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**ARTICLES**

**Research Articles**

- The Nigerian journalists' knowledge, perception and use of the Freedom of information (FOI) law journalism practices** 1  
Ifeoma Dunu\* and Gregory Obinna Ugbo
- Municipality councils and local media study on the right Of access to information in Jordan** 11  
Basim Tweissi
- The role of mass media campaigns in preventing Unintended pregnancy** 23  
Adam Thomas

Full Length Research Paper

# The Nigerian journalists' knowledge, perception and use of the freedom of information (FOI) law in journalism practices

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The imperativeness of the freedom to access information, express opinions and active participation in governance by the general public has been recognized by a good number of democratic governments across the globe; hence, the adoption and enactment of the Freedom of Information Act by such democratic governments (Nigeria inclusive). However, there seems to be gross under-utilization of this enormous power bestowed on the media (and on the journalists working in the media) as both the purveyors of public information and watchdog of the society. This study, therefore, undertakes an assessment of the Nigerian journalists' knowledge, perception and use of the FOI Law in the discharge of their (information) responsibility to the public. With respondents drawn from four Nigerian Union of Journalists (NUJ) chapels, precisely, Enugu and Anambra, Imo and Ebonyi South-East zone, this study employing survey research methodology, finds that the FOI law as it applies in principles is still not symmetrical with pragmatic access to information. This perhaps accounted for the ambivalent responses got from the respondents - all are aware of the law; some consent an improvement in access to information but ironically, greater majority have never made use of the law in the discharge of their journalistic responsibilities. The researchers, therefore, recommend that the different journalistic, media bodies and media right groups must deliberately plan and monitor workshops and conferences synergetically and must be willing to firmly support journalists who may be hindered by bureaucratic bottlenecks that may result in litigations.

**Key words:** FOI law, knowledge, perception.

## INTRODUCTION

In 2011, the Nigerian Government signed the FOI Bill into law, thereby making Nigeria the ninth country in Africa and among the over 90 countries in the world to have passed this bill. The Act, according to Media Rights Agenda (2011), is indeed very explicit in its mission, which is simply to:

*Make public records and information more freely available, provide for public access to public records and information, protect public records and information to the extent consistent with the public interest and the*

*protection of personal privacy, protect serving public officers from adverse consequences for disclosing certain kinds of official information without authorization and establish procedures for the achievement of those purposes and; for related matters.*

Described as a legal instrument that would not only radicalize reportorial engagement of journalists, FOI Act, it has been argued, will foster a greater opportunity for investigative journalism, promoting the democratic process. The FOI Act has indeed created high

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expectations from the public concerning journalism practice in the country - expectations of truthful and adequate information from the media on all spheres of the society; a broader window of opportunity to practice unfettered journalism and a powerful investigative tool that empowers the media to hold public officers accountable to the people. However, these expectations become a reality only when the media practitioners put this powerful investigative tool to use. As Enonche (2012) observes 'Nigerians finally have vital tools to uncover facts, fight corruption and hold officials and institutions accountable'. Given the enabling power of the FOI instrument, the critical question now is: are the Nigerian journalists making use of this important tool? This supports the argument that 'a law is useless or ineffective if not put to use/operation'.

In the light of the foregoing, we argue that, for the FOI Act to meet the high expectations and achieve the objectives of ensuring a more open and transparent society as well as enthrone democracy and responsible governance in Nigeria, the media must move beyond the euphoria that accompanied the establishment of the FOI Law, to come to terms with the provisions of the Act and begin to harness some of the expectations therein through the appropriate utilization of the Act. The Executive Secretary, of the Nigerian Press Council (NPC), Mr. Bayo Atoyebi explained how the media can harvest the benefits of the FOI Act as he clarifies: 'by first understanding the law and making bold to use it and grow our reportage from speculative to the factual'. The media should use FOI Act request to assess the level of compliance with relevant laws including the Fiscal Responsibility Act, the Public Procurement Act (PPA, 2007), the Electoral Act (especially aspects of it dealing with political finance monitoring) among others. FOI Act can also be deployed by the media as a tool to carry out its oversight functions as envisaged by section 22 of the 1999 Constitution. In this way, FOI becomes an indispensable tool in the reporting of accountability and anti-corruption issues. The burning question is, do Nigerian journalists see and use the FOI Act as an investigative instrument to grow reportage from speculative to factual?

Beginning from mid 2012, training workshops were organized in different Geopolitical Zones in the country. The main objective was to familiarize the journalists with the essential elements of the FOI Act and how they can use the Act to conduct investigative reporting in the country. Having undergone these series of workshops and trainings in the use of the Act, it becomes pertinent then that we interrogate Nigerian journalists' knowledge, perception and use of the (FOI) law as an investigative tool in their day-to-day practices. This raises the concern of this paper as to whether the Nigerian journalists have adequately begun to use the Act to protect the people's right to know, or to contest encroachment by government. Do the media understand their right under the FOI Act or even have a passing idea of how a request might be

framed? Several other questions begging for attention could be summed up as follows: Since the enactment of the law has there been a noticeable improvement in the way the job of journalism is being done in the country? Are there cases of more in-depth, investigative journalism being put in place? Are the Nigerian media ensuring that the Nigerian publics maximize the benefits of the act by taking the lead in approaching governmental agencies and organizations for information they need to do their work? These questions are germane to this study given the fact that the trend that seems to pervade the practice currently is still the popular parlance of 'business as usual' without any seeming significant change. Given the above perceptions and observations, this study interrogates whether and how the Nigerian journalist - at this dawn of 'unrestricted access so to 'seek and say' virtually any information - are rising up to the challenge of this new dawn in the Nigerian journalism practice.

### **Through a lens of history: Journalists' experiences in the face of freedom of information acts**

Journalists' age-long struggles for emancipation from restrictive and oppressive legislations have not been without unpleasant experiences and even extreme cases of martyrdom. Instances of oppressive measures against the press and journalists date as far back as the fifteenth century. Finkelstein (2012), in his *Report of the Independent Inquiry into the Media and Media Regulation*, observes that the restrictive measures on journalists and the press date as far back as 1476 when the newly-invented printing press came to England and revolutionized communication possibilities. The press then, faced lots of prosecutions for treason and seditious libel. These repressive legislations reigned supreme till the mid-18th century when the struggle for liberation became apparent (Keane, 1991; Curran, 2010), cited in Finkelstein (2012, pp.25-26). Democratic governments realized the need for liberty and entronement of the 'Marketplace of Ideas'. Steyn (2000) buttressed this point with the assertion that 'Freedom of speech is the life blood of democracy'.

With the concept of democracy becoming the order of the day, (perhaps courtesy of the frantic efforts of the United Nations), many countries realizing the fact that information is key to strengthening government-citizen relations and a means of enthroneing a transparent and accountable government, made deliberate efforts to implement Freedom of Information (FOI) laws (acts) - the legislation that empowers or enables the citizens of a country to demand free access to certain specified documents or information - to give the press freer hand to operate within the ambits of journalistic ethics. To this end, several countries have adopted various forms of the FOI Laws (or similar legislations) (Schenkelaars and Ahmad, 2004; Ojo, 2010). Schenkelaars and Ahmad

(2004) further observe that there was a sharp rise in the number of countries that adopted various forms of FOI legislations from 1980 to 2001, and that 80% of the Organisation for Economic Cooperation and Development (OECD) member countries now has legislation on this subject.

The presence of these legislations and the claims to democracy notwithstanding, journalists' experiences keep oscillating from favourable to awfully unpleasant. To this end, scholars have documented several cases of torture, maiming, detention, assassination et cetera, meted on the journalist world over (and which in most cases extended to their family members) (Ellick, 2007; Jallow, 2008; Same, 2008) (Dombo, n.d). The reports given by these scholars are particularly disturbing as these countries already have or had claimed to have 'functional' FOI Act enshrined in their constitutions.

The Nigerian situation was not far from those of other countries of the world. The editorial page of *The Punch Newspaper* (2008) has it that 'several cases of arrested journalists were reported in Nigeria even during democratic dispensations'. Generally, state restriction of freedom of expression and police brutality were regular threats to members of the press. Police raided editorial offices and arrested employees of press organizations including the *Daily Independent*, *The News*, and *The Observer* during the 1999-2003 democratic dispensation (*The Punch*, 2008; Onadipe, 2002, in Akinwale, 2010). The police action was said to be the result of press publications considered critical of the Nigerian government. As such, the power of the press to check government institutions was been curtailed... (Akinwale, 2010). Other accounts of repression in Nigeria are given by Ohiagu, (2010). Bush (2008) asserts that Nigeria, China, Cuba and Eritrea were among the countries with high prevalence of arrested and jailed journalists in 2007.

The list is inexhaustible. However, this paper did not dwell on this, as this is not the main focus of this study. The researchers deemed it necessary to undertake the cursory look on these harrowing experiences so that we could better appreciate the FOI law and why journalists must strive at all cost to imbibe the principles of the law and put them into maximum use.

Perhaps, prior to this time, the inaccessibility of information and the journalists' seeming non-performance could have been blamed on the Nigerian government's initial adamant position to the demands of the FOI Bill, but now that the FOI Law has been passed, the study interrogates why the law (save for a few cases of use) remains largely viable on paper rather than in practice. It is obvious from the foregoing analogies, that the crux of the matter herein is not a question of whether the FOI law exists, but how the journalists have been able to put this power conferred on them (by the law) into use. Consequently, to put the Nigerian FOI experience in context, this study explores Nigerian journalists' use and perception of the FOI as an investigative tool. In a nutshell, this

paper seeks to ascertain Nigerian journalists' familiarity and usage of the Act as an investigative journalistic tool in their day-to-day functions as purveyors of public information and watchdog of the society. In the light of the above arguments this study interrogates the following objectives:

- i. To ascertain the journalists' level of awareness of the FOI law and its contents.
- ii. To determine how knowledgeable these journalists are pertaining to the FOI law and its implications to their duties.
- iii. To ascertain their perception of the FOI law in relation to their job as purveyors of information.
- iv. To determine if they enjoy more access to information where hitherto they did not.
- v. To examine how they have been using this access to information to facilitate their jobs.

## A REVIEW OF LITERATURE

### Freedom of information law: An overview

The modern concept of Freedom of Information (FOI) could be said to be the brainchild of the United Nations Universal Declaration of Human Right (UNDHR) as enshrined in article 19 of 1948 Declaration thus:

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

FOI law since then has become a technical term that describes a particular class of legislation that defines and supports the rights of citizens to demand access to specified types of documents (Schenkelaars and Ahmad, 2004). Schenkelaars and Ahmad further maintain that 'access to information requires sound legislation, clear institutional mechanisms for its application, and independent oversight institutions and the judiciary for enforcement. It also depends on the citizens knowing and understanding their 'right to know'; and being willing and able to act upon it (2004).

Arnold (2005) delineates the concept of Freedom of information as:

An extension of freedom of speech, a fundamental human right recognized in international law, which is today understood more generally as freedom of expression in any medium, be it orally, in writing, print, through the Internet or through art forms. This means that the protection of freedom of speech as a right includes not only the content, but also the means of expression (Arnold, 2005).



