

Promoting good governance through freedom of access to information and censorship to information

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Information providing institutions have a national role to play in promoting democracy and good governance in their countries by ensuring that there is effective free flow of information and knowledge between the Government and its people. Freedom of access to information is not only a fundamental right but also a means to power because on one hand, it enables individuals and institutions to make appropriate choices and to meaningfully participate in the decision-making processes. On the other hand, it ensures transparency, reduced corruption and accountability of government institutions thereby promoting democracy and good governance. However, in as much as people have the right to information, some information can bring about insecurity and instability in the country. Information providing institutions therefore have a duty to also censor information to ensure that appropriate and unbiased information that would promote security, peace and ultimately good governance in the country reaches the public.

Keywords: *Good Governance, Information, Censorship to information, Governance*

1. Introduction

Freedom of access to free flow of information is an essential right of every citizen of any country and has long been recognized as a fundamental human right ever since its declaration by the UN General Assembly in 1946. This involves the public's right to request information from the Government and even private bodies in some cases. It is the duty of government to supply the requested information, unless defined exemptions apply. The Government must also disclose proactively information that is of general public interest without the need for requests from its citizens.

Borrowing words from Zamir (2008), freedom of access to information is not only a fundamental right of an individual but also a means to power because once an individual has the right information, they will be in position to respond and make appropriate/ informed decisions concerning how they are governed. They will also be able to meaningfully participate in decision-making processes of their country. Ultimately, freedom of access of information promotes good governance.

Apparently, over sixty countries around the world, as at 2009 had enacted freedom of information (FOI) laws. This is because both developed and developing countries have realized that the implementation of a FOI law is a key tool for promoting good governance and facilitating public participation. For example, countries throughout the developing world from Mexico, to India, as well as Ethiopia, Uganda and South Africa in Africa, have implemented FOI laws (Abdulai, 2009). African countries for example view FOI as having the potential to help alleviate poverty. This is so because it would ensure proper expenditure of public funds by the government, the effective implementation of development programmes and the monitoring of the millennium development goals. Freedom of access to information would provide a practical mechanism for achieving the good governance principles of transparency, accountability and public participation.

2. What is good governance?

Perhaps to understand what good governance means, we need to know what governance is. According to the United Nation Economic and Social Commission for Asia and the Pacific (UNESCAP) "governance" is the process of decision-making and the process by which these decisions are implemented or not implemented in cases where they are not implemented (UNESCAP, 2010). Governance can be used in several contexts such as corporate governance, international governance, national governance and local governance. Hence, a closer examination of governance would involve the formal and informal actors taking part in the decision-making process and their implementation. It ensures that formal and informal structures put in place to arrive at and implement the decisions made have a mutual understanding.

There are several actors involved in governance among which are the government and the military. Actors however vary depending on the level of government that is under discussion. For actors in rural areas may include influential land lords, associations of peasant farmers, cooperatives, NGOs, research institutes, religious leaders, finance institutions political parties, the military etc. While at the national level, in addition to the above actors, media, lobbyists, international donors, multi-national corporations, etc. may play a role in decision-making or in influencing the decision-making process. Ultimately, these actors other than the government are grouped together as part of the civil society.

From the above definition of government, good governance therefore, would entail equal and quality interaction and understanding among all involved actors/stakeholders on every decision arrived at and its method of implementation. Wikipedia defines good governance as an indeterminate term used in development literature to describe how public institutions conduct public affairs and manage public resources in order to guarantee the realization of human rights. Good governance ensures that corruption is minimized, the views of the minorities are taken care of and that the voices of the most vulnerable in society are considered when making decisions. More so, good governance considers both the present and future needs of society in order to ensure continuity and development.

