legislation, regulation and professional practice. Mendel (2003) opines that the current state of right to information legislation varies throughout the world. He is of the opinion that where these exist, they contribute a main structure for the operation of transparency. The legislations however are no guarantee of openness as administrators and politicians often avoid the inconvenience of revelations, he further submits. It is equally the responsibility of the citizens to be information literate in order to be able to assert their “rights to ask” and their “rights to know”. It is generally agreed that legislation remains necessary, even in countries where the constitution supports Freedom of Information (FOI).

Sturges (2013) referring to (Daruwala, 2003) says Malawi and Thailand have actually entrenched freedom of information into their constitutions in 1994 and 1997 respectively. He submits further that since the year 2000, FOI laws have been passed in Bosnia, Jamaica, Kyrgystan, Poland, South Africa, Guatemala and Indonesia. India is reported to have passed the new law in 2005. The UK Freedom of Information Act did not come into force until January 2005 according to (Brooke, 2004). In Nigeria the Freedom of Information Act was not signed into law until 2011. The cornerstone of open government is freedom of information legislation. The law has been in force in Sweden

since 1766 and its content goes beyond what FOI simply states in other countries and Sweden is regarded as the most open in Europe in providing access to information.

The FOI laws of 1966, in the US has equally remained a good example; exposing scandals, enhancing administrative process, providing business intelligence information. As at March to 2012, 93 countries have adopted the FOI Act; and 10 out of these are African countries according to Alegbeleye (2014).

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

The Freedom of Information Act, 2011, Laws of the Federation of Nigeria is:

*“An Act to make public records and information more freely available, provide for public to access public records and information, protect public records and information to an extent consistent with the public interest and the protection of personal privacy, protect serving public officers from adverse consequences of disclosing certain kinds of official information without authorization, establish procedures for the achievement of those purposes and; for related matters”*

The Freedom of Information Act is an enabling law which gives access to public information. Simply interpreted, it means that every information, record or document held by public authorities is held in trust and must be provided on demand as long as such will not hurt public interest or national security. The FOI gives to individuals, societies, communities or corporate bodies “the right to ask” and “the right to know”. In a democracy, the public is expected to have access to information, through the media, the library and information centres or other means or sources; not only on how they are governed, but also on anything of interest to individual or group.

### **Status Quo Ante Of Freedom Of Information In Nigeria**

Nigeria was for decades under different military governments which suspended the constitution and all democratic political structures. All government information was documented as

“classified information”. According to (Ayode, 2011) it was difficult to have access to information in state Agencies. The official Secret Act which was bequeathed to Nigeria by the Colonial British Administration was strictly enforced. This prevented civil servants from divulging information. Other restrictions were as contained in the Evidence Act, the Public Complaints Commission Act; the Statistics Act and the Criminal Code among others. Adeleke (2011) submits that these laws were meant to protect vital government information, but admits that the levels of secrecy were often ridiculous. Afolayan (2013) reports that the level of secrecy made it impossible for journalists to have access to information that was critical for accurate reporting and unraveling lack of transparency in governance. These factors and challenges motivated Edataen Ojo along with some NGOs to initiate the bill that has become the Freedom of Information Act in Nigeria. It could therefore be traced back to the regime of General Sani Abacha in 1993. The bodies responsible for this were: Media Rights Agenda headed by Adataen Ojo, Civil Liberties Organization and the Nigerian Union of Journalists (Lagos Branch). The Bill was submitted to the National Assembly in 1999 without any attention given to it. It was therefore re-submitted to the current National Assembly where it scaled through both Houses and the harmonized version passed into law by both chambers on May 26, 2011 (Afolayan). It was signed into law on the 28<sup>th</sup>, May 2011 by President Goodluck Jonathan. Ogbuokiri (2011) says further, that only two states in Nigeria, (Ekiti and Lagos States) have adopted the Freedom of Information Act at state level; while extending the response period from 7 days to 14 days.