The World Summit on the Information Society (WSIS) Declaration of Principles adopted in 2003 reaffirms democracy and the universality, indivisibility and interdependence of all human rights and fundamental freedoms. The Declaration also makes specific reference to the importance of the right to freedom of expression for the 'Information Society' in stating:

We reaffirm, as an essential foundation of the Information Society, and as outlined in Article 19 of the Universal Declaration of Human Rights that everyone has the right to freedom of opinion and expression; that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Communication is a fundamental social process, a basic human need and the foundation of all social organization. It is central to the Information Society. Everyone, everywhere, should have the opportunity to participate and no one should be excluded from the benefits the Information Society offers (Klang and Murray, 2005).

Mendel (2005) contends that the right to access information is most commonly associated with a right to request and to receive documents..., equally important, particularly given recent technological advances, is the obligation on public bodies to actively publish information of key importance, thereby placing an obligation on public bodies to take specific measures to ensure a free flow of information to the public (Mendel, 2005).

Interestingly, a good number of countries across the globe have toed the trend of the United Nations Universal Declaration of Human Rights of 1948 (as stated earlier in this paper), although scholars have conflicting record as regards the exact number of countries that have adopted the FOI law (Mendel, 2005; Neuman, 2010; Organization for Security and Cooperation in Europe (OSCE), 2012). Also, the Commonwealth Law Ministers Meeting in Trinidad and Tobago, 1999, formulated and adopted the Commonwealth Freedom of Information law.

Also on the African scene, the African Commission on Human and Peoples' Rights, 2002, adopted the Principles on Freedom of Expression in Africa. This is encapsulated in Article 9 of the African Charter on Human and Peoples' Rights Freedom of Information. Nigeria, however, was not left out in the entire process. Hence, the quest for the adoption of FOI law eventually saw the light of the day on 28th May, 2011. Mendel (2005) captures the scenario thus:

*Campaign on freedom of information has been active since early 1999, dating from the beginning of the post-Abacha era. Legislation has been put forward on various occasions since that time, with strong support from civil society groups. On 25 August 2004, the House of Representatives, the lower House of Parliament, passed the third reading of the Freedom of Access to Information Bill.*

Suffice to say from the foregoing that Nigeria toed the trend of other democratic countries and eventually adopted the FOI Act after decades of struggle obviously because the Act has been globally acknowledged as a veritable investigative instrument with proven potential to revolutionize, revitalize and radicalize journalism practices and democratic processes in Nigeria.

### **The Precepts of Nigerian FOI Law**

As stated previously, the National Assembly of the Federal Republic of Nigeria recognized the FOI law as:

*An Act to make public records and information more freely available, provide for public access to public records and information, protect public records and information to the 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 and establish procedures for the achievement of those purposes and; for related matters (FOIA, 2011).*

The FOIA stipulates inter alia:

1 (i) Notwithstanding anything contained in any other Act, law or regulation, the right of any person to access or request information, whether or not contained in any written form, which is in the custody or possession of any public official, agency or institution howsoever described, is established.

(ii) An applicant under this Act needs not demonstrate any specific interest in the information being applied for.

(iii) Any person entitled to the right to information under this Act shall have the right to institute proceedings in the Court to compel any public institution to comply with the provisions of this Act.

Prior to the passage of the FOI bill into law, access to information especially of Hybrid Public Authorities was no go areas for the journalists. People view some information as being sacred with the belief that it was not meant for public consumption. Journalists or media houses that had at one point in time exercised their rights on issues bordering on 'sacred information' have dearly paid for it. Afolayan (2012) notes that there have been cases of assault on journalists, arbitrary detention and mass confiscation of newspapers. For instance, in 1986 and 1995 the renowned journalists - Dele Giwa and Saro Wiwa - paid the ultimate price for being too daring in the face of corruption and injustice. Also in 2005, two newspaper offices - Daily Independent and The News - were ransacked after they had published stories about corrupt behaviour by the wife of the then president, Olusegun Obasanjo. In fact, Nigeria then had a corrupt, obdurate and highly secretive bureaucracy. Transparency and

accountability were strange bedfellows to then administrations.

However, Enonche (2012) sees light at the end of the tunnel for journalists. He maintains that the newly enacted Freedom of Information Act among others:

*Guarantees the right of access to information held by public institutions, irrespective of the form in which it is kept and is applicable to private institutions where they utilize public funds, perform public functions or provide public services; Provides protection for whistleblowers.*

Critics have maintained that the viability of the FOI laws and citizens' access to information is contingent upon several factors. These include among others: how bureaucracy and citizenship are conceived. In African nations, additional hindrances include the fragility of post-colonial state formations, cultural and ethnic diversity, violent conflict and inadequate economic and social infrastructure. Demand-driven state compliance with the requirements of transparency and freedom of information is therefore rare (Neuman and Calland, 2007). They explain further:

*A government's implementation of an Access to Information (ATI) law is often related to their original motivation for supporting it, and the way in which the law was passed. Where the law was passed as part of an integrated policy or to meet civil society demand, progress has been good. However, where the law was passed to satisfy conditions of loans from international donors, commitment has been questionable (Neuman and Calland, 2007).*

In most countries, government documents are categorized into classifications including 'Secret', 'Top Secret' and 'Confidential' and under such circumstances, the courts usually have no recognized jurisdiction under existing law to require or compel even limited access to state information. To this end, the activist group *Media Rights Agenda* posits that a veil of secrecy surrounds the conduct of government affairs. Officials of government do not only routinely deny citizens, whom they supposedly serve, explanations for actions undertaken on their behalf, they also block citizens' access to even the most mundane of publicly held information (Ackerman and Sandoval-Ballesteros, 2010).

Little wonder some critics have cautioned that access to information does not necessarily lead to greater citizen participation, state accountability and state responsiveness. Rather, (especially) in many developing countries, there are real structural and political barriers which hinder both the capacity and incentives of governments to produce information, and the ability of citizens to claim their right to information and to use it to demand better governance and public services (Daruwala and Nayak, 2007). One of these barriers as identified by different

studies is the inability of journalists to put effectively the FOI instrument into use, and the complicated processes involved in the usage of the Act.

Coronel (2012) in the study titled *Measuring Openness: A Survey of Transparency Ratings and the Prospects for a Global Index*, listed the findings from the studies conducted by different media bodies and transparency groups (amongst others) (Media Rights Agenda (MRA), 2008-2010). The findings point to the fact that public institutions were mostly unwilling to release information even in the face of the FOI Act. This study will lend credence to the efficacy or otherwise of the FOI laws by examining the correlation between the empirical evidence found in the study above and the present Nigerian situation in the face of the FOI law. Furthermore, Darch and Underwood (2010) in their paper *Struggles for Freedom of Information in Africa*, state that the advance of information rights in Africa has been limited but low-key activity indicates that some awareness exists. This study will seek to ascertain if similar awareness exist in Nigeria.

Nigeria was also one of the countries surveyed by the *Open Society Justice Initiative* and reported in 2006. Predictably, in the absence of any freedom of information legislation and given the powerful tradition of bureaucratic secrecy, the results were not encouraging (Ackerman and Sandoval-Ballesteros, 2010). If this was the case when the FOI bill was yet to be signed into law, it is our expectation that there would be a remarkable improvement with the present legislations pertaining to freedom of access to information, bearing in mind the aims and objectives of the Act.

Empirical evidence as already stated indicate that in a number of countries of the world, there appears to be a significant low access to information by the citizens of such countries especially the African countries, even with the FOI Act in these places. The journalists on their part appear to be silent or perhaps not knowledgeable enough as regards the contents of the FOI law and/or its implications to their duties to the public. Although Mendel (2005) notes that 'Freedom of the press should not be regarded simply as the freedom of journalists, editors or proprietors alone to report and comment, rather, it should be regarded as the embodiment of the public's right to know and to participate in the free flow of information'; the remark portends even greater responsibilities for the journalists. As have been argued by different school of thoughts access to information via the FOI Act represents both a right and a responsibility for the journalists. It provides the media with a valuable tool to meet its responsibilities as it offers independent access to government information. FIO in principles is ultimately beneficial for journalists as part of their broader democratic and accountability role.

Available literature seems to indicate that FOI Act has not been adequately utilized by journalists to protect the people's right to know or to contest encroachment by

government, in most African countries (Bildstein, 2004; Akinwale, 2010; Coronel, 2012); it is important to determine whether such findings would be made in Nigeria and why. Robert Hazell, director of the Constitution Unit, posits that 'The media is the conduit through which most of the public learn about FOI' (<http://www.ucl.ac.uk/constitution-unit/foidp/>).

Consequently, the journalists have whole gamut of roles to play in sensitizing and galvanizing the citizenries to become active participants in their own governance; to question government activities and non-activities; take decisions in choosing their leaders and representatives; demand access to certain specified documents, etc. But can all these be feasible if the informants (journalists) are not by themselves knowledgeable and informed on the principles and contents of the FOI Law? This issue amongst others will be looked into in line with the postulations of the social responsibility theory upon which this study is anchored (Christians, 2004).

### **Theoretical framework: social responsibility theory**

The Social Responsibility theory takes the stance that the social roles of the press - of enlightening the people, promoting the democratic process, safeguarding the liberties of the individual, etc. should take precedence over its role of servicing the economic system (Oloyede, 2005). Also one of the obligations of the press under the social responsibility theory as spelt out by the Hutchins Commission (1947) is: providing 'full access to the day's intelligence'. Consequently, the choice of this theory is informed by the fact that the FOI law is not an exclusive reserve of the Journalists rather it extends to the rights of the general public to access any information that is of interest to them, principally through the media. The media, therefore, owes a duty to the public - to sensitive and galvanize them to fully utilize the principles of the FOI law. It is in line with this that Robert Hazell clearly points out that 'the media is the conduit through which most of the public learn about FOI', this by implication suggests that the public have the right to or are expected to have access to information, particularly through the media in democratic governments.

Although this theory falls short in the areas of expressing over confidence on the media and media operators in meeting their responsibilities using the 'self-righting' process and overly underestimated the power of profit-orientation and competition in driving the media to selfish ends; the theory is adjudged most suitable for this study given the intents of this study. One of which is ascertaining how the legislations on freedom to access information have perceptibly enhanced journalism practices in Nigeria, in satisfying the public's information needs. The social responsibility theory recognizes the media's right to scrutinize and criticize the government and other institutions but not without responsibility to

preserve democracy by properly informing the public. The media and media operators are not free to do as they will; they are obligated to respond to society's needs.

The theory, therefore, challenges the journalists to strive at all times to keep the public informed (among other duties) within the ambits of the journalistic code of ethics and legislations. It is against this backdrop that this study seeks answer to the following questions:

- i. How knowledgeable are the Nigerian journalists pertaining to the FOI law and its implications to their responsibilities?
- ii. What are their perceptions of the FOI law in relation to their job as purveyors of information?
- iii. Has the FOI law made any significant impact on the Nigerian journalists in accessing and disseminating information? In other words, has the FOI perceptibly improved journalism practice in Nigeria?
- iv. Do they enjoy more access to information where hitherto they did not?
- v. How have they been using this access to information to facilitate their jobs?

### **METHODOLOGY**

This study adopts a combined approach to explore the critical questions and other discourses raised in the reviewed literature. Hence, the survey research methodology was used while employing in-depth interview to follow up the critical issues arising from the answers given in the questionnaire. The population of this study comprises journalists in Nigeria with the sample size drawn from four Nigerian Union of Journalists' (NUJ) Chapels in Enugu, Anambra, Ebonyi and Owerri states, all in the Southeastern zone of Nigeria, the choice of which is informed by the chapels' propinquity. The total number of registered journalists in these four chapels was 180 and they constituted the sample size for the study.

