



Social Media in the Public Sphere of Accountability in Nigeria

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Abstract

The New Social Media has provided a platform for citizens-state interaction in the public sphere. It provides higher levels of participation for younger people and an avenue for women who have not been very active and vocal with a voice to demand for accountability. Given this new platform for engagement with government and institutions, there is growing disillusionment with rulers and governments as corruption scandals have fuelled discontent with the conduct of governance in Africa. In African countries, journalists who dare to report on corruption and injustice are targeted with killings and beatings while traditional news outlets are censored; bloggers and social media activists have become the new independent media by providing the much-needed space in the demand for accountability and open governance. Recent studies suggests that Internet freedom has declined in most countries because more and more governments are targeting the social media and communication Apps that aid in the spread of information, most especially those dealing with antigovernment protests and the demand for accountability in governance.

This article examines the issue of Internet Freedom, and the role of the social media in the public sphere of accountability in governance, in Nigeria.

Keywords: Internet freedom; Social media; Public sphere; Accountability; Governance

Introduction

The Social media is “a dynamic online medium that has changed the way we work similar to traditional media, social media offers opportunities to collect and share news, communicate with audiences and advocate for change. However, unlike traditional media, social media allows for this to happen on the Web in real-time through highly interactive global or regional social networks” [1].

The New Social Media has provided a platform for citizens-state interaction in the public sphere. It provides higher levels of participation for younger people and an avenue for women who

have not been very active and vocal with a voice to demand for accountability. Given this new platform for engagement with government and institutions, how has social media affected the responsiveness of government to the demand for social accountability? How has government dealt with the social media? How does a social medium affect the social norms associated with political participation? There is growing disillusionment with rulers and governments as corruption scandals have fuelled discontent with the conduct of governance in Africa.

In African countries, journalists who dare to report on corruption and injustice are targeted with killings and beatings while traditional news outlets are censored; bloggers and social media activists have become the new independent media by providing the much-needed space in the demand for accountability and open governance. However, no sooner have the social media been identified as the new outlet in the demand for open governance and accountability than governments resort to the old tactics used in clamping down on free expression in the traditional media to now the social media. The same repressive tactics are being transferred from traditional media to citizens who dare share information and news in the social media. Recent Freedom House Report [2] suggests that Internet Freedom has declined for the sixth consecutive year, with more governments than ever before targeting social media and communication Apps as a means of halting the rapid dissemination of information, particularly those dealing with anti-government protests and the demand for accountability in governance. This article examines the issue of Internet Freedom, the concept of the public sphere and accountability in governance especially in Nigeria.

The Internet and the freedom in it provide various social media platforms such as Twitter, Facebook, LinkedIn, Instagram, Tumblr, and communication applications the means to convey messages and disseminate information. The technology of the internet provides an atmosphere conducive for contemporary transnational political activism. Its characteristic speed and space facilitate international communication among nongovernmental organizations [3]. It allows protesters to take local level events to the international level with minimal resources and bureaucracy. Through connectivity, more people are able to participate and awareness is raised. It also gives a voice to those who do not have one while ensuring that those

who participate are socially empowered to organize themselves and form alliances on a transnational level using the tool of the social media to bring about social change [4].

The activities of the Bring Back Our Girls [#BBOG] an activist group in Nigeria that raised awareness which resonated across the world, including the UN and the White House following the kidnap of over 300 school girls by the terrorist group Boko Haram couldn't have been disseminated so wide and far without the social media. The Internet is also seen to be more than a tool for mobilization by providing diversity and horizontality.

"In countries where traditional media is a tool of control, these new and truly social channels have the power to radically alter our world. ...Social media is one of the most important global leaps forward in recent human history. It provides for self-expression and promotes mutual understanding. It enables the rapid formation of networks and demonstrates our common humanity across cultural differences. It connects people, their ideas and values, like never before" [5].

In countries with repressive governments that control traditional print, radio and television, the social media may serve as the only access people have to unfettered discussion on issues. According to Philip Howard, for the civil society, in the 21st Century, the social media creates "a digital safe harbor in which conversations can incubate" Moreover, information infrastructure is politics" [6].