Afolayan citing (Ekuno, 2001) says until recently, the right to Freedom of Information in Nigeria has been overlooked. He is of the opinion that while established democracies across the world have enacted FOI laws, Nigeria before now regarded FOI as only a luxury practicable only in the Western World and established democracies. Ekuno (2001) supporting this view says that a culture of secrecy had become entrenched by Nigerian government and members of the media and the public are denied access to information even on governance. One may also add that while a “culture of secrecy” permeated governance, the

public had also imbibed the culture of “criminal silence” and “embarrassing indifference” to national issues. Lack of access to information impairs the democratic process as well as being inimical to economic, social and cultural growth. This is because citizens are denied the opportunity to participate effectively in the process of governance, making a democratic choice on who should govern as well as not being able to screen and scrutinize officials in order to eliminate corruption. The benefit of the Commonwealth of knowledge and input of the citizens in contributing to informed decision or policy formulation and implementation which are meant to enhance governance have remained absent. The implication of these being governance without the application of knowledge; government policies are formulated with jaundiced information and inadequate data. Since an individual or a group can only be as good as the information available to them, in the absence of accurate information on issues of public interest, citizens must rely on rumours, half-truth and unsubstantiated reports with the obvious dangers involved either to the citizens or to the media in making objective reporting a culture.

### Challenges of FOI in Nigeria

FOI presupposes that record keeping should be of uttermost importance and outside Nigeria, most countries have taken this serious. However, the scenario is different in Nigeria from studies conducted as well as from personal observation according to (Alegbeleye, 2014). Perhaps Nigeria’s case is not an isolated one. He reports that in South Africa in 2003, 53% of FOI requests were not attended to and this figure jumped to 63% in 2004. In Nigeria however, there is no study known to have provided an answer in this regard. In Nigeria, FOI Act is divided into 2 parts: (a) Records Management aspect (b) legal aspect

The freedom of Information Act in the UK considers proper records keeping and management as a sine qua non to the practical utility of the FOI Act. In Nigeria, it seems enough attention has not been directed to records keeping, as only clauses 3, 10, 11, and 14 address this. Alegbeleye (2014) says generally, the FOI Act in Nigeria makes oblique reference to records management unlike the UK

Act in which the Lord Chancellor specifically states that:

*“Freedom of information is as good as the quality of the records and other information to which it provides access. Such rights are of little use if reliable records are not created in the first place, if they cannot be found when needed or if arrangements for their eventual destruction or transfer to an archives service are inadequate”.*

Information professionals believe that Nigeria’s idea of record keeping is short sighted. The 2011 FOI Act in Nigeria is seen to have provided no sectoral link with the National Archives Act of 1990. The implication of this is that it seems the National Archives Act never existed and the two acts as at today remain autonomous; whereas the 2005 FOI Act in the UK provides sectoral links between the two Acts. In spite of the beauty and advantages to be derived from the FOI Act, there are seeming obstacles to its practical utility in Nigeria. The legislation of FOI unaided cannot guarantee freedom or access to information; hence the democratic dividends of the FOI might elude Nigerians; except the underlisted obstacles are tackled

- (a) **Political Willingness:** This has to do with the mind of the people. Government must be willing to make the FOI work, while the public must be politically aware, agile and proactive
- (b) **Lack of Awareness:** The FOI Act must not reside in the constitution only, but in the minds of the public. Adequate awareness must be created
- (c) **Lack of information Flow:** Information must not remain in silos. The culture of information sharing and dissemination must evolve. This will prevent exclusive governance which does not require peoples’ input, while the public must also have accurate information on government activities, policies and pronouncements. This will prevent rumours and misrepresentations
- (d) **Culture of Silence:** Information will remain dormant if not communicated, received and interpreted. The culture of silence about government activities will

not make FOI to thrive. It is “the right to ask” and the “right to know” that must be the new culture.

