

REGIMES, CULTURES AND REACTIONS TO UNSANCTIONED PUBLIC ACCESS TO GOVERNMENT INFORMATION

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This paper examines the problem of unauthorized public access to government information through the new media by advocates of transparency and openness in government dealings. It argues that there is a certain commonality of actions by governments in both democratic and repressive regimes when handling people and organizations perceived to be exposing official government information. Drawing from scholarly literature and news sources the paper concludes that what differs in how different regimes handle unsanctioned public access to government information is largely the presence or absence of the culture of tolerance in political leaders.

Key words: public access to government information, new media, Wikileaks, Julian Assange.

В данной работе предпринимается попытка исследования проблемы несанкционированного доступа общественности к правительственной информации. Утверждается, что существует определенная общность в реакции на такие действия со стороны официальной власти как в демократическом обществе, так и в государствах с репрессивными режимами. Со ссылкой на научную литературу и различные информационные источники в статье делаются интересные выводы по поводу возможных решений проблемы.

Ключевые слова: общественный доступ к правительственной информации, новые медиа, Wikileaks, Джулиан Ассандж.

Public access to government/classified information may help citizens draw analogy or comparison between what government officials are saying to them and what actually is happening. It is could be satisfying to know what government leaders are really saying compared with the official statements, releases and communiqués that often masquerade as government information. Julian Assange and his Wikileaks files have reignited

the debate on national security and freedom of information. This debate, as in every normal discussion, has featured both supporters and critics. Supporters of the notion of "right to know" call it transparency while critics or antagonists call it potential danger to national security, saying enemies of the state could use opportunities like this to harm a country's citizens or put its sovereignty in jeopardy. The substance of this debate lies in the question of which is the real danger to the state? Is it a government that can conveniently hide its activities from its citizens or a citizenry that cannot check the excesses of its government because it does not know the real dealings leaders engage in on its behalf? It is obvious that the post 9/11 western society has become overtly reactive to security concerns to the extent that there is growing apathy towards threats to civil liberties. Perceived threats to national security and citizens' safety as in the case of the Wikileaks releases may begin to prompt government agencies to step on the universal reach of the Internet or find ways to create exceptions to such civil rights and freedoms as embodied in the First Amendment freedoms of the US Constitution (McNulty, 2010).

Although the Internet has in recent times gained the reputation of being one subversive means of mass information, the print media have remained at the forefront in terms of being the organized outlets for analyzed information that have resulted in the hastily disseminated exposé of government's secret documents. This is once again a pointer to the fact that, just like historically new forms of media were unable to annihilate old ones, the Internet news dissemination has not been able to eradicate traditional or mainstream journalism. The subversive nature of the internet has however made it the main focus of governments in both libertarian as well as authoritarian societies in terms of official fear of what internal as well as external enemies of a government can do with information pertaining to official secrets.

Antagonists of revelation of official secrets in the media have suggested that these actions could have a number of immediate negative effects on the state as they occur. They argue that public access to official secrets will cost the state valuable informants and sources. Some collaborators will be silenced and some by their own volition will no longer talk. Secondly, it will hamper cooperation with potential partners since future promises of

confidentiality will no longer hold water. Thirdly, leaking of classified information will also lead to incompleteness of historical documentation of events, since people will no longer be willing to talk "officially" about sensitive issues. Since guarantee that the information will remain classified, at least for a reasonably safe period, no longer exists. Here individuals will be trading information security for physical safety.

Agger (in Luke and Hunsinger, 2009) has suggested that it could both be true at once that there is a monumental and global "dumbing down" and also a frenetic literary activity going on as people write both "their 'selves'" and in connecting to others. He further opined that there is something deeper going on, especially among the young, as they engage in busy writings, which constitute a sort of prison code that creates a world below the adult radar screen, both in protest and in the building of community. This could be said also about bloggers, twitterers, texters and posters who express their discontent with political directions and government policies.

Komaitis (2009) has observed that in recent times, reference to the Internet generates a series of issues that range from access to diversity to equality and innovation. The discourse on these values among others, he noted, has proven to become the catalyst for the deliberative conception of the Internet as a society. The Internet has experienced a quick expansion because it is bound by technological advancement, which has been moving at a phenomenal speed. Unlike other restrictive and more controlled societies, like religious ones for instance, whereby restriction is manifested through the premise of a shared vision, the Internet's single restriction focuses on admittance, which in turn depends on the degree of available infrastructure. Admittance here holds as long as the user is equipped with the appropriate platforms. This open-ended participation, however, has been responsible for the collision of various societies, traditions and customs with some embracing its openness and others who oppose its policy of admittance regardless of its restrictiveness. These two significant traditions now have to merge on the same platform. The evolution of the Internet as a society has also witnessed the inclusion of traditions that are far from being western, following the proliferation of infrastructure in eastern societies. As societies merge on the Internet so do customs and traditions. The point of convergence of these various cultures then turns out to be the

issue of governance, which has been defined as the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.

Ironically, governance is also the point of departure from one another by these various cultures. Liberal democratic political cultures see the Internet as a tool or mechanism for furthering the course of democracy and civil liberty and also as a liberation tool for citizens of countries living under authoritarian or highly conservative regimes such as Iran, China, North Korea or Cuba. The so called repressive regimes on the other hand see the Internet as a subversive mechanism that can only disrupt governance when and if left in the hands of "uneducated" citizens and dissidents.