#### **Analysis of data**

From the total of 180 questionnaires that were distributed to respondents from the four NUJ Chapels, in Southeastern Nigeria, 136 questionnaires were validly returned and analyzed accordingly. Data generated from these responses are presented using the major themes explored in this study.

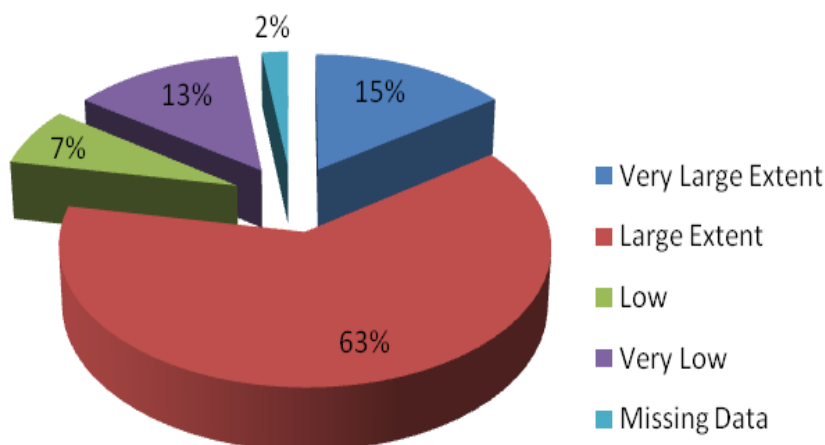
#### **The demographic profile of the respondents**

The researchers explored the demographic profiles of the respondents. The results show that 70.6% are males while 29.4% are females. Findings also show that all the respondents are between the ages of 26-30 years (26.5%) and 31 years and above (73.5%); and that all have acquired one form of tertiary education's qualifications or the other with the least qualification being OND. 33.8% of the respondents have Masters Degree, HND/OND (40.4%) and other tertiary qualifications at 22.1%. The data above suggest that most of the journalists are adult males with tertiary qualifications (Table 1).

These data show the percentage distribution of respondents' awareness and knowledge of FOI Act. The Nigerian journalists surveyed showed high level of awareness of the FOI Law, as all the

**Table 1.** Respondents' awareness and knowledge of FOI law.

	Awareness of FOI Law	Knowledge of the contents of FOI Law
Yes	100%	74%
No	-	26%
Total	100% (n = 136)	100% (n=136)

**Figure 1.** Respondents' level of understanding of FOI principles.**Table 2.** Respondents' perception and use of FOI law.

	Do journalists view the FOI Law as an investigative tool in news gathering?	Has FOI Law enhanced their access to information?	Do journalists utilize FOI law in discharging their duties?
Yes	82%	34%	15%
No	18%	66%	85%
Total	100% (n = 136)	100% (n=136)	100% (n=136)

respondents agree that they are aware of the existence of the Freedom of Information law. 100 per cent of them affirmed their awareness of the FOI Law, while only under two thirds (26%) indicated lack of knowledge of the FOI Act, an indication that awareness and knowledge of the FOI Act is high among the journalists (Figure 1).

To ascertain the level of knowledge of the Act, the respondents' level of understanding of the Act was also analyzed. The data in Figure 1 clearly indicate that the degree or extent of this awareness and understanding of the principles of the FOI law is high among the sampled journalists, considering that 78% of the respondents fully understand the principles of the Law, while 13% of them do not have such understanding even though they know the law exists. Similarly, 7% of the journalists showed low understanding of the FOI law. The analysis clearly demonstrates that majority of Nigerian journalists are knowledgeable about the precepts of the FOI Act (Table 2).

Since journalists' perception of the Act is of interest in this study, to ascertain whether their view of the Act affect their usage for reporting, we now sought their opinion of the Act as an investigative instrument for news gathering, and found out that slightly more than

three-fourths (82%) of the journalists see the Act as an investigative tool for journalism practice. Meanwhile, two thirds (66%) identify that the Act improves their access to information; this is against 34% who do not agree. Even though majority of the journalists view the Act as an investigative tool and also admit that it increases their access to information, more than three-fourth (85%), an overwhelming majority, indicated they have not been using the Act.

The data suggest that although all the journalists sampled are aware of the FOI Law and its potential to enhancing access to information, greater majority of the journalists have not made use of it as their responses indicated, in the discharge of their duties.

Next, we tried to compare the media situation now with what obtains in the past before the existence of the Act (Figure 2). This is to determine if there is any improvement or not. Slightly more than a half of the respondents (51%) were of the view that the situation of denial of access to information has improved compared to what obtained in the past, while 33% declared no improvement; 12% were undecided while 4% did not respond to the question. This data at first glance could be interpreted to mean improvement. But, a closer look will suggest indications to the contrary. A more critical examination will suggest ambivalence, an indication that clearly

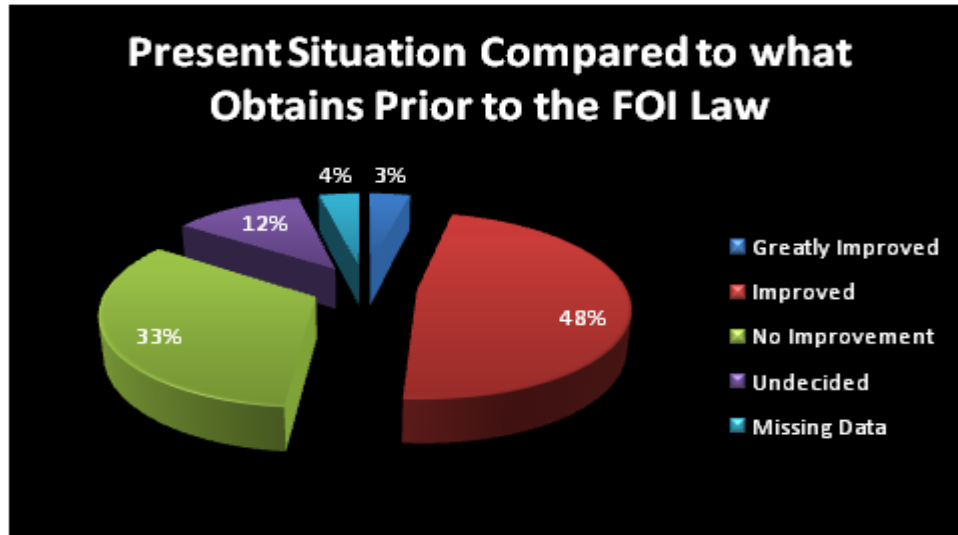


Figure 2. Present situation compared to what obtains prior to the FOI law.

Table 3. Challenges to the use of FOI law.

	Do principal parties comply with the principles of the law?	Are there challenges to the use of FOI law?
Yes	19%	85%
No	81%	15%
Total	100% (n = 136)	100% (n=136)

points to the fact that journalists are not capable of making the comparisons since they have not been using the act. The data go to support the earlier finding that indicates that Nigerian journalists are presently not making use of the act; therefore, they cannot adequately compare situations and make valid deductions.

**Compliance with the principles of FOI law by all parties concerned and other challenges**

The researchers went further to find out if all parties concerned comply with the principles of the FOI Law and to also determine whether there are challenges in the implementation of the law for journalists. The data from Table 3 show that (19%) are of the opinion that concerned parties comply, while a greater majority (81%) did not agree. Further, on the issue of challenges, three-fourth (85%) of the respondents indicate the existence of challenges in the use of the law, while 15% did not. Reading this data, one will be tempted to just say 'yes! Challenges exist' as countless studies have proven. In this case however, what comes through is the fact that majority that indicated the existence of challenges may as well be those that have found it difficult to use the Act in their day to day practice of journalism- that is, those journalists that have never used it. While, the small minority that may have used it going by these data did not encounter much challenges. Again, this goes further to show that majority of Nigerian journalists sampled have not applied the law as an investigate tool in their journalism profession. This is not surprising, when we recall the journalism culture of Nigeria has tended towards

'routine arm-chair reporting' instead of the more rigorous investigative journalism culture.

To examine respondents further on the use of the Act, they were asked open-ended questions as a follow up. From the open-ended questions that the researchers used to prod the respondents further, the respondents attributed the seeming reluctance to the use of the FOI law to the following factors which they saw as challenges:

*Respondent 1: some government officials despite the law still hoard information claiming that their bosses have not permitted them to release same. Also a lot of people especially those in government offices are yet to fully embrace the new law*

*Respondent 2: the FOI law has never made any change in getting information for effective journalism*

*Respondent 3: the challenges have to do with lack of adequate awareness and enforcement as most journalists are still very ignorant of the principles of the law.*

*Respondent 4: the problem of privacy laws and official secret acts still hinder adequate accessibility to information*

*Respondent 5: Inadequate enforcement-despite the bill being passed into law, it is not yet practicable. There is the need to equip information managers with information on how to address issues of non-compliance.*

*Respondent 6: Some journalist may use it as an opportunity to behave anyhow and some issues not meant to be public consumption may be tampered with.*

*Respondent 7: There is no cooperation at government level. This is reflected in the attitude of civil servants particularly to freedom of*



*information. Some civil servants and other educated elites sit on the information which they ought to dish out freely to the journalists for objective reporting.*

*Respondent 8: socio-cultural background and government bureaucracy is a major challenge. The government at all levels still disobey the laws of the land and we Nigerians are yet to fully embrace and imbibe the principle of democracy.*

From the responses above, we could deduce that the problem boils down to the issue of non-compliance. The respondents further mentioned the civil servants, judiciary, gate-keepers/news makers, government, public and private institutions as not complying with the FOI law. It is therefore obvious from the list that all parties are directly involved and points to the fact that the law has not been fully implemented especially for the few journalists who have tendered one form of request or the other pursuant to the Act. This finding on non compliance by the government and other public institutions coincides with Coronel's (2012) observation that government and public institutions fail to comply with the principles of the FOI Act and that the few that eventually comply, either delay in the stipulated duration of compliance or comply after a long process of litigation.

The Right-to-Know group maintains that this dragging of requests for information through the long appeal process from the High Court all the way to the Supreme Court has a potentially negative effect on the utility of the information requested. On the other hand, some of the respondents mentioned lack of adequate knowledge on how to operate with the Act. This worrisome fact undermines the previous suggestion that non compliance by government and other public institutions are responsible for low usage of the Act by Nigerian journalists, although the possibility does exist. This particular finding supports and points to the near absent usage of the Act by the journalists. It also suggests widespread ignorance both on the side of the journalists and the general public of the FOI Act as a veritable, legal investigative tool at their disposal. This seems to be the precursor to the underutilization of the law. The Right to Know group in her 2012 review of the level of implementation of the FOI law posits that the value of a law can only be seen when it is tested. Again, a law can only be tested by citizens who are aware of their rights under the law.

## DISCUSSION AND CONCLUSION

The findings derived from the study present no new discovery but rather reinforced previous research findings regarding the use of FOI Act by journalists in different countries (Bildstein, 2004; Neuman and Calland, 2007; Calland, 2010, cited in Coronel, 2012). The study has shown that Nigerian journalists understand and value the FOI Act as an investigative tool, as Darch and Underwood, (2010) also observed, but the Act is generally not often used by them. From the findings, it was apparent that Nigerian journalists seem not to have imbibed the culture of routine investigative journalism but rather still lean on speculative arm- chair reporting, which has continued to be the bane of journalism practice in Nigeria. The findings of the study suggest that the FOI Act is yet to create an impact in Nigerian journalism traditions. While in the past, journalists have had greater personal access to politicians and their aides as primary sources of information, the FOI should now substitute for such access, but going from what we found, that seemed

not to be the case; the FOI has not been adequately put to work by journalists. What seems to prevail regarding journalism practice is 'business as usual' without the Act making any notable difference. What this suggests, is that the use of investigative and analytical skills considered as the most critical for ensuring professionalism in journalism practice is still an area of serious challenge for the Nigerian journalists. It seems probable, that the Nigerian media's reluctance in the use of FOI Act among other factors stems from a preference for alternative sources or a hesitancy to undertake investigative journalism as opposed to speculative practice.