In many nations, the social media is far more participatory than the prevailing traditional political culture. There is more discourse on issues of national politics on social media. As a result, the new technology based politics democratizes the old elite driven arrangements. For example, a citizen is able to document a human rights abuse with the use of a mobile phone, track state expenditures through the use of a spreadsheet which is shared to others; 'information about official corruption is spread fast via the social media thereby strengthening the civil society and deepening democracy. However," Social media of course is a double edge sword, which can be used for good and bad, e.g. to spread hate and falsehood [7].

Literature

What is internet freedom?

A cursory view of some countries and their approach to the concept of internet freedom suggests that different governments and societies define the concept of internet freedom differently. They also confront the free flow of information and their transformative technologies which the internet provides differently. For instance, some nations are more repressive and therefore impose many different kinds of restrictions on the internet depending on the type of government, political traditions and cultural norms of the country. However, access to the networks is a pre-requisite for enjoying Internet Freedom no matter how we may choose to define such freedom. Moreover, states differ on whether individuals deserve to have such access or not. In some countries access to the Internet particularly, high-speed broadband is a right, while others conceive it as a privilege [8].

In Finland for instance, the Finnish see having a 1 MB connection as a basic human rights of all its citizens. In the same vein, the French Constitutional Council has granted every citizen the legal right to have access to the Internet. However, the U.S by contrast, applies the principles of the market good rather than an entitlement. The ability to go online depends on whether you can afford it. In other words, if you cannot afford to connect to the Net, you remain offline, or depend on publicly available access sites such as libraries, schools, airports and other public places where free access to the Internet is granted to people who are in such places. In the U.K., the United Kingdom's new Digital Economy Act sets up a "graduated response system that would suspend user's accounts if they are repeatedly accused of online copyright infringement. Similarly, the French even though guaranteeing the free access to the internet, do balance such access with the protection of intellectual property right. France's HADOPI [French acronym for the nation's law promoting the distribution and protection of creative works on the Internet] disconnects users after three allegations of infringement [8].

Societies also vary in their orientation towards Internet freedom-Freedom from whom, or freedom from what? However, the one key threat to internet freedom is government and it is also seen as the biggest threat of social media use of the internet to promote public accountability.

For example, states can inhibit online liberties in numerous ways, one of such ways is to monitor online and make it a criminal offence to make a speech that is considered offensive. Another way is to block such material online. However, in the U.S., any move to interfere with the freedom on the Internet is resisted and the concern is typically to prevent any form of unchecked government power [8].

In Europe the threat to Internet Freedom consist of European countries being wary of the powers of private corporations to gather personally-identifiable information about users. For instance, recent controversies over Facebook's privacy settings which allow a private data marketing company, Cambridge Analytica to use data improperly obtained from about 50 million users to sway the outcome of elections on behalf of its political clients. It is reported to be one of the factors responsible for the outcome of the U.S. Presidential elections of 2016. Similar accusations were also made with regards to the outcome of the Brexit Referendum of 2016 [9]. Facebook is also accused of being complicit in allowing Google's video service in Italy and Google's Street View geo-mapping project not remaining free from private sector as well as governmental surveillance [2].

A Nigeria billionaire whose identity was not revealed committed a large amount of money in the bid to stop the election of the APC Presidential candidate Muhammadu Buhari during the 2015 elections. According to the UK Guardian, the fixers for the Jonathan campaign hacked into Buhari's medical and financial records, in a bid to sway the decision of the electorates and determine the outcome of the elections in favour of Jonathan [10]. Cambridge Analytical is said to have used similar unethical standards in the campaigns leading to the 2013 and 2017 elections of Kenya's Uhuru Kenyatta [11].

Some countries seek to prevent infringement on one's freedom generated by other users, for example the harm to one's reputation that occurs from false and defamatory content. Other cases involve states exerting pressure on intermediaries such as Internet Service Providers and social networking sites to police this kind of material via the threat of liability. While others, provide immunity for anyone but the author [2].

Different countries thus demonstrate a range of concern about the threats to freedom. Some countries have been found to balance differently, freedom of expression and access to information against the concerns about the harms that online material can cause. For instance, those harms could be to individuals, as in the case of defamation, to identifiable groups such as religious or ethnic minorities, or to even share societal values.