It has been observed that "technology diffusion has had a crucial causal role in improvements in democratic institutions" and "that technology diffusion has become, in combination with other factors, both a necessary and sufficient cause of democratic transition or entrenchment." More so, "it is clear that the Internet and cell phones have not on their own caused a single democratic transition, but it is safe to say that today, no democratic transition is possible without information technologies". (Howard, 2010 cited in Meier, 2011).

Taken together, the cases of China and Cuba can serve as illustration that the diffusion of the Internet does not necessarily spell the demise of authoritarian rule. Although it is widely believed that the Internet is an inherently democratizing technology, meanwhile, many authoritarian regimes have been able to translate a long and successful history of control over other information and communication technologies into strong control of Internet development within their borders. These regimes believe that potential challenges to the state may arise from Internet use in several areas such as mass public protests, growth of civil society activism, growth of free economic activities and access to the international community (Shanthi Kalathil and Taylor C. Boas, 2001).

Having realized that the Internet makes collective action possible, authoritarian states are already responding to these challenges with a variety of reactive measures: restricting Internet access, filtering content, monitoring online behavior, or even prohibiting Internet use entirely. In addition,

such states seek to extend central control through proactive strategies, guiding the development of the medium to promote their own interests and priorities by investing heavily in infrastructure development. Through a combination of reactive and proactive strategies, an authoritarian regime can counter the challenge posed by Internet use and even utilize the Internet to extend its reach and authority. It is interesting to observe that liberal democratic governments too could become jittery by citizens' actions on the Internet.

Morozov (2009) observes that the Internet can serve pro-democracy groups in three popular ways: (1) It can give dissidents secure and cheap tools of communication; (2) new technology makes bloody crackdowns against activists riskier as repressive action can be caught on camera; (3) technology reduces the marginal cost of protest. The bottom line is that wider access lets more people learn about democracy and while many may not believe that a revolution will succeed, they still file out in large numbers to join a protest since everyone else is protesting and joining the protest will be the most rational thing to do. It is easy to see how the internet can amplify this process of information cascades.

These reasons among others have continued to prompt repressive regimes to take actions to counter the use of the Internet and other mobile technologies. The North Korean government for instance from January 2011 placed a ban on rental to foreigners who are on short visits to the country of mobile phones with which they could make international phone calls. Henceforth, only foreigners on long official visits can rent such phones. Before this new order, every foreigner could rent phones to make local calls to other foreigners as well as international calls. Such phones are not capable of connecting with mobile phones used by North Koreans. This phone rental service is provided by a company created in conjunction with an Egyptian mobile phone company. It has been observed that this latest move could be as a result of the regime change that took place in Egypt and the role played by mobile technologies in the revolution. (Radio Svoboda, Svobodanews.ru, 24.02.2011).

Western governments have showered themselves with acclamations for being at the forefront of the crusade for participatory democracy, which allows for debate on all issues on the public sphere. Successive US admin-

istrations have expressed believe in the ability of the Internet to bring freedom to oppressed peoples. Members of the Clinton administration were prolific proponents of the idea that the Internet is inevitably a force for democracy. George Bush asserted that the Internet will bring freedom to China. Very recently the Internet was actively and successfully used in the election campaign of President Barak Obama. In all, the Internet is recognized as a very potent tool among others for the realization of the ideals of a democratic system. More so since totalitarian regimes are known to engage in various activities aimed at controlling the way Internet technologies evolve within their domains and with the recent revolutionary change of governments in parts of the Arab world, namely Tunisia and Egypt, and the role purportedly played by social media networks in mobilizing mass support for the protests.

It can be observed, however, following the recent intensification in the activities of Wikileaks that the US administration is worried about potential threats posed to its diplomatic and foreign policy actions, especially to its anti-terrorism activities in Central Asia and the Middle East by the Internet related technologies. It is interesting to observe reactions by government officials to the continuous release of classified documents by Wikileaks.com while the US government and its Western allies remain helpless in terms of being unable to shut down the site. Reactions have been largely that of disapproval. This suggests that the Internet and social media and information and communication technology as a whole can cause great anxiety for any regime, whether it is democratic or authoritarian. The US government has taken several steps to go after Wikileaks' owner and curtail activities by the website. The government sought and got a court order to get from Twitter information on accounts belonging to several associates of Julian Assange. The information demanded from Twitter included session times and connection records, telephone numbers, credit card information, e-mail and IP addresses, correspondence and notes of record. The US State Department from where the leaks took place also reviewed its security procedure and planned to introduce an automated tool that will continuously monitor the classified network to detect anomalies that would not be readily apparent. Furthermore, the US Department of Defense introduced measures that will make it more difficult to gain access and easier to detect

suspected unauthorized access to classified information. Amazon, the US company hosting wikileaks site, was pressured to remove the site from its server.

There is a clear indication here that the major aspect that constituted the greatest worry for the US government is the elusiveness of the site and its owners. While the US government has been doing everything possible to get the owner of Wikileaks prosecuted, technology has made total eradication of the site impossible. From mirroring, which allows a copy of a site to be maintained in several hundreds of other servers in other parts of the world, to social networking sites, which can help keep discussion going about a site's activities, to copycat sites which are other entities entirely that copy the mission or goal of a site like Wikileaks, it has remained difficult to track down the site and shut it down outright. The conclusion: the Internet is a "threat" to both democratic and authoritarian regimes. It is the culture of tolerance or its absence that can determine how a regime will manage the threat.

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