Considering the fact that the FOI Act is still a recent development in the Nigerian media terrain, one will not be too surprised with the findings of this study. This notwithstanding, there is an urgent need for training and retaining of journalists on the use of the FOI Act before this prevailing low usage subsists and becomes a tradition. Lack of FOI Act usage tends to have a negative spiral effect on the investigative skills with the FOI Act if left unchecked. As is widely acknowledged, erosion of skills leads to a downward trend because unskilled journalists who attempt to use the Act on an infrequent basis will achieve less useful results from the FOI request than the few who use it frequently. On the other hand, if journalists become adequately educated about the FOI, the possibility exists that they will be encouraged to use it more and government and other public would be under greater pressure to be compliant and accountable. Again, if adequate sensitization and orientation were given to the public and private institutions concerning the provisions in section 2 (3) of the Act, there certainly will be a change in the way the Act was administered such that the institutions concerned proactively and willingly disclose information in a timely and less strenuous manner, then journalist would be more likely to use the FOI. More importantly, since most government, security outfits and other corporate bodies' (like NNPC) activities are still shrouded in secrecy probably because of the Official Secret Act, there is the need to streamline the principles of the Official Secret Act and other related Acts that attach one form of clause or the other to the usage of the FOI Act. This, as the Right-to-Know group in her 2013 communiqué also recommends, will give the journalists and the general public an unfettered access to information of public interest.

Also, the different media organizations and media right groups must deliberately plan and monitor workshops and conferences synergetically and must be willing to firmly support journalists who may be hindered by bureaucratic bottlenecks that may result in litigations. The Nigerian journalists as a matter of exigency must triple their efforts to ensure that this all-important instrument is judiciously utilized by all. Until these issues are addressed and changes made, the Freedom of Information Act and the journalists in Nigeria will remain but 'toothless bulldogs' and by extension continue to underutilize the

Act.

Since this study was conducted in the Southeastern part of Nigeria, the sample may not have captured all registered journalists in the country. However, the sample does contain the requisite elements through which generalizations could be made. We, therefore, recommend further investigation into the challenging situations pointed out by the journalists surveyed in comparison with what obtains in other zones of the country. This study has succeeded in revealing that in reality, the passing of the FOI Bill into Law does not suggest concomitant pragmatic access to information, perhaps due to the gross under-utilization by the journalists.

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*Full Length Research Paper*

# Municipality councils and local media study on the right of access to information in Jordan

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The purpose of this study is to shed light on the status of the right of access to information in the actions of municipality councils in Jordan, to identify the definite policy municipalities adopted to communicate with citizens, local media, and establishments in their geographical areas, and finally to find out if that policy is sufficiently transparent. The study aims to reach a comprehensive assessment of the state of awareness and the exercise of this right through the elected local government institutions which represent the first line of contact with local communities. The study addresses the research problem through a survey of practices in 93 municipalities spread over four categories and examines their relations with local media from the perspective of the right of access to information. By way of concluding, the study highlights the development of information systems in the municipalities and emphasizes the need to increase the capacity of municipal workers in dealing with media. The study moreover recommends that local journalists should be trained on the best practices in the right of access to information in the areas of municipalities work and media coverage for local communities should be improved.

**Key words:** Access to information, local media, municipality councils in Jordan.

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## INTRODUCTION

The right of access to information, freedom of information or the right to knowledge is considered one of the basic human rights included in international covenants. The first decade of the 21<sup>st</sup> century has witnessed a wide increase in awareness and in exercising this right all around the world, where the demand for exercising this right has increased not only in the media, but also in empowering all citizens (particularly those who are less fortunate, the poor and local communities) to access information. This constitutes a suitable approach to launch democracy and development through transparency and accountability.

Jordan is the first Arab country to enact a law in this respect (Law No. 47 for the year 2007), which ensured the right of access to information. In spite of the fact that

this law is considered a real achievement on the way to democracy, it does not meet the aspirations of opinion leaders, civil organizations and media community. Additionally, its practice has not witnessed an increase in the requests for exercising the right of access to information outside the sphere of media community.

The purpose of this study is to shed light on the status of the right of access to information in the actions of municipality councils in Jordan, to identify the definite policy municipalities adopt to communicate with citizens, local media, and establishments in their geographical areas, and finally to find out if that policy is sufficiently transparent. The study aims to reach a comprehensive assessment of the state of awareness and the exercise of this right through the elected local government institutions

**Table 1.** Representative samples.

Category	Population	Respondents	Percentage (100%)
First category	11	7	63
Second category	48	20	41
Third category	27	10	37
Fourth category	7	3	43
Total	93	40	43

which represent the first line of contact with local communities.

The study aims to explore the definite policy of Jordanian municipalities that enable citizens and journalists to access municipal information. It furthermore aims to identify the common sources of the flow of municipal information to the citizens and media.

On the other hand, the study attempts at identifying the characteristics of the information gap between international standards and the actual legislation and practices according to municipalities. It further attempts at identifying the capacities and the infrastructure of information and its management systems in Jordanian municipalities and the capability of this infrastructure to meet the requirements of accessing information.

Jordan is a model of quiet democratic transformations amid the Arab Spring. This highlights the importance of deepening democratic practices in local communities and entrenching democracy in a society where media plays an important role in the local field. Absence of democratic practices in local communities makes democratic transformations in some Middle Eastern countries threaten relapse or political monopoly. This requires other practices that link democratic practices to individuals' everyday life.

The study recommends that municipalities should develop information systems management and train the mayors and staff to deal with media. This indicates that the level of media coverage for local communities and civil society should be improved in order to adopt initiatives that enhance increasing the capacity of municipalities in the areas of the right to access to information and increasing community's awareness of practicing the right of access to information.

## METHODOLOGY

This study employs a descriptive and analytical survey method to obtain representative data that provide answers to the study's questions, using two tools for the collection of information:

1. Questionnaire: This tool was developed for the collection of field data and included 40 basic statements. Its validity and reliability was tested. It was reviewed by three experts specialized in media and local administration, in addition to an expert in information

management. This tool was also tested on a pilot sample from the study's population, which included five municipalities.

2. In-depth interviews: These included eight interviews with mayors and six interviews with opinion leaders from three governorates.

## The sample

Municipalities in Jordan are divided into four categories according to the number of residents and municipal center site. Municipalities of governorate centers represent the first category, municipalities of the centers of districts represent the second category, municipalities of towns represent the third category, and municipalities of the villages represent the fourth category. Due to the similarity of conditions within the same category, representative samples were taken as shown in Table 1. Out of 93 municipalities, 46 municipalities were chosen. Only 40 municipalities responded. The questionnaire was distributed in a representative manner in line with the categories of municipalities as follows.

Data extracted from interviews with mayors, municipal managers and secretaries of municipal councils were collected in the field during April and May of 2012. Questionnaire data were entered into SPSS. A descriptive analysis was adopted in extracting frequencies and percentages that reflect the reality of actual practices.

## RESULTS AND DISCUSSION

### Local media and local democracy

The empowerment of local community to access information is connected to facilitating the building of local democracy through community media to be transparent, accountable and to combat corruption in local government institutions. Significant research has addressed the role of media in development and community building around the world. Due to varying levels of access to technology in developed, developing, and least developed countries, the types of media addressed by this research are numerous in some countries and limited in others. In developed countries, with more widely available and diverse types of media, research has explored differences in the social effects of distinct media types (Beaudoin and Thorson, 2004) as well as the specific roles of individual media types (Arthurs and Zacharias, 2007; Baade 2007; Feldman, 2007). In developing and least developed countries, however, research heavily focused on community radio (Bosch, 2007; Bresnahan,

2007; Gatua, 2006; Jallof, 2004; Vinod and Malik, 2007; Madamonde, 2005).

Since the second half of the 20th century community media and communication technology (ICTs) have played a major role in development and political change (Rhinesmith, 2010). Using information community technology (ICTs) can foster participation and two-way communication and facilitate community transformation (i.e. social change among the most marginalized and vulnerable population groups (Chitnis, 2008). As local governments become more transparent in making data more available, communities need access to information and communication infrastructure (Rhinesmith, 2010).

### **Access to information and democratic participation**

The right of access to information at the international level dates back to 1776, when the Kingdom of Sweden passed the press law, which gave citizens the right of obtaining information kept in government institutions (Abdulbarr, 2006:10). The emergence of the modern concept of the right of access to information at the international level goes back to 1946, when the General Assembly of the United Nations adopted in its first session resolution number 59, which states that the freedom of access to information is a basic human right and the cornerstone of all freedoms advocated by the United Nations (Al Hasan, 2006). This right was consolidated in the international covenant for political and civil rights which was pronounced in 1966 (Human Rights Library, 1966).

This right began to gain momentum in the early 1990s and started to be treated as an independent right after decades of being expressed through the right of speech and the freedoms of media. Since 1997, the reports of the United Nations Council on Human Rights began dealing with this right as an independent right (Al Hasan, 2006). These reports started to point clearly to governments and institutions that prevent citizens from obtaining information that they have the right to access, and countries commenced to draft independent legislations that secure the right of citizens and media to access governmental information. The number of countries that had passed independent legislations reached 70 countries by the end of 2009<sup>1</sup>.

Several studies emphasized that enabling societies to access government information and to build a competent and professional local media is a foundation of democratic development at the local level. It is also an important approach to achieving a political reform at the national level. Further, it is tied to institutionalizing democracy at the level of enhancing this right in accordance with the criteria of local democracy, the most

important of which are participation, representation, accountability, transparency and social solidarity (Jaeger, 2007).

Democratic participation in decision making does not exist without the ability to access information. A secretive government is rarely efficient, because freedom of access to information is essential for identifying and solving problems. Additionally, the culture of a secretive government promotes suspicion and rumors, where suspicion becomes the dominant aspect of the public's stance towards all information issued by the government, even medial campaigns designed to inform the public such as public education campaigns (Beatham et al., 2008).

The goals that make the right of access to information a solid platform for the building of democracy are obvious at the level of local societies and their relations with the institutions of local government, represented in municipalities. The importance of that is exemplified in three basic dimensions (Bodevat, 2006).

1. The availability of assurances for building a democratic society begins from the primary representative institutions, namely the local councils which are elected directly by citizens (i.e. the assurance of a competent local democracy).
2. Reducing poverty and stimulating growth as empowering of poor local communities in the field of information contribute to their presence on the political scene through escalating their demands, protection of development projects, and prevention of poverty, through making accurate information available to the public.
3. Confronting corruption and increasing transparency, as the legislations for the right of access to information, are essential in combating corruption, which requires facilitating access to government information at national level, and to information of local institutions.

Local institutions of towns and villages in developing countries, administered by elected town or village councils, are usually marked by a lower standard in the quality of life and services, compared with the large urban centers. Moreover, the poor and threatened classes lack the essential information about human rights and basic requirements of living, and about public services, health, education, employment opportunities and the budgets of public institutions, especially the municipalities and the taxes levied by them. This stresses the importance of making the best of information technology in development and makes information a tool for change and charges institutions and countries with the basic responsibility of employing information in the service of development (UNDP, 2003).