In explaining this, I will use the eight major characteristics of good governance identified by UNESCAP. These are

- Participatory
- Consensus oriented
- Accountability
- Transparency
- Rule of law
- Responsiveness
- Equity and inclusiveness
- Effectiveness and efficiency

2.1 Participatory

This element ensures that both men and women participate in decision-making either directly or through legitimate intermediate institutions or their representatives especially the concerns of the most vulnerable in society. As citizens, we need to take ourselves seriously in ensuring that we are responsible of decisions that affect us. We need not take ourselves as mere voters, but as governors and masters of our own fates, as watchdogs, voters and clients. We may not participate at all times in all public affairs, but should participate at least in some crucial public affairs. For example in Zambia in 1996, it took the united civil society's pressure to compel the second republican president rescind his decision to go for the third term in office. We need to work at

achieving the best laws that will guarantee us active participation in the political community without waiting for someone to do it for us.

It is clear, then, that the public manifestation of good governance is centred on the participation of all its citizens. Participation needs to be informed and organized, meaning that there should be freedom of association and expression on one hand and an organized civil society on the other hand. As such, to realise this ideal of good governance, there is need for free flow of information to all those concerned.

2.2 Consensus oriented

Good governance entails agreement on the decisions made among all the concerned parties. There is need for mediation of the different interests of the actors in order to reach a broad consensus for the best interest of the whole community. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

2.3 Accountability

Accountability is a key requirement of good governance not only in governmental institutions but also the private sector and civil society organizations. These must be accountable to the public and to their institutional stakeholders. Who is accountable to whom, varies depending on whether decisions or actions taken are internal or external to an organization or institution. But generally, an organization or an institution is accountable to those who will be affected by its decisions or actions. And for accountability to take effect there is need for transparency and the rule of law.

2.4 Transparency

Transparency simply means that decisions made and their enforcements are done in a manner that follows rules and regulations respected by all. It also means that enough information is freely made available and directly accessible in easily understandable forms and media to those who will be affected by such decisions and their enforcement (proper communication among involved parties).

2.5 Rule of law

Rule of law follows a fair legal framework upon which decisions are enforced. It requires full protection of human rights, particularly those of the vulnerable minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible police force.

2.6 Responsiveness

Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe. Delays must be communicated to all stakeholders for them to understand what is happening.

2.7 Equity and inclusiveness

All involved members or actors must be made to feel that they are part of what is going on and are as important as everyone else. This way they will not feel excluded from the mainstream of society. This requires all groups, especially the most vulnerable to have opportunities to improve or maintain their well being in society.

2.8 Effectiveness and efficiency

This implies that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of

good governance also covers the sustainable use of natural resources and the protection of the environment.

The above discussion therefore makes it clear for us to understand that good governance is an ideal which is difficult to achieve in its totality. But this does not mean that we sit back and do nothing about its achievements. We need to make available all the required information to the right people to help them not just be able to participate in decision-making but make informed decisions. Our aim should be to make good governance a reality through the provision of information to those that need it without having to pay for it. People should be availed with an opportunity to exercise their right to freedom of access to information to attain good governance in their countries.

3. What is freedom of access to information?

Freedom of access to information is the right of every individual to both hold and express opinions and to seek, receive information and use that information to help them make informed decisions. People must have access to reliable reports, portrayals, analyses, discussions, debates and so forth about substantial issues in their country pertaining to their welfare. The sources of knowledge and the materials for the development of competencies must be understandable, communicated in ways that connect with different groups of people (Banda, 2008).

Therefore, greater efforts should be made to do away with laws that deny concerned parties access to information and also unduly restriction on their freedom of expression in order to promote good governance. Should the information be requested in a specific format, such information must be supplied in that format, unless it is reasonable for it to be in another format and or it is not possible to make it available in the requested format. In this case, reasons advanced should be made clear to the one requesting such information.