- (e) **Role of The Media:** The FOI has a lot to do with “Freedom Of The Press” Freedom of the Press is the right to publish newspapers, magazines, and other materials without governmental restriction and subject only to the laws of libel, obscenity, sedition according to (Bollinger, 1991). Campbell (1994) says it could also mean the right to broadcast through electronic media, without prior restraints. In essence, it is the confidentiality of sources, and the right to access information. There is still a question mark on the right of access of the media in Nigeria. The NNPC and the Central Bank Governor of Nigeria accusation of non-remittance of fund is a case in hand. The Otedola / Lawan Faruk issue also questions the integrity of the media to follow through and painstakingly give information on issues of National and public interest
- (f) **Corruption:** In a country where more than 70% of citizens live below poverty level, the urge to provide for self to meet basic needs might see officials compromising the ethics of their callings. There is also the problem of not adequately exhibiting lack of tolerance to corruption by the society. Sources of sudden wealth remain unquestioned.
- (g) **Lack of Security:** The ability of government to guarantee the security of lives and properties to be able to live in peace in any part of the country is germane to the success of the FOI Act. The ability, right and protection of whistle-blowers must be guaranteed.
- (h) **Weak Capacity of Public Agencies:** The ability of various government agencies to be effective and efficient is a condition for a good democratic society. Non Governmental Organizations and Civil Rights Societies are equally not left behind
- (i) **Issue of Content And Source(s)**  
There is the need for the public to know the content of the FOI Act. They must

equally be provided with outlets where their queries could be addressed. The necessary information structures must be provided. Information literacy must also be brought to the fore.

(j) **Inadequate Library Support:**

It is often said that a country is as good as the level of its library services. There is the need for better library support by governments at all levels. The library must be the engine room of FOI. However, there is the need too for libraries and other information professionals to exhibit willingness to drive the FOI Act.

From the foregoing, the FOI Act of 2011 might be termed an elite product; as the level of awareness in terms of content, role, use and benefits as well as modus operandi are all wrapped up in ethical issues.

Ogbuokiri (2011) is of the view too that the FOI Act in Nigeria contains more exemptions clauses than the sections that grant access to information. He concludes that only sections 1 and 3 grant accesses to information; but as many as ten sections: Sections 7, 11, 12, 14, 15, 16, 17, 18, 19 and 26 are meant to stifle public access to information. There is however, a proviso that gives the judiciary the right to arbitrate on this aspect in public interest. It therefore remains for the judiciary to be proactive and transparent.

**Implications of Freedom Of Information To Library, Information Science, Archives (LISA)**

This aspect of the paper shall use the word library or librarianship to cover the other information profession disciplines: Information Science, Archives, Documentation or Records Management.

Library or Librarianship had been with man from the dawn of humanity. Storage and preservation of materials for future access and use is of uttermost important. “Without libraries, humanity is lost”. Jeremiah 32:13-14, presents this ...”Then I charged Baruch before them saying, “Thus says the Lord of Hosts, the God of Israel: “Take these deeds, both this purchased deed which is sealed and this deed which is open, and put them in an earthen vessel, that they may last many days”. The above verses

refer to a contractual document, with open access implications and the sealed with closed or restricted access, with great financial, legal, evidential and historical value meant to be preserved, controlled and to be made available in good condition when needed. This responsibility was given to a trusted individual “Baruch, the Son of Neviah, son of Mahseiah, recorded as the first Librarian. The library has remained a visible institution, which has continued to remain in the consciousness of man in every society. Intensive research and education at all levels, all authorities in public life regardless of their nature, level or degree, political life and all its organs, industry, economy, finance, among others, all regard the library as an essential instrument of their effective functioning. It is regarded as an agent of mass culture. The library therefore remains a powerful social instrument either in a democracy or a totalitarian setting. Abramov and Skvortsov (1978) summarize the above submission when they opine that the social role of libraries still remains one of the basic problems of library theory. They believe that on the nature of the solution depends the future direction of library practice and they suggest studies aimed at presenting a diversity of current opinions and views.