These communities lack proper representation and a voice that enables them to participate in determining the priorities of policy-making, influencing them or accessing

<sup>1</sup> [www.accessinitiative.org](http://www.accessinitiative.org).



resources. Additionally, gender is of interest when it comes to accessing information in local communities. The discrepancy in the need for completed information between the two genders represents a challenge for development (Bhatnagar, 2004).

### **Municipalities and information: Good practices**

Three sets of good and promising practices that represent stable democracies, new democracies and societies in the process of transitioning to democracy will be presented.

Anderson (1995) presents the experience of the state of Alberta in passing advanced legislations for empowering citizens and the media to access information and taking advantage of the experiences of other states to arrive at high quality legislations and practices in the transparency of information due to the fact that Nova Scotia was the first Canadian province to pass a law securing the right of access to information in 1978 (Anderson, 1995).

In 1994, the legislative council in the municipality of the state of Alberta passed the right of access to information law, and thus became the ninth experience which presented one of the best legislations that secure a balance between the right of the individual to access information and his individual privacy (Anderson, 1995). Since the municipality represents all local government institutions, they are considered valid for accessing government information in several areas such as services, infrastructure, judiciary, education, health and economic activities (Anderson, 1995).

One of the other good practices implemented by the municipality of Alberta was the formation of a local council for information and appointing a special commissioner for information and publishing periodic guides showing the areas that citizens can obtain information about (Anderson, 1995). The study points out that these practices had a positive effect on the role of local media and improving the performance of local democracy, as reflected by elections (Anderson, 1995).

Bhatnagar (2003)'s study titled "electronic government and access to information" presents the experience of the Korean municipality of Seoul as one of the best practices in the world in the use of information technology applications to improve influence of accessing information. This represents one of the most efficient examples in fighting corruption through the empowerment of the right of access to information (Bhatnagar, 2003).

The large and diverse bureaucratic activities witnessed by the city of Seoul created new opportunities for corruption as a result of the extensive investments during the last decade of the 20<sup>th</sup> century and the wide growth witnessed by the city's economy. This forced the municipality council to initiate a comprehensive plan to combat

corruption that provided a series of initiatives and plans to improve the performance of the municipality in transparency and access to information (Bhatnagar, 2003).

The study dealt with most important practices like the development of the direct access to information by citizens, investors and media, through local computers, the internet and public electronic gateways (Bhatnagar, 2003) The municipality specified five sets of basic information services that can be accessed directly. In 2001 these services were made available through cellular phones (Bhatnagar, 2003).

Krediman's study (2009) on the "right of knowledge in Bulgaria" presents a model of the evolutions witnessed by new democracies in motivating citizens and media to access information, through continuous awareness campaigns and the efforts of about 50 local and national media outlets participating in these campaigns, especially with municipalities and local communities<sup>1</sup>.

The annual awards presented for the best practices in accessing information represent illustrate the motivational environment in the Bulgarian experience, where a prize is awarded to the citizen who most exercises his right in accessing information<sup>2</sup>. In 2009 the award was given to a student at the New Bulgarian University, who put in the highest number of requests to obtain information about the violations in safety systems in the public transportation system in Sofia. Another award was given to an architect from the city of Varna who raised the matter of an illegal building in the city's park. The municipality of "Buldeve" received the award for best municipality in providing information and services through the internet in great detail, in addition to documents and registers, while the award for worst municipality for obstructing the right of citizens to access information went to "Raz Grad" in 2009, and "Varna" in 2008<sup>(3)</sup>

### **Legislative organizational framework in Jordan**

This section deals with the legislative and organizational determinants in the relationship of municipalities with the right of accessing information in Jordan, through reviewing the pertinent laws and highlighting the current situation of municipal organizational structure and their relationship with facilitating access to information.

<sup>1</sup> [http://s-c-bhatnagar-iima.blogspot.com/searchMonika Krediman, The Right of Knowledge in bulgaria,AIP \(Access to Information program\) www.aip-bg.org](http://s-c-bhatnagar-iima.blogspot.com/searchMonika%20Krediman,%20The%20Right%20of%20Knowledge%20in%20bulgaria,AIP%20(Access%20to%20Information%20program)%20www.aip-bg.org)

<sup>2</sup> [http://s-c-bhatnagar-iima.blogspot.com/searchMonika Krediman, The Right of Knowledge in bulgaria,AIP \(Access to Information program\) www.aip-bg.org](http://s-c-bhatnagar-iima.blogspot.com/searchMonika%20Krediman,%20The%20Right%20of%20Knowledge%20in%20bulgaria,AIP%20(Access%20to%20Information%20program)%20www.aip-bg.org)

<sup>3</sup> [http://s-c-bhatnagar-iima.blogspot.com/searchMonika Krediman, The Right of Knowledge in bulgaria,AIP \(Access to Information program\) www.aip-bg.org](http://s-c-bhatnagar-iima.blogspot.com/searchMonika%20Krediman,%20The%20Right%20of%20Knowledge%20in%20bulgaria,AIP%20(Access%20to%20Information%20program)%20www.aip-bg.org)

## Legislative framework

The nationalization of the right of access to information requires three basic determinants:

First: Constitutional cover: there are countries that have clear references to the right of access to information in their constitutions, while in other cases, the constitution only refers to the right of speech, and the right of access to information is inferred from that.

Second: Existence of a legislation pertaining to the right of access to information and the legal assurances provided for this right.

Third: The bounds of this legislation: The existence of a law pertaining to the right of access to information is a significant achievement. A law must be implemented in order to be effective and there are many factors that influence the effectiveness of its implementation, the most important of which are the building of citizens' legal awareness such as the right of access to information; promoting cultural and social change towards the realization that government information is the property of citizens; and developing effective systems for managing and organizing government information.

Article (15) of the Jordanian constitution refers to the assurance of the right of speech, which provides the general constitutional right for accessing information<sup>1</sup>, while the "Jordanian law securing the right of access to information," issued in 2007, provides an open wording in identifying government or semi government information sources, but it does not refer to municipalities or institutions in particular.

Although this law constituted a qualitative step in the area of the right of the citizen and journalist to access information, the law was criticized by media community and civil organizations. Reservations, pointed out by the Jordanian Center for Human Rights in 2007, are:

- a. Lack of independence for the Information Council, as most council members are members of the executive.
- b. Absence of clear mechanisms for the classification of government documents that can be excluded from the list.

In order to affect the right of citizens to access information, the Center for Human Rights stressed the need to conduct an essential amendment on "the law for the protection of the state's documents and secrets" number (50) for the year 1971. While at the same time, pointing to the fact that international standards allow for the restriction of free speech in order to protect national security, it still needs, what is called, "triple test" when imposing any

restriction<sup>2</sup>.

In spite of the fact that municipal legislations are employed in Jordan, particularly the municipality law number (14) for the year 2007 and regulations, issued accordingly, did not deal with the right of citizens to access municipal information directly, there are other references pertaining to the general philosophy of this right or its regulating procedures and pertinent issues. Some of these references are:

1. Article (3/a) of the municipality law number (14) for the year 2007 defined "municipality" as a civil establishment with financial and administrative independence, which tries to achieve its goals in participation with local communities. It also stressed the concept of participation with the private sector and civil society organizations<sup>3</sup>.
2. Guarantee of the citizens right to be up to date with electoral procedures through the announcement of the official voters lists in a public place in city hall and in one of the local news paper, as specified in article (10/b) of the law and objection to the voters lists, article (13/a). Every candidate has the right to obtain a copy of the final voters' lists article (15/d)<sup>4</sup>.
3. Participation of the candidates or their agents in voting for committees, article (21/a), and counting committees, article (23)<sup>5</sup>.
4. Municipality sessions are public in accordance with article (39/e) and each citizen, who has a direct stake in any subject on the agenda, has the right to participate in the discussion of that subject, providing that decisions are taken in a secret meeting. Furthermore, the agendas of the council sessions are announced in a prominent place at city hall, at least one day before the meeting, in accordance with article (35/c)<sup>6</sup>.
5. The municipality regulations and directives are issued in accordance with the law, deal with the issues of logistics, tenders and contracts, and stress the openness and proclamation of procedures for bids, contracts and municipality works (AL salah, 1985:355).

## Organizational environment

The establishment of the first municipality in Jordan dates back to 1880, and its development went through four phases –of which are the Ottoman period, the Trans-Jordan period, the two-level system of local government and finally the phase of integration.

The Jordanian local administration adopted the two-level system until 1999. This included municipalities and

<sup>1</sup>The law for the right of access to information # 47 for the year 2007, official newspaper, Amman, 2007.

<sup>2</sup> General municipality law # 14 for the year 2007, article (3/a)

<sup>3</sup> General municipality law # 14 for the year 2007, articles 15/d) & (13/a)

<sup>4</sup> General municipality law # 14 for the year 2007, articles (31/a) & (23)

<sup>5</sup> General municipality law # 14 for the year 2007, articles (35/c) & (39/e)

<sup>6</sup> Set of administrative and financial regulations and instructions issued in accordance with the general municipality law # 14 for the year 2007.

village councils which were 338 (Abu Faris and Al Ma'ani, 2006). In 2001 the state nevertheless adopted a project where adjacent municipalities were integrated into larger municipalities. This reduced the number to 99 (AL salah, 1985). Later on, the number was reduced to 93 after six municipalities joined the municipality of greater Amman (the municipality of the capital).

In accordance with municipality law number (14) for the year 2007, municipalities in Jordan are divided into four categories according to the number of residents and municipal center site. Municipalities of governorate centers represent the first category, municipalities of the centers of districts represent the second category, municipalities of towns represent the third category, and municipalities of the villages represent the fourth category. Due to the similarity of conditions within the same category, representative samples were taken as shown in the table below.

The Jordanian experience in determining the functions of municipalities through their history differs in accordance with the development of legislations and the determinants of political and administrative framework in the country. The jurisdiction and functions of municipalities were extensive and included the affairs of local administration, security, health and others, in accordance with the municipality affairs law which was issued in Trans-Jordan in 1925, the municipalities committee consultative law and the municipalities law # 9 for the year 1938, which considered the municipality a civil institution, established and charged by a resolution from the executive council and the approval of the Emir (Abu Faris and Al Ma'ani, 2006).

However, the functions of municipalities began to decline since the passing of the municipality law # 29 for the year 1955 and also the current law # 14 for the year 2007. In theory, the jurisdiction of municipality councils covers many areas, but many of its functions are performed by other ministries, departments and public institutions.

The municipalities actually carry out only 24 functions out of the 39 defined by the law (Al Ouamleh and Al Hunaiti, 1995). In 2008, the ministry of municipal affairs started a project to qualify the municipalities to perform a developmental role in the fields of productivity and investment, and established local development units for this purpose.

The municipality councils in Jordan suffer from several problems and challenges that restrict the development of their organizational structure and expanding the base of their activity. The most significant of these challenges is the debt due to extensive borrowing to fulfill the need of infrastructure. Furthermore, municipalities suffer from a high percentage of administrative expenses such as salaries, wages and allowances. There is also the lack of sufficient cooperation and coordination between municipalities and government institutions and departments

relevant to services and infrastructure. Another problem faced by municipalities is the inflated size of their staff and their inefficiency in addition to their inability to obtain their personal revenues and the lack of community awareness with the exercise of local democracy in transparency and accountability (Abu Faris and Al Ma'ani, 2006).