On the side of the government, freedom of access to information would bring about transparency, reduced corruption and accountability of government institutions. This is for a simple reason that all decisions would be made in consultative of all the stakeholders and for the best of everyone involved. High-profile disclosures would lead to more openness and accountability between the public and the government. For example, proper dialogue between citizens and their governments would lead to implementation of appropriate developmental and poverty-alleviation programs and strategies in suitable areas. This is because the implementation of these programs would be made with active input of the people targeted. This way for instance, projects such as schools, water wells or hospitals would be built where they are needed and not where the donor and the government agree on. FOI laws would oblige governments to share information on their poverty alleviation strategies with the public, who can then have a voice in determining how these policies can more effectively improve their lives. Meanwhile quality communication in situations where there is lack of implementation or speed of requested projects and concerned citizens are made aware of why the delay also enhances transparency and accountability. This then results into democracy and good governance in the country.

Freedom of access to information also enables the public to hold their government accountable for the policies and decisions it promulgates. The public can regularly access information on the government's activities and policies, thus making the governments directly accountable on a day-to-day basis rather than just at election time. It would also open up communication channels between civil society and the state, which could be crucial to the state-building. Openness and information sharing can entrench national stability since it would help in promoting public trust in

the political system. Such a dialogue would combat feelings of alienation and reduce the risk of disillusioned sections of the public resorting to violence to promote their political ends.

A government that is transparent and committed to freedom of information leads to small-scale stakeholders to also have a voice in economic policies. This would result in economic growth and development in a more equitable, balanced and stable manner. Freedom of access to information combat corrupt practices in the key revenue collection sectors of the country such as duty collection points by availing information on how revenues from each sector are spent.

Transparency therefore is the basis of good governance and the first step in fighting corruption. Corruption undermines the basic social values, threatens the rule of law, and undermines trust in political institutions and between the people and their government. It creates an environment in which only the few corrupt thrive at the expense of the majority poor. It hinders scientific work and research, weakens the functions of the professions and obstructs the emergence of the knowledge society. It is a major contribution to creation and prolongation of human misery and the inhibiting of development. Corruption succeeds mostly under conditions of secrecy (Lack of transparency) and general ignorance.

Corruption therefore, can only be defeated by freedom of access to information to all stakeholders of any given situation. This is because free flow of information would empower the majority poor with the knowledge of understanding and their rights to participating in decision making on issues that directly concern their welfare and that of their country at large. For instance during elections, freedom of access to information would empower citizens with information about the people they are electing and their activities, hence make informed decisions. This way, elections would be made much more meaningful to the citizens and will make them feel part and parcel of decision-making. To this, Abdulai (2009) comments that the underlying foundation of the democratic tradition rests upon the premise of an informed constituency that is able, thoughtful in choosing its representatives on the basis of the strength of their record. Without proper information, voters are more likely to fall back on their ethnic, religious, or geographic affiliations when voting, without really considering the qualities of the candidates. Ultimately, this entails that effective freedom of access to information would make people to be part of decision-making processes thereby reducing any public perception of exclusion of opportunity or unfair advantage of one group over the other (Abdulai, 2009).

It is therefore the duty of each and every one of us gathered here claiming to be information providing professionals to ensure that information dissemination is made effective to everyone in need of any information. We must, in our very honest state, be dedicated to making available the most accurate and unbiased educational, scientific and technical, and socially relevant information to each and everyone in our societies. This free flow and access to information when achieved would contribute to good governance. This is because it will enlarge the knowledge base of citizens and enrich their discussions and debates on critical national matters.

We, (information providing institutions such as libraries and other information services) should extend our mission so as to become more active players in promoting good governance and the struggle against corruption. In particular, we can perform a significant role in informing citizens of their rights and entitlements. We need to come up with practical methods designed to guarantee effective access to information to everyone. In today's globalized world, ours and the media's role is to act as watchdogs of governments in order to achieve political economic and social development. We must advocate that our countries recognize that the right to information of its citizens becomes part of the constitutional guarantee of freedom of expression or thought. Also the civil society groups in all countries should be actively engaged in demanding that

governments respect the right to information of its people and have this in its laws. People therefore need to be provided with information on issues that concern them so they can make informed decisions.

However, in as much as people have the right to information, care has to be taken in terms of what kind of information reaches who and when it should reach them. This is with the understanding that certain information if made accessible to the public would bring about insecurity, violence and or hatred among/between people. As such, information censoring should be another necessary component in promoting good governance.