The paper defines library as:

*“An organized system which helps to harness, select, process, store and preserve information resources in varying formats made available and accessible to a specified community of uses for reference and borrowing purposes by personnel who have been trained in information handling and management”.*

From the foregoing one may simply deduce that the library has an important role in advancing the effectiveness of FOI world-wide and in Nigeria in particular. This is supported by (Sturges 2000) when he says that ...freedom of information is not a phenomenon principally driven by the information professions, but it has enormous implications for librarians, information scientists, archivists, records managers and others whose task includes providing users with access to content. Information and access to it has continued to take added value globally. An Ifex document:

Importance of Access to Information Media Freedom, highlighted in UN Sustainable Development Paper centred on Article nineteen on 26<sup>th</sup> February, 2014 welcomed the need for inclusion of a number of crucial issues. The document among other areas highlights the under listed as needing to be addressed:

- ✓ Access to information
- ✓ Freedom of media
- ✓ Association and speech
- ✓ Strengthening of civil society
- ✓ Public participation ( <http://sustainabledevelopment.un.org/index.html>) Goals (SDGs)

Furthermore, The Focus Area Document ( <http://www.worldwewant2015.org/node/4249330>) of the Open Working Group (OWG) released on the 21<sup>st</sup> February, 2014 aims at setting the agenda for the OWG’s discussions about recommendations that OWG will make to the UN General Assembly.

It is reported that a section of the document focus on the area of peaceful and non-violent societies, capable institutions highlighting the importance of access to information, freedom of expression and a strong civil society. This section also includes references to improving equality, fighting corruption, strengthening the rule of law, reducing crime and creating responsive judicial systems. The library has a role to play in these.

A report of a global consultation of people globally reports the call for open, transparent and responsive government, held accountable by a robust and independent media sector.

In the MYWORLD ( <http://www.myworld2015.org/>) survey which gathered views about what people feel is most important for themselves and their families, - “an honest and responsive government” ranked fourth globally. Among people living in low Human Development Index Countries, - “honest and responsive government” ranked third with only health and education ranking as higher priorities. Nigeria falls into this category and there has been continued clamour for more transparency, openness and fight against corruption in Nigeria.

The High Level Panel of Eminent Persons appointed by the UN Secretary General, agreed with the earlier submission, recommending that:

access to information; freedom of expression; and strong civil society be included as part of a governance goal. They highlight transparency stating:

*“Openness and accountability helps institutions work properly – and ensures that those who hold power cannot use their position to favour themselves or their friends. Good governance and the fight against corruption are universal issues. Everywhere, institutions could be more fair and accountable. The key is transparency. Transparency helps ensure that resources are not wasted but are well managed and put to the best use”*

The submission above is further supported by (Sturges, 2013 citing Pope, 2000) when he talks of a national integrity system, which he says:

*“The National Integrity System is the sum total of the institutions and practices within a given country that address aspects of maintaining the honesty and integrity of government and private sector institutions .....”*

The whole idea of FOI is to facilitate proactive disclosure of information. However, pressure could be taken off the FOI system if a broader base of access and disclosure is brought to the fore. The library as a service organization which manages information with visibility in every community is placed in a vantage position. This idea agrees with a proposal of (Excell, 2005) model for Jamaican law which will require them to do the following”

- ✓ Conduct an audit of information held by the public authority;
- ✓ Identify classes of document which will be made routinely available
- ✓ Identify within the publication statement those classes of documents that may contain exempt materials and those that do not,
- ✓ Ensure that documents are made available in a variety of formats (e.g print and electronic),
- ✓ Set out clear guidelines on the charges that will be levied for each format,
- ✓ Consult with public on the information they want

- ✓ Monitor and update schemes accordingly

A quick view of the seven point action model of Excell falls within the job description of librarian which could be conveniently situated in libraries to enhance the practical utility of FOI.