### **Exercising the right of access to information in Jordanian municipalities**

The results of the survey on the right of access to information was divided into six categories dealing with the information infrastructure, types of information interaction flow with citizens, information and relations with civil society, municipalities and information technology applications, direct practices of accessing information and finally municipalities and local media. Through these topics, the status of relevant practices was assessed in accordance with 20 main indicators and 58 secondary indicators as follows.

#### **Information infrastructure**

##### **Basic information applications**

The status of information infrastructure relevant to the right of access to information was assessed according to four basic indicators. The results, according to Table 2, show that (65%) of municipalities in the kingdom do have information sections, while (45%) do not have such sections. These sections are mostly concentrated in the municipalities of the first category, and to a lesser degree in the second category (60%), while the interviews indicated that most sections do not have the basic minimum administrative and scientific infrastructure, and most of them for the use of public relations, divans and file management. Most of these information sections suffer from the low quality and insufficiency of available information. Furthermore, most information is not updated.

The results depict the lack of transformation towards electronic archiving, which is found only in 17% of Jordanian municipalities (Table 3). This infrastructure is in the first and second category municipalities, while 73% of municipalities still depend on traditional paper archives. Furthermore, interviews indicate that electronic archiving operations that have been implemented are still undependable and used side by side with paper archiving in most fields.

The existence of a basic document for municipality policies or a public strategic plan is considered an indicator on the presence of a public policy for information. The survey showed that 47% of Jordanian municipalities have such a document, which was found in all category 1

**Table 2.** Municipalities that have an information section.

Categories (information section)	C 1 (100%)		C 2 (100%)		C 3 (100%)		C 4 (100%)		Total	
	F	%	F	%	F	%	F	%	F	%
Present	7	100	12	60	6	60	12	-	26	65
Not present	-	-	8	40	4	40	8	100	14	45
Total	7	100	20	100	10	100	20	100	40	100

**Table 3.** Electronic archiving in Jordanian municipalities.

Categories Archives	C 1(100%)		C 2 (100%)		C 3 (100%)		C 4 (100%)		Total	
	F	%	F	%	F	%	F	%	F	%
Present	2	28	4	20	1	10	-	--	7	17
Not present	5	72	16	80	9	90	3	100	33	73
Total	7	100	20	100	10	100	3	100	40	100

**Table 4.** General meetings with citizens.

Categories meetings with citizens	C 1 (100%)		C 2 (100%)		C 3 (100%)		C 4 (100%)		Total %	
	F	%	F	%	F	%	F	%	F	%
Quarterly	3	43	9	45	2	20	2	66	40	40
Semi annually	4	57	4	20	4	40	1	34	13	32
Annually	-	-	5	25	2	20	-	-	7	17
No meetings	-	-	2	10	2	20	-	-	4	10

municipalities and 40% of second category municipalities. It is available and announced for the public in about 32% of them.

### Public assembly hall

"City Hall" represents an infrastructure facility that has a direct relationship with the information interaction with the community of the city. This facility which is known traditionally in Jordan as "Public Meeting Hall" is available in 65% of Jordanian municipalities. It is found in all categories 1 municipality, 60% of second category municipalities and only 26% of fourth category municipalities. They are divided into large halls of more than 200 seats (54%), medium size halls of around 100 seats (27%) and small halls of less than 60 seats (19%).

The use of these halls varies between different municipalities. While most interviews indicated that the use of the hall requires the approval of the municipality which needs authorization from the governor, other municipalities, especially in Ma'an, exercise wider freedom in making city hall available for public meetings, without obtaining prior permission from the governor.

### Types of information interaction with citizens

Types of interaction pertinent to the right of access to information were measured in accordance with five main indicators, which contained 17 secondary indicators, as follows.

### General meetings with citizens

Table 4 depicts the practice of general meetings with citizens according to the categories of municipalities. We find that 40% of municipalities conduct a meeting every three months; 32% of municipalities, every six months; 17%, once a year while 10% of municipalities do not hold any meetings with citizens. The interviews results also revealed other types of disorganized meetings in tribal divans that join council members with different categories of citizens.

### Attendance of council sessions by citizens

Table 5 depicts the patterns of dealings by municipalities

**Table 5.** Attendance of council sessions by citizens.

Attendance	C 1 (100%)		C 2 (100%)		C 3 (100%)		C 4 (100%)		Total	
	F	%	F	%	F	%	F	%	F	%
Any person	2	18.5	1	5	1	10	-	--	4	11
Anyone having an issue on the agenda	2	28.5	7	35	1	10	1	33	11	28
Allows attendance but no one ever came forward	2	28.5	9	45	5	50	1	33	16	40
Does not allow attendance	1	14	3	15	3	30	1	33	8	21

**Table 6.** Right of awareness of access to information.

Types of awareness		C1		C2		C3		C4		Total	
		F	%	F	%	F	%	F	%	F	%
Announcing session agenda	Yes	2	18.5	7	35	2	20	-	--	11	27.5
	No	5	81.5	13	65	8	80	3	100	29	72.5
Awareness of council decisions	permitted	5	81.5	5	35	4	40	1	10	15	37.5
	Not permitted	2	28	15	75	6	60	2	20	25	62.5
Publishing council decisions	Yes	5	81.5	5	35	1	10	-	--	11	27.5
	No	2	28	15	75	9	90	3	30	29	72.5

with attendance of council sessions by citizens. 11% of municipalities permit any person to attend sessions, 28% of municipalities allow attendance to those who have an interest in an item on the agenda, 40% of municipalities permit attendance but no one has ever come forward and finally 21% of municipalities do not allow attendance of any citizens

### Right of awareness

Table 6 depicts the types of awareness pertinent to the right of access to information. 27.5% of municipalities announce the agenda of the council sessions in advance, 37.5% of municipalities permit citizens to get acquainted with the decisions of the council and 27.5% of municipalities publish the decisions of councils directly to citizens. Additionally, interviews results indicated that municipalities generally permit anyone who has an issue on the agenda to follow it and be aware of its developments.

### Discussion of the budget and getting acquainted with its details

The results illustrate the extent of the possibilities of acquainting citizens with the budget of the municipality and discussing it. The results show that 12.5% of municipi-

palities hold public meetings to discuss the budget, 20% of municipalities publish a summary of the budget in the municipality building and 67% of municipalities publish reports about the budget in media sources after its confirmation. The results also illustrate the lack of general awareness with the importance of the public discussion of the budget due to the fact that it is considered an actual plan of action for the municipality for a whole year.

### Special record of complaints

About citizens' complaints the survey results indicate that 45% of all municipalities have well kept records to document citizens' complaints and following up on them, but this percentage goes up to 86% in category 1 municipalities. Yet daily work administration depends on collecting demands from citizens, which come in the form of complaints. The interviews also indicate that about half of municipalities have not developed a system for information management and dealing with citizens on this subject.

### Verification of information and the relationship with civil society

This section reviews the types of relationships between municipalities and civil society institutions and local



**Table 7.** Information services.

<b>Municipality website services</b>	<b>F</b>	<b>%</b>
General introductory information	12	30
News services	9	22.5
Municipality announcements	4	10
Publication of the council's agenda	1	2.5
Councils designs	2	5
Public services	1	2.5

**Table 8.** Use of computers and ICT in municipalities.

<b>Use of ICT in municipalities</b>	<b>F</b>	<b>%</b>
Printing and correspondence	32	80
Archiving constituents	7	17.5
Transfer of information via the Internet	11	27.5
Financial system applications	5	12.5
Sketches and maps	11	5

opinion leaders which pertain to the right of access to information, in accordance with two basic indicators and five secondary indicators.

### **Types of relationship with civil society**

There are multiple types of relationship with civil society that pertains to the right of access to information. It could be concluded that there are CSOs in municipality areas of about 67% of municipalities. These institutions are spread un-evenly according to the categories of municipalities. Municipality councils meet with these institutions routinely or more than once every three months in about 17% of municipalities and once a year in about 37% of municipalities. Additionally 12% of municipalities have relations with these civil institutions in the form of agreements and memorandums of understanding.

### **Presence of a consultative council for the municipality from the local society**

The results illustrate that 45% of municipalities have consultative councils from local communities, most of which are found in category one municipalities while the least number is found in second category municipalities. Additionally municipality district committees are found in large cities and first and second category municipalities. These are local committees formed in cooperation between the citizens and municipality for the regulation of the relationship between them.

## **Municipalities and the applications of information technology**

### **Municipality web sites**

The survey results revealed that 30% of municipalities, on the whole, have sites on the internet, where it is found that the highest percentage is located in municipalities of the first category by 36%, in the second category municipalities 25%. In the municipalities of the third category 10%, while there are no Web sites of municipalities in the fourth category.

Table 7 shows that the most widespread service provided by municipality websites is general introductory information. Additionally, 30% of the sites provide news services about the municipality and 22.5% of sites provide municipality announcements. Meanwhile, these sites are not used for the publication of the council's agenda, decisions and municipality electronic services except in limited cases.

There are 37.5% of municipalities that use e-mail in their official transactions, 22% of municipalities use e-mail in dealing with other institutions and 10% use it in dealing with citizens, while 5% of municipalities revealed that they use SMS service for notification of services or invitations for meetings.

### **ITC general use of the ICT**

Table 8 illustrates the wide spread uses of computers in municipalities. The results show that traditional uses such as printing and correspondence are the most common, while archiving constitutes 17.5% and financial system applications (12.5%). in spite of the importance of electronic systems in the area of sketches and maps, as they facilitate the operations of municipalities and access of citizens to information, they are still in limited use (5% of municipalities).

### **Direct practices of accessing information**

The results illustrate the lack of direct practices by citizens, media sources, business men and other interested parties in the area of obtaining information. Official requests for obtaining information from municipalities using the official form of the information council constitute only 1% and municipalities pointed out that none of them received any complaints regarding the withholding of information received through the information commissioner. Furthermore none of the municipalities had a code of conduct for dealing with citizens.

We also note that 35% of municipalities published the basis and criteria for employing staff and (40%) of municipalities conducted surveys and public opinion polls

**Table 9.** Type and percentage of municipality media.

Type	F	%
Informative publications and general information	9	22
Magazine or periodical publication	6	15
Electronic publication	5	12.5
Presence of a media center in the municipality	6	15
Presence of a media spokesman	3	7
Presence of a public service office	18	45
Presence of a local community media	6	15

in their areas, most of them conducted by international organizations. The phenomenon of conducting surveys and public opinion polls which was not known before 2005 seems to be, in many mayors' point of view, growing very fast. This practice contributes to providing useful feedback in assessing the performance of municipalities and their relations with citizens.

### Municipalities and the local media

Local media constitutes an important link in the local society's exercise of their right of access to information from government and local government institutions.

### Municipality media

Table 9 indicates that 22% of municipalities issue informative publications about themselves, 15% have a magazine or periodical publication, while 12.5% of municipalities have electronic publications. Furthermore, 15% of municipalities have a media section, 7% have a media spokesman, 45% have a public service office, while 15% of municipalities have a local media source in their area. Interviews indicate the first priority of developing the local media is the building of institutional capacities for local media, training and the establishment of local media institutions.

### Dealing with journalists

The results illustrate the patterns of municipal interaction with journalists in obtaining information. There are 55% of municipalities allow journalists to attend council sessions while less than 1% of them issues a Press release after every session. 1 0% provide general information about the meeting .