The U.S views the free exchange of information to be very important to the protection of Freedom of Speech which is why materials such as hate speech and pornography are protected by its constitution. However, U.S Law does prohibit certain types of information such as the threat to life, obscene materials and child pornography. Similarly, France and Germany also strongly protect free and open expression, but ban hate speech online. They require Google to filter hate speech sites from its search results on its local language sites [2].

Recent research in the Middle East and North Africa [MENA] into Internet usage across countries in these regions, suggest that MENA Internet users had a different attitude towards the use of the Internet far from their Global counterparts. People in the Middle East overwhelmingly expressed the view that they want government authorities to protect them from content which is inappropriate and threatens cultural values [12]. They support their government in blocking online contents that offend cultural and religious sensibilities such as pornography or material that is discriminatory or racist. They also argue in favour of their government that these bodies should censor the content of the Internet to protect children.

The 1999 Constitution of the Federal Republic of Nigeria guarantees the Right to Freedom of Expression and the Press. Section 39 subsection [1] states:

“Every person shall be entitled to freedom of expression including freedom to hold opinions and to receive and impart ideas and information without interference” [13].

However, while the constitution does guarantee the right to freedom of expression, there are challenges to the interpretation of the constitution when it comes to its application to the New Social Media.

There is an observed steady increase in the number of people using the social media worldwide. But Social media use has increased more in the emerging markets. According to the Pew Research Center In 2015-16, roughly four-in-ten adults across the emerging nations surveyed including Nigeria were found to be users of social networking sites. Moreover, as of 2017, 53% use social media. However, when it comes to social media use, people in emerging and developing markets are fast approaching levels seen in more advanced economies. Over the

same period, social media use has been generally level in many of the advanced economies surveyed [14]. However, this rise in social media use in Nigeria has come with its own worries among the elites.

The Nigerian National Assembly for instance, enacted the Cyber Crime [Prohibition, Prevention ETC] Act, 2015 because of the public concern over the use of social media to promote bigotry and hatred in the society. Hence, the law prohibits any form of cybersquatting and antisocial individuals and groups from subjecting the Nigerian people to racist and xenophobic attacks in any part of the country [15].

For example, Sections 24 and 26 of the Act provides as follows:

Any person who knowingly or intentionally sends a message or other matter by means of computer systems or network that:

- Is grossly offensive, pornographic or of an indecent, obscene or menacing character or causes any such message or matter to be so sent; or
- He knows to be false, for the purpose of causing annoyance, inconvenience danger, obstruction, insult, injury, criminal intimidation, enmity, hatred, ill will or needless anxiety to another or causes such a message to be sent: commits an offence under this Act and shall be liable on conviction to a fine of not more than N7, 000,000.00 or imprisonment for a term of not more than 3 years or to both such fine and imprisonment.

However, while journalists risk prosecution under restrictive laws, including the new broadly –worded Cybercrimes Act., thus far there has been no journalist that has been convicted of violating the Act.

The Concept of the Public Sphere

The new public sphere refers to a medium or channel possible for people to come together in order to discuss, analyze and deliberate on issues beyond geographical boundaries as is now obtainable through Facebook, Twitter, WhatsApp, Tumblr, etc. The public sphere can be defined as a discursive space in which individuals and groups associate to discuss matters of mutual interest and where possible to reach a common judgment about them [16].

The most prominent normative theorist of the public sphere is the German Social theorists Jurgen Habermas in the 18th Century who noted that the public sphere was originally a coextensive with public authority. According to Habermas “public sphere is a process that designates a theatre in modern societies in which political participation is enacted through the medium of talk. It is the space in which citizens deliberate about their common affairs hence, an institutionalized arena of discursive interaction is conceptually distinct from the state. It is a site for the production and circulation of discourses that can be critical of the state.” [17].

The basic ideal belief is that the government laws and policies should be steered by the public and that the only legitimate government is those that listen to the public sphere [18].

Habermas [16] describes the public sphere as a society engaged in critical public debate and for the condition of a public sphere to exist, there must be the formation of public opinion, all citizens have access, conference in unrestricted fashion and debatable over the general