The FOI can exert a new way of thinking on the information profession. First it could assist in addressing the chaotic nature of record keep in most institutions. According to (Akussah, 1996) there is indication that in some countries, Ghana for example, there is competition to hire competent records managers and insufficient numbers of people with suitable training and qualifications. Since both citizens and private organizations need better access to information if they must operate effectively in a globalized world, libraries can use their activities under FOI as a catalyst to assert their relevance.

(Sturges, 2001) notes that though the library has not been the obvious venue or forum for a broader type of access. Yet, he states that the print record is, and always has been, a major aspect of people’s search for fresh and revealing insight and information. Two things are noted to have reinforced this potential; first is the recognition that libraries have to provide electronic access to digital meta data, digitized sources, and the internet; and the second is the user-focused ethos of librarianship.

### **Activities Of IFLA On Universal Access Information And Freedom Of Information**

In the mid 2000s the IFLA FAIFE Committee framed an IFLA manifesto on Transparency, Good Governance and Freedom from corruption, which was adopted in 2008. (Sturges and Crnogorac 2013) learning materials derived from the manifesto were piloted in India and Vietnam in 2009. They conclude that the most thorough attempt to embed the Transparency Manifesto in the Library practice of a country has been led by Crnogorac in Serbia. The importance and success of the whole programme has so far culminated in the Serbian success experience.

IFLA has brought to the fore the ideas of Universal Access to Information (UAI) and the ideals of progressive librarianship.

Sturges in his article in the journal Alexandria in 2001 assesses the role of libraries as contributors to the freedom of (official) information. His

article points aspects in which accepted library professional practice do not relate well to the ideals of freedom of Information/Transparency. The article concludes that the library is not always the user-friendly institution that its promoters tend to claim. In particular the attitudes and practices of libraries in relation to internet access and software filtering in the library were examined in the light of the Council of Europe EBLIDA Guidelines (Sturges 2000).

The article suggests that only to a very limited extent is the library an agent of freedom of information but its visibility at so many places in developed societies certainly has an iconic role (Sturges, 2001 p.14).

IFLA FAIFE (the Freedom of Access to Information and Freedom of Expression Core Activity and Committee) was set up in 1997 to point the direction for libraries to reorient themselves as Transparency Institutions.

### **The Transparency Manifesto**

The idea that FAIFE should work towards a new IFLA Manifesto on transparency began to take shape during the mid 2000s. It was an action research project which included local chapters and anti corruption NGO, Transparency International from Pakistan, Nigeria and Croatia as partners (Sharma and Sturges, 2007).

In spite of the earlier pessimism expressed in 2001 that libraries could be rethought as transparency institutions, contributing towards good governance and limiting the scope of corruption began to seem a natural one in this context. To aid the rethinking process, FAIFE enlisted the support of two National Library Associations that have permanent FAIFE Committee in their structure.

The Croatian Library Association had a FAIFE one-day workshop entitled "Libraries, Civil Society Organizations and the struggle Against Corruption" to its 6<sup>th</sup> Annual Celebration of International Day of Human Rights at the National Library of Croatia in Zagreb 8<sup>th</sup> and 9<sup>th</sup> December, 2006. The Department of Information Science at the University of Zagreb was also a partner. At the end of the workshop, a strong statement on the role of the library in the struggle against corruption was made. The FAIFE representatives compiled a list of sub-topics that might be part of policy statements.

Another workshop was held as a follow-up which involved FAIFE Committee of LIASA, the South African Association, when LIASA was the host of IFLA's World Library and Information Congress in 2007. The Goethe Institute in Johannesburg was a partner. The successful and stimulating discussions led to the redrawing of the original draft which was exposed to the FAIFE Committee IFLA Governing Board, before it was finally accepted as IFLA Manifesto in 2008.