4. Censorship to information

Censorship to information is the control of speech and other forms of human expression, often in the context of government control. What is censored may range from specific words to entire concepts. The ostensible motive of censorship basically is to stabilize or improve the society over which the government has control. What then should be the criteria for censoring any information? You as an individual, do you believe that it is right for others to censor your or anybody's contribution to society? Would it be fair to have your right of expression be taken away from you? Or should your voice be silenced for the so called reason of "common stability" or must not the "truth" be heard?

How about this? Would you take kindly someone throwing insults or threats at you or your child because they have a different belief and they get away with it claiming freedom of speech? Would it be fair? These facts therefore demand that there be a balance between freedom of expression on one hand and censorship to information on the other hand. Even if everyone has the right to express their opinions, allowing anything could cause chaos in any country. Apparently, we also need to know and understand that even freedom itself has got rules. If you do not guide freedom of doing anything, it could end up killing you.

Ultimately, in a democratic arena, everyone has the right to express his/her opinions. However, if someone's opinions are expressed in such a way as to constitute a security threat to the country, then such a person must be legally shut up. Information providing institutions must therefore exist primarily to store, provide and limit information deemed harmful to the security of the country, otherwise censorship is necessary in certain situations.

Whatever the approach is taken to regulate content, the important consideration should be that innovation is not stifled. According to Wiki books (2009), a good filtering system realizes several important values. These include the consideration of end user autonomy, respect for freedom of expression, ideological diversity, transparency and respect for privacy. Concerned parties should be made to understand the benefits and limitations of certain information and to exercise self-control.

Censorship should be based on the public interest, public morality, public order, public security and national harmony. The debate is based on the protection of citizens, avoiding terrorist activities, crime and racial hatred. It should be justifiable to censor speeches, words or art of an author that are likely to cause harm to others or the entire community in any society. Censorship of information should therefore, consider problems such information is likely to bring if let to the public. This could be insecurity or instability in the country. For instance, disclosure of certain information which is more likely to adversely affect the confidentiality of certain authorities or the public security or the confidentiality/protection of individuals or the interests of the person

who supplied the information on a voluntary basis must be censored before it causes the likely havoc.

However, the challenge is on regulating Internet information. Internet is the fastest growing and largest tool for mass communication and information distribution world-wide at a minimal cost. This way damaging information is exchanged between and among individuals or institutions. Many governments around the world have sought to address the problems posed by materials on the Internet that are illegal under their offline laws, especially those considered harmful to or unsuitable for people. For example, materials that are meant to promote or incite political or racial hatred, and pornographic materials for young people. These are morally harmful to youths. For example, some websites/ television programs that contain pornographic, extreme violence, war-mongering, racist, fascist, political violence. This information has to be censored to avoid the likely problems it can bring about.

How then can censorship be achieved? Should governments and information providing institutions/ professionals step in to filter Internet information or should individuals be allowed to determine for themselves what is harmful to them? The question is not easily answered as it involves striking a delicate balance between the individual's freedom of expression and information and a State's right to prevent what is considered harmful to its people.

We need to understand that despite the generally prevailing principle of freedom of speech in democratic countries, it is obvious that certain types of information need to be protected upon discovering that they are of less value compared to the harm they would cause if allowed to circulate. Information to do with terrorism in the print or broadcast media, for instance should never be tolerated as it brings more damage to the peace and security of the country than it does bring good. Furthermore, censorship should not only be tailored to powerful mediums such as television, films and videos but should also include the Internet, newspapers and books. All mediums should be taken care of.

5. Conclusion

This therefore implies that as information providing institutions, we have a double duty to play when it comes to information storage and dissemination. We have a duty to both provide this information and at the same time ensuring that it is censored in order to ensure that appropriate and unbiased information reaches the right people. In censoring this information, we need to ensure that the provided information is that which promotes security, peace, development which would ultimately lead to good governance in the country

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