### Presence (coverage) in media sources

Table 10 depicts another type of the patterns of

information gap in the relationship between municipalities and citizens, illustrated by the low coverage of municipalities in local and national media. At the level of coverage in interactive programs on radio and TV, frequent coverage, which means coverage for more than three times a month, constitutes only 0.5%, while moderate coverage, which means once a month, constitutes 25 and 50% of municipalities rarely have an active presence in this type of media coverage. Furthermore, this gap is even wider at the level of radio, TV and press news.

## CONCLUSION AND RECOMMENDATIONS

### The main conclusion

It could be concluded from the survey results that there is an absence of a clear policy followed by municipalities in the area of information management and the right of citizens to access this information. This is evident from the following:

1. The infrastructure, in accordance with the summary of municipality infrastructure indicators is mediocre. According to the categories, there is good infrastructure in first category municipalities represented in having special sections for information, beginning of a transformation towards electronic information management, presence of basic documents for municipality policy and availability of major halls for meetings with citizens. The results also indicate presence of mediocre infrastructure in accordance with the same indicators in the second category municipalities which form the largest category. However, the information infrastructure in the third and fourth category municipalities is poor.
2. Interaction in the flow of information between municipalities and citizens varies between moderate and poor. The results show that municipality openness towards citizens is moderate, while the exercising of the right to attend council sessions is still modest. The right of being acquainted with council session agendas and decisions and making them available to the public, discussing the budget and getting acquainted with its details are still poor.
3. In spite of the presence of civil institutions in most of Jordanian municipality areas, the mutual interaction between them which usually helps in facilitating access to information is still poor.
4. Furthermore, in spite of the availability of information technology infrastructure in most municipalities, yet their use in information management applications is still not available in two thirds of municipalities.
5. There are no direct practices by citizens relating to the right of accessing information, when dealing with municipalities, in spite of the existence of a legislation that

**Table 10.** Presence in media sources.

Level of coverage	Coverage in interactive programs on radio and TV (%)		Radio and TV news (%)		Press news (%)	
	F	%	F	%	F	%
Frequent	2	0.5	2	0.5	4	10
Moderate	10	25	10	25	11	27
Rare	20	50	15	37	17	42
Non existent	8	20	13	32	8	20

ensures this right, which means that there is a lack of general awareness with this issue.

6. First category municipalities have good domestic media infrastructure, but the other three categories of municipalities lack the essential components of a domestic media.

7. Municipalities on the whole suffer from the lack of coverage in national media sources and most municipalities do not have any local media sources in their areas (local social radios, local social newspapers).

#### Recommendations related to municipalities

1. Inviting municipalities to develop their information management systems, including archiving, indexing and categorizing of municipality information and records.
2. Training mayors, senior staff and elected municipality officials in order to upgrade their performance in the area of providing information and enabling citizens, media sources and businessmen to access it.
3. Developing municipalities' guidance plans to facilitate the transformation towards empowering target groups to access municipal information without difficulty.
4. Inviting municipalities to effect a transformation towards practical models of electronic municipalities which provide basic municipal services and information through the internet.
5. Inviting municipalities to provide direct telephone lines for receiving citizens' complaints, documenting them on a daily basis and following up on them.
6. Developing municipalities' transparency and integrity measures in their standing operating procedures and linking them with facilitating access to information.
7. Developing municipalities' codes of conduct to regulate their relations with citizens.
8. Developing municipalities' local domestic media through the publication of local newspapers, periodicals and the establishment of a local society radio.

#### Recommendations related to the media

1. National media sources have the duty of participating in spreading awareness in the good practices in the area

of the right of access to information at municipalities.

2. National media sources have the duty of spreading awareness in the importance of the right of access to information in general, and in the practices relating to municipalities in particular, in addition to spreading awareness in the important role of this practice in participation, securing of universal rights, prevention and exposing of corruption.

3. Media sources need to increase the media coverage of municipalities, as this coverage is considered an easy source of obtaining municipality information.

4. There is an urgent need to build a national network for local community journalism, through the establishment of local society radio stations, local press and local society television, which are considered main sources of modern community journalism and a tool to facilitate access of information by citizens.

#### Recommendations related to civil society

1. Enhancing initiatives by civil society organizations to launch programs and projects related to the development of municipality capabilities in the area of the freedom of information and improving its access.
2. Enhancing initiatives by civil society organizations for the spread of community awareness in practicing the right of obtaining information from municipalities
3. Inviting civil society organizations in the capital and governorates to establish local and national monitoring stations to monitor and follow up on the practices of municipalities relating to the right of accessing information.
4. Encouraging the development of specialized guidelines for improving the nature of the relationship between the community and municipalities in the area of obtaining information, such as "The citizens and media guide for accessing information in municipalities"
5. Inviting civil and community institutions to take the initiative of entering into development partnerships with municipalities.

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*Full Length Research Paper*

# The role of mass media campaigns in preventing unintended pregnancy

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**This short paper discusses the potential of advertising campaigns to reduce rates of unintended pregnancy in the United States. The author did a review research indicating that past campaigns encouraging contraceptive use have affected the behavior of some members of their target populations, and presented simulation results suggesting that a publicly funded, nationwide campaign has the potential to reduce by more than 20,000 the number of children born into poverty each year, to save taxpayers substantially more money than is required to fund the campaign, and to effect meaningful reductions in rates of teenage pregnancy, non-marital childbearing, and abortion.**

**Key words:** Media campaigns, contraception, unintended pregnancy.

## INTRODUCTION

In recent years, policymakers in the United States have expanded the reach of evidence-based “teen pregnancy prevention programs” that are designed to reduce the rate of pregnancy among teenagers. Rigorous evaluations have found many of these programs to be effective at achieving this goal (Sawhill et al., 2010; Thomas, 2012). However, because most teens are in school while most young adults are not, it is much more difficult to reach members of the latter group than of the former group via these sorts of place-based interventions. Media campaigns, on the other hand, have the potential to reach a broad cross-section of the sexually active population. In this short paper, the contributions that media campaigns have made and can continue to make in the ongoing effort to reduce the prevalence of unplanned pregnancy among teens and young adults alike are discussed.

It begins by briefly reviewing social scientific evidence accumulated over the last several years on the effects of past media campaigns encouraging safer sexual behavior, and then summarizes the results of an analysis that incorporates this evidence into a cutting-edge micro-simulation model. Unlike other studies of media cam-

paigns related to reproductive health, this work also produces benefit-cost ratios that compare the simulated campaign's costs with the savings that it would produce for the taxpayers who fund it. The findings suggest that a well-designed, publicly funded campaign has the potential to reduce the incidence of nonmarital and teenage pregnancy, lower the number of children born into poverty, and generate a net savings to taxpayers.

## LITERATURE REVIEW

In recent decades, media campaigns have been undertaken to address any number of different public health problems. The specific behaviors targeted by these campaigns have ranged from seat-belt use to drug abuse. Some of these campaigns have focused specifically on encouraging safer sexual behavior, and most such campaigns have encouraged the use of condoms in particular as a means of avoiding contraction of sexually transmitted infections. In a widely cited meta-analysis of evaluations of health-related campaigns, Snyder et al.

(2004) conclude that campaigns encouraging condom use affected the behavior of about six percent of the members of the relevant target population, on average. This estimated effect size is roughly comparable to the one reported by Zimmerman et al. (2007), who evaluated a media campaign encouraging condom use in Lexington, Kentucky. The results reported by Zimmerman and his coauthors suggest that the Lexington campaign increased condom use by a little more than six percent among members of the campaign's target population.

However, the studies cited above use methodologies that are, out of necessity, imperfect. They tend to compare changes in condom use over time between a locality (or localities) in which a media campaign was implemented and a demographically similar locality (or localities) in which it was not. It is possible that these studies' "treatment" cities are not as similar as one might hope to the "control" cities to which they are matched. In theory, any such dissimilarities could have caused these studies to overstate the effects of the media campaigns in question. Moreover, Noar (2006) notes that Snyder and her coauthors only consider the results of published papers, which are presumably more likely than unpublished papers to have reported evidence of a measurable effect. For both of these reasons, the author agrees with Noar that the true effects of campaigns of this sort may be as small as half the size suggested by the literature cited above.

## SIMULATION METHODOLOGY

Taken as a whole, the studies described in the previous section might be taken to suggest, conservatively, that a typical media campaign encouraging condom use affects the behavior of about three percent of the members of the campaign's target population. One might consider this to be a small effect – so small, in fact, as to imply that campaigns of this sort may not be worthwhile investments of government funds. This work presents a set of simulation results suggesting quite the opposite. Specifically, it simulates the effects of implementing a nationwide publicly funded advertising campaign encouraging condom use. It projects the effects of such a campaign using FamilyScape, a microsimulation tool developed at the Brookings Institution that allows the user to model the impacts of policy changes on family-formation outcomes. FamilyScape simulates the key antecedents of pregnancy (i.e., sexual activity, contraceptive use, and female fecundity) and many of its most important outcomes (e.g., pregnancy, childbearing, and abortion within and outside of marriage and among teenaged and non-teenaged women).

Figure 1 shows FamilyScape's overall structure and delineates the various stages of the simulation. During the first stage, the model is populated with a group of individuals aged 15 to 44 whose demographic characteristics are nationally representative. In the second stage, opposite-sex relationships of varying duration are formed among some individuals. In the third stage, sexual activity (or a lack thereof) is simulated among married and unmarried couples, and contraceptive use (or a lack thereof) is simulated among couples who have sex. In the fourth stage, some sexually active couples become pregnant, and each pregnancy eventually results in a birth, an abortion, or a fetal loss (i.e., a miscarriage). The model's fifth and final stage accounts for the fact that each birth is either to a married couple or to a single mother. As a function of

the structure of the family into which each child is born and of his or her mother's demographic characteristics, a poverty status is also assigned to each newborn child during the model's final stage.

All of the model's input dynamics are aligned to real-world benchmarks that were produced via analysis of a wide range of external data sources. FamilyScape is also designed to produce demographic variation in these dynamics that is similar to the equivalent variation that is observed in the real world. The model generally does a good job of replicating real-world outcomes of interest, especially for the unmarried population. For instance, the real-world pregnancy rate among unmarried women is only about 1 percent higher than the simulated rate of pregnancy for the same group. FamilyScape lends itself readily to policy simulations, since its parameters can be changed relatively easily under the assumption that a given intervention has an effect on individual behavior. As an example, if one believes that a policy has a particular effect on contraceptive use, that effect can be simulated at the individual level by altering the model's baseline behavioral parameters, and the policy's impacts can then be estimated on (say) the number of teenage pregnancies, the rate of out-of-wedlock childbearing, the incidence of abortion, and so forth.

Like most simulation models, FamilyScape relies heavily on random variation. As the simulation proceeds, various random processes govern the pool of potential partners with whom a given individual might enter into a new relationship, the probability that he or she will in fact enter into a relationship, the likelihood that a given married or unmarried couple will have sex on a given day, the probability that a couple will use contraception when they have sex, and so forth. Thus, no two runs of the model are exactly alike. The simulation results described here were therefore generated using data that are averaged over multiple runs of the model. Specifically, the results reported here are for 50 ten-year simulation runs. In other words, each time that a simulation is performed, the model is first allowed to reach a steady state, and outcomes are then tracked for ten full years of analysis time. This process is repeated 50 times to produce 500 years' worth of data. This approach allows one to "average out" random variation across years (since, for example, the simulation may produce a slightly different rate of pregnancy in the fourth year of a given run of the model than in the fifth year) and across runs (since the random values used to initialize the model and to govern the way that the simulation unfolds differ slightly from run to run). See Thomas and Monea (2009) for further information on the architecture of the FamilyScape simulation model.