The ten clauses of the manifesto call on the Library profession to see itself as corruption – free as possible, supporting this process with a new or strengthened code of professional ethics where necessary. It was noted that a poorly-paid and insufficiently respected profession is more vulnerable to corruption.

- ❖ The Manifesto recommends campaigning on Librarians' status and pay.
- ❖ Librarians are also advised to build on their existing strengths in the form of relevant collections and access facilities to support transparency.
- ❖ It goes further to say that where a country has freedom of Information laws, librarians are recommended to make the library a support centre for potential inquiries under the provision of the laws exists, they should campaign for its introduction.
- ❖ Training programmes for both librarians and their clients are suggested.
- ❖ Libraries should acquire extensive collections to help the right of citizens to ask and their rights to know.
- ❖ The organization of official information materials should be of prime importance.
- ❖ Libraries must cooperate with anti-corruption NGOs.
- ❖ Libraries must establish citizens' advice centres

It is believed that most of these recommendations will not be easy policy to adopt in countries where corruption and authoritarian governments clamp on critics and whistleblowers. In such environment, a long-term approach might be most beneficial.

## **What Can Libraries In Nigerian Do?**

Wasserman (1978) says librarianship is a learned profession only to the extent to which it traffics in the artifacts which supports others who are learning. He submits that a truly learned or more properly, learning-profession seeks to perceive, to understand, and ultimately to practice the means whereby its knowledge-base evolves, matures, and, all the while remaining responsive to the several culture within which it fashions responses. The level of economic, social and technological development has direct impact on the library services of advance economies. The importance which they attach to information is also enormous. This has not been the situation in Nigeria and many developing economies and there is the need for change.

Taking a cue from IFLA core activities libraries in these countries have been playing prominent roles in enhancing freedom to information and supporting good governance, Library Associations in these countries equally play prominent roles.

The United States has remained in the forefront of access to information. The ALA even has a “Library Bill of Rights”

The British Library makes it possible for citizens to have on-line enquiries on issues concerning freedom of information. The National Library of Scotland has a site dedicated to freedom of information.

The scenario in Nigeria is that Libraries and the various information profession associations have remained pseudo-allies in the world of freedom of information. Libraries, library associations and librarians in Nigeria seem not to see any connect or role for them in the FOI Act, as it is mainly been viewed as more of the freedom of Press document. In spite of this, the FOI Act in Nigeria provides libraries with ample opportunities to further assert and strengthen their relevance. It is common knowledge that questions will continue to arise in the people’s minds on the following:

- 1 What is freedom of Information?
- 2 What is privacy act?
- 3 How do they make FOI request?
- 4 What type of information can they request?
- 5 Can they access agencies records?
- 6 How can they submit requests?

- 7 Are there charges attached to requests?
- 8 How quickly can response be made?
- 9 Is there time restriction to request?
- 10 Are there specific compliance officers to contact?
- 11 Is it meant for the elites only?
- 12 How can the non literate people benefit?

These questions and other issues could be effectively handled by libraries; librarians with fully coordinated efforts form the National Library and the Nigerian Library Association.

Libraries can fill the gap to answer these enquiries by creating Request Service Centres within Libraries or in designated Libraries. The current situation gives citizens restricted access to information in spite of the FOI Act. According to William O. Douglas, “The one Un-American Act” is “Restriction of free thought and free speech is the most dangerous of all subversions. It is the one Un-American act that could easily defeat us” (Nieman Reports, Vol. 7, no 1 January 1953: p.20)

Libraries/Librarians in Nigeria have a lot to do to support freedom of information according to the IFLA Manifesto which had earlier been discussed. It is therefore recommended that libraries should do the under listed.

