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## **Chapter XII**

# **What's New? Perspectives on Freedom of Information and the Internet**

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### **ABSTRACT**

*Critics of the notion or concept of “information society” have often made claims to put the new ICTs into a more historical and institutional context. As a response, in this chapter, the more than 200-year-old right of access to governmental information is selected as a reference point. A comprehensive review of literature reveals that this right can be analyzed from various perspectives. Examples are the politics, policy, and polity perspective; the market perspective; and the citizenship perspective. Each perspective highlights different aspects of the impacts a right of access to information can possibly have. The citizenship perspective turns out to be particularly interesting, because the traditional, but changeable concept of citizenship, and the right of access to information interact with each other. In a second step, the same perspectives can be utilized for an analysis of documents and literature on new Information and Communication Technologies (ICTs) in order to determine whether truly new and*

*original elements are added to what has previously been analyzed in terms of access to information rights. The application of the freedom of information perspectives to Internet-based access to information allows for the identification of interesting research questions on the changing concept of citizenship, the future of national and transnational governance and the future of regulation.*

## INTRODUCTION

The notion of information society was advanced more than 20 years ago. In the 1990s, it became increasingly popular, despite the fact that it had already been criticized thoroughly and sharply by academic scholars for two reasons. Writers on information society have the tendency to adopt a highly abstract and idealized analysis of the changing roles, characteristics, and implications of information and knowledge production. Furthermore, there are no empirically and historically grounded models available for examining the characteristics of economic and social changes associated with the emergence and adoption of new ICTs (Preston, 1997, p. 188).

Rather than suggesting a new model for the understanding of information society, in this chapter, the aim is to place it into a more historical and institutional perspective by linking it to existing concepts and institutions in the field of government and administration. The main point of reference that will be used is the freedom of information right, making it possible to clarify the added value that technologies have. The focus is on policies and practices developed within the European Union and the United States. I intend to show that most of the perspectives developed to deal with freedom of information rights can also be used to explore the impacts of the new ICTs (in particular, the Internet) on government and administration and to develop an agenda for research on new ICTs.

## PERSPECTIVES ON ACCESS TO INFORMATION RIGHTS

Freedom of information legislation usually establishes the principle that every public document (or record) is publicly accessible to any person or any citizen without the party having to show an interest. Sweden adopted the first freedom of information law more than 200 years ago. Since its adoption by the United States in 1964, the right has rapidly been diffused in Western democracies, albeit not all (for an overview, see Bennett, 1997). In the following section, freedom of information rights are analyzed from citizenship, market, politics, polity, and policy perspectives. The *citizenship/human rights* perspective conceptualizes freedom of information as a human or citizenship right, promoting or conflicting with other rights. Apparently diametrically opposed, the market perspective stresses the possibilities for exploiting public-sector information commercially. The *politics perspective* examines how freedom of information changes processes of governance. The *polity perspective* links access to information to a democratic political order. Last, the *policy perspective* is instrumental: freedom of information is seen as a means to achieve certain policy aims.

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