For the purposes of the simulation described here, it is assumed, based on the literature discussed in the previous section, that the campaign would cause three percent of men to use condoms who would not otherwise have done so (it is also assumed for the sake of simplicity that the campaign has no effect on the behavior of married men). Previous studies of the impacts of media campaigns encouraging condom use have focused exclusively on those campaign's effects on contraceptive behavior. Among the unique contributions of this study are the fact that the author simulates the effects of this campaign on critically important "second-order" outcomes such as rates of abortion and nonmarital childbearing and the fact that he estimates a benefit-cost ratio for the simulated intervention. He measures the campaign's benefits in terms of taxpayer savings on Medicaid and other means-tested programs serving pregnant women, mothers, and children. In other words, some pregnancies are costly to taxpayers because, as a result of the pregnancy having occurred, the woman and her newborn child (if the pregnancy results in a birth) will claim taxpayer-funded benefits and services. The estimates of the campaign's benefits, then, are driven by the amount that taxpayers would save when such pregnancies are prevented. These taxpayer-savings estimates account for government spending on pregnant women and on children up to age five; and they are adjusted to reflect the fact that some prevented pregnancies will simply be delayed whereas others

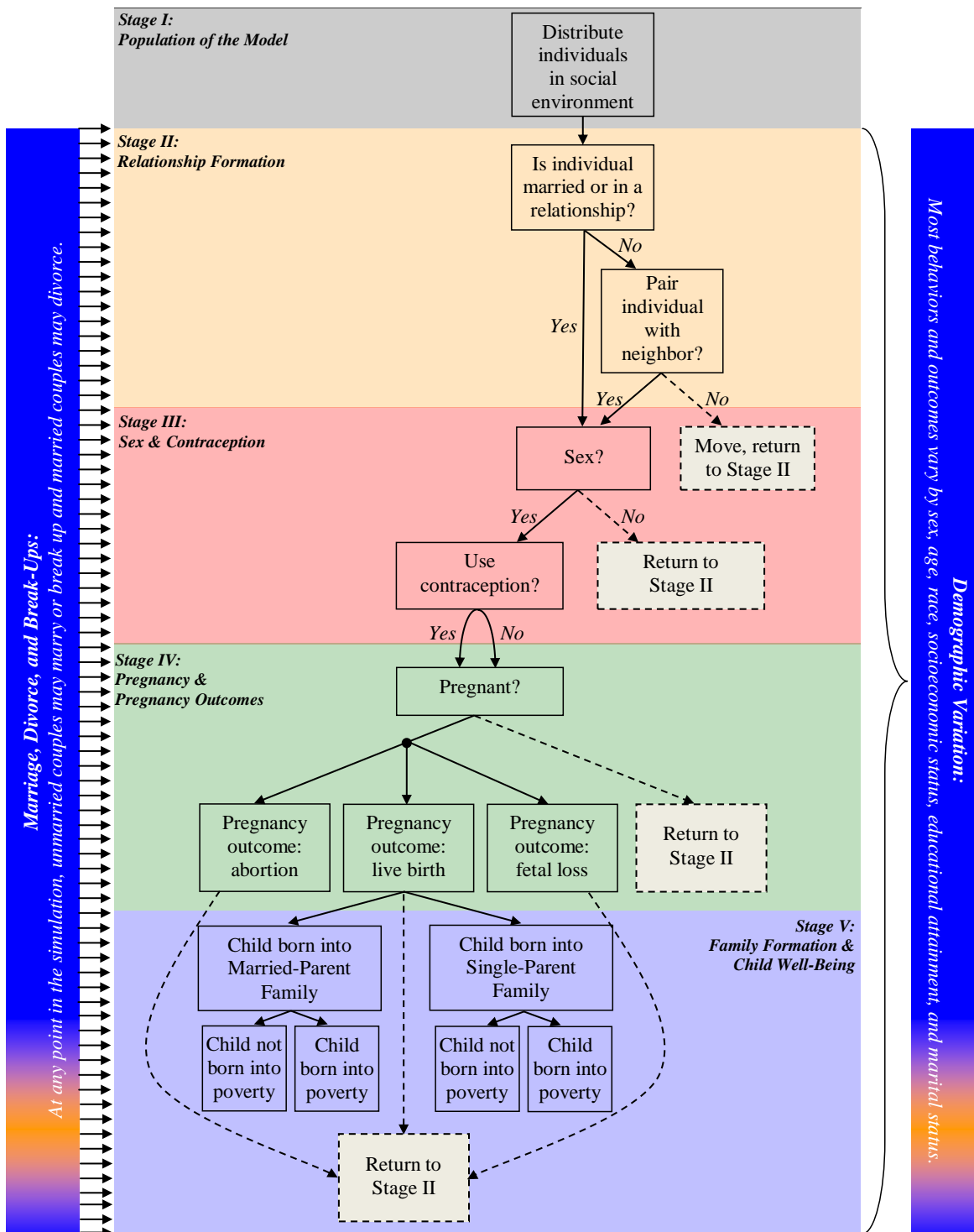


Figure 1. Summary Diagram of FamilyScape Simulation Model.

will be averted altogether. See Thomas (2012) and Monea and Thomas (2011) for additional information on the way that these savings estimates were developed.

It is assumed that the simulated campaign would be implemented on a national scale and, because there is good evidence to suggest that a campaign's persistence has implications for its effectiveness

(see, for example, Zimmerman et al., 2007), it is also assumed that it would be maintained year-round. The author develops a set of assumptions regarding the annual cost of a nationwide, year-round media campaign of this sort using information on the costs of other nationally implemented, health-related media campaigns. Specifically, he uses data on the American Legacy Foundation's *Truth*



**Table 1.** Estimated annual costs, intensity, and effectiveness of four mass media campaigns.

Campaign	Estimated cost expressed on an annualized and nationalized basis	Estimated campaign intensity (GRPs per week)	Campaign estimated to be effective?
Truth	\$100 million	117	Yes
VERB	\$60 million	147	Yes
NYAMC	\$230 million	254	No
Lexington Condom Campaign	\$295 million	> 200	Yes

**Table 2.** Estimated effects and costs of a simulated nationwide mass media campaign.

Outcome	Low-cost assumption	High-cost assumption
Percent Reduction in Teen Pregnancies	4.0	
Percent Reduction in Out-of-Wedlock Births	2.5	
Percent Reduction in the Number of Children Born Into Poverty	2.2	
Percent Reduction in the Number Abortions	3.9	
Estimated Annual Program Cost	\$100 million	\$250 million
Cost per Pregnancy Avoided	\$900	\$2,300
Cost per Birth Avoided	\$2,500	\$6,300
Estimated Annual Taxpayer Savings Produced by the Campaign	\$431 million	
Benefit-Cost Ratio	4.3	1.7

*Campaign*, the Centers for Disease Control's *VERB* campaign, the Office of National Drug Control Policy's *National Youth Anti-Drug Media Campaign* (NYADMC), and the Lexington condom campaign described in the previous section. The first three campaigns were implemented nationwide, and itemized data on the Lexington campaign's expenditures were used to develop an assumption about what such a campaign might cost if it were taken to scale nationally.

Table 1 reports the estimates of the average annual costs of each of these four campaigns. The author also reports estimates of each campaign's intensity, as reflected in its targeted gross-point rating (GRP) per week (in general, a GRP measures the sum of ratings points per spot for a given television advertisement over a particular period of time). In addition, Table 1 indicates whether the bulk of the evaluations for each campaign found it to have been effective. The *Truth* and *VERB* campaigns' estimated annual costs are quite a bit lower than are those of the NYADMC and Lexington campaigns. This cost differential mirrors (and is almost certainly a function of) the higher intensity of the latter two campaigns. Given that these data paint two rather different portraits of the cost of such a campaign, two different assumptions for the policy simulation regarding the campaign's cost are made. For the initial specification, it is assumed that the campaign would cost \$100 million annually and, in an alternative specification, that it would cost \$250 million annually. It is not, however, assumed that the campaign's effectiveness varies with its cost, since – as can be seen in the table – relatively more-expensive campaigns are not necessarily more effective. See Thomas (2011) for more information on the development of the cost assumptions used in these simulations.

## RESULTS

Table 2 reports results from the simulation of the effects

of a publicly funded, nationwide, year-round media campaign encouraging condom use. The results presented in Table 2 indicate that the simulated campaign would reduce the number of teen pregnancies and the number of abortions by about four percent and would reduce nonmarital childbearing and the number of children born into poverty by more than two percent. The 2.2 percent reduction in the number of children born into poverty corresponds to about 23,000 fewer poor newborn children each year.

The bottom portion of the table reports cost-effectiveness and cost-benefit estimates for the simulated campaign. These estimates vary depending upon whether one assumes that the campaign would cost \$100 or \$250 million per year. Under the former assumption, the cost per avoided pregnancy would be \$900; the cost per avoided birth would be \$2,500; and the program's benefit-cost ratio would be 4.3. This benefit-cost ratio suggests that taxpayers would save \$4.30 for every dollar that the government spends on the program. If one assumes that the program would cost \$250 million annually, the cost per avoided pregnancy would be \$2,300; the cost per avoided birth would be \$6,300; and taxpayers would save \$1.70 for every dollar that is spent on the program. The benefit-cost ratios reported here are in the same general ballpark as comparable ratios for related policies simulated using FamilyScape, including a nationally implemented evidence-based sex teen pregnancy prevention program and an expansion in states' Medicaid family planning programs. Moreover, because

the simulated media campaign has the ability to reach a large number of people relatively cheaply, it is found that its costs per pregnancy and birth averted are generally lower than are those of these other programs. See Thomas (2012) for more information on all three simulations.

## DISCUSSION

In sum, the literature reviewed here suggests that mass media campaigns in the United States have made meaningful contributions to the effort to reduce the incidence of unprotected sex. The simulation results presented in Table 2 further suggest that future campaigns have the potential to make additional and important contributions to this effort and – perhaps just as significantly – to provide taxpayers with a solid return on investment. For example, the simulation results indicate that a nationwide, government-funded, year-round media campaign encouraging condom use could reduce by more than 20,000 the number of children born into poverty each year and save taxpayers between \$1.70 and \$4.30 for every dollar that they spend.

It is also important to note that these estimates were produced using a reasonably conservative set of behavioral assumptions. For example, the cost-savings estimates account only for taxpayer savings associated with the prevention of unplanned pregnancy – they do not account for potential private benefits in the form of higher lifetime earnings or increased academic attainment on the part of mothers. Nor do the estimates account for the possibility that the simulated campaign might reduce the incidence of unintended pregnancy among married couples in particular. Thus, the true societal cost-savings produced by a campaign such as the one simulated here might in fact be larger than is suggested by the estimates.

Overall, the evidence reviewed in this short paper implies that the investment of additional government resources on advertising campaigns encouraging contraceptive use has the potential to reduce the incidence of nonmarital and unintended childbearing, teen pregnancy, and abortion. The achievement of these goals would, in turn, produce public-sector savings. Especially given the mounting fiscal pressures facing policymakers in the United States, these findings suggest that implementation of media campaigns designed to improve contraceptive use would be smart public policy.

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