1. There is the need to render the FOI Act in all Nigerian languages and dialects. In essence libraries, reading rooms, view-centres in every locality or community will be the propagating agents. The National library should take up this role
2. Strong advocating support for library’s role in preserving intellectual freedom
3. Talk to local libraries and schools including their Boards, media and elected officials at all levels to create political will
4. Educated friends, family, colleagues in other Units about the importance of intellectual freedom (IF) and how changing information environment is making the need for intellectual freedom in libraries even more critical
5. Staying up-to-date on legislations and court cases that could affect intellectual freedom and freedom of information in libraries
6. Become leaders – start local groups dedicated to ensuring that freedom of

information/intellectual freedom is preserved in libraries

7. Network with civil liberties groups and other organizations that are dedicated to intellectual freedom and FOI principles. These organization will in return support the cause of libraries-generating a network of goodwill.
8. Take action to oppose legislations that tune down the impact of freedom of information.
9. The national Library of Nigeria and The Nigerian Library Association must dump their back-seat posture.

It may not be obvious what specific role the library can perform in the context of freedom of information, but its visibility, and continued consciousness in the minds of the citizens places it as an instrument of FOI. The user-oriented multi-format libraries are seen much more like a freedom of access institution than the stereotype facility.

This is clearly the view of librarians throughout the world. They show passionate interest in the two most prominent core activities of IFLS Copyright and other Legal Matters (CLM) and Freedom of Access to Information and Freedom of Expression and Freedom of Expression (FAIFE). These are precisely the IFLA activities through which the world library community engages with the issues raised by the intellectual freedom and intellectual property paradigms of information work. (IFLA, 2006)

According to Bundy (1978), informing a man of his rights does not ensure that he will receive them. Telling him where best to turn to for legal help when he is arrested does not guarantee that the system will treat him justly if the very laws or the prosecution of them is unjust. Telling him he has a right to police protection does not force the police to provide it. Similarly, increasing his knowledge of how the system exploits and disadvantages him may only increase his feelings of powerlessness unless this knowledge is linked to knowledge about positive solutions. In view of this he suggests that the traditional stance of libraries to provide, without critical comment or advice must change. This paper agrees with this view, libraries must not continue to operate like the electronic traffic control system which does not give a driver an idea of how to get to his destination if and when in

doubt, but simply urges him to go ahead. Invariably, making an enquirer dependent on incomplete, inaccurate information sources or frequently none is to refuse to help.

Ultimately, Nigerian libraries will be playing significant roles in ensuring that the FOI is effective. They will also be bringing to the fore their relevance to the Nigerian society if they could adopt and adapt the under listed as proposed by Bundy.

- (1) Reference Services – Supplying information upon request to enquirers including related referral services – personalized, specialized, strong client commitment and problem – solving approach.
- (2) Information Consulting Service – Serving individuals and community groups. Information gathering and informing activities.
- (3) Public Information Dissemination – Providing information on community issues while still useful and needed.
- (4) Advocate Information Service – Involves providing information to people in places where they are directly needed. This may involve providing information to people in police stations (not policemen) hospitals to inform people being brought in of their legal rights.
- (5) Cultural Transmission – Library serving as an agent of mass – culture and cultural diversity, orientation and integration. One may add that libraries in Nigeria must adapt their practices to the Nigerian peculiar cultural identity.
- (6) Library Sponsored Courses – provide education on drug education, consumer education, employment, scholarship, entrepreneurial training.
- (7) Information Literacy education – Generating information on the importance and uses of information
- (8) Defender of People's Information Rights – Promoting “the right to Ask’ and the “right to know”

Libraries should act as intervening procurement agent for citizens who have been denied information which they have legal rights to. Libraries should seek better legislations to protect people's rights and they must be visible

in courts to gain release of information; for positive use and application by citizens. This will strengthen democracy, promote transparency in governance and deepen people's participation.

In conclusion, Librarians like any other professional groups, must come to terms with the fact that change is a permanent feature in human existence. It must be realized that major changes in the organizational structure of society will result in corresponding changes in the organizational structure of librarianship, and perhaps with new types emerging, new affiliations, and a considerable reshuffling of responsibilities for particular services or functions. This also has been the stance of IFLA on library practice which calls for dynamism in leadership as well as making librarians and library employees to be an engaged workforce. Information is dynamic and there is the need for librarianship to exhibit dynamism in responding to perceived societal issues by getting positively involved. The issue of freedom of information must therefore be given considerable attention by all stakeholders in library and information profession.

## References

- Abramov, K. I. and Skvortsov, V. V. (1978) The library's social role: A soviet view (in) *David Gerard (ed) Libraries in Society, London: Clive Bingley, 151-156*
- Afolayan, A (2013) *A critical analysis of Freedom of Information Act in Nigeria. Odinakadotnet*
- Akussah, H. (1996) Records management in Ghana: An overview. *African Journal of Library, Archives and Information Science, 6(2) 101-106*
- Alegbeleye Gabriel Olubunmi (2014) *The Critical Choice for Nigerian Universities: Muddling Through or Establishing a University Records Management Programme*, Maiden Bellstech Library Annual Guest Lecture, Bells University of Technology, Ota Nigeria, pp 18
- Ayode, S. (2011) Right-Nigeria: Freedom of Information Bill proves elusive. Retrieved from <http://www.info.rights.com>
- Brooke, H. (2004) *Your right to know: how to use the Freedom of Information Act and other access laws*. London: Pluto Press
- Bundy, M.L. (1978) Urban Information And Public Libraries (in) *David Gerard (ed) Libraries in Society, London: Clive Bingley, 108-125*
- Daruwala, M. (2003) ed. *Open sesame: looking for the right to information in the Commonwealth*. New Delhi: Commonwealth Human Rights Initiative.
- Ekuno, M. (2010) Reasons for non-implementation of Freedom of Information Bill. *The Punch Newspaper of 13<sup>th</sup> August, 2010*.
- Excell, C. (2005) The development of a publication scheme for Jamaica. *E-news Access to Information, 3*.
- Freedom of Information Act 2011: *Laws of the Federation of Nigeria*.
- Focus Area Document retrieved from <http://www.worldwewant2015.org/node/4249330>
- Holy Bible, KJV
- IFLA (2008) Manifesto on Transparency, Good Governance and Freedom from Corruption. Retrieved from <http://www.ifla.org/publications/ifla-manifesto-on-transparency-good-governance-and-freedom-from-corruption>
- Irwin, R. (1978) Library Services in a welfare State (in) David Gerard (ed) *Libraries in Society, London: Clive Bingley, 21-26*
- Mendel, T. (2003) *Freedom of information: a comparative legal survey*. Paris: UNESCO
- MYWORLD (<http://www.myworld2015.org/>)
- Ogbuokiri, K. (2011) Nigeria: The limit of Information Act, 2011. And the fight against Corruption and Corporate fraud in governance. From <http://www.allafrica.com>
- Pope, J. (2000) Confronting corruption: the elements of a national integrity system. In *TJ Source Book, 2000*. London: Transparency International. Retrieved from <http://www.transparency.org/sourcebook/index.html>
- Public Participation Goals retrieved from <http://sustainabledevelopment.un.org/index.html> (SDGs)
- Sharma, G. and Sturges, P. (2007) Using ICT to help the poor access public services: an action research programme. *Information Development, 23(1) 15-23*.
- Sturges, P. (2000) The Council of Europe, freedom of expression and public access to networked information. *IFLA Journal 26(4) 280-283*.
- Sturges, P. (2001) The library and freedom of information: agent or icon? *Alexandria 13(1), 3-16*.
- Sturges, P and Crnogorac V, (2013) Library and Freedom of Information revisited: *IFLA FAIFE spotlight*.
- Wasserman, P (1978) The need for change, (in) *David Gerard (ed) Libraries in Society, London: Clive Bingley, 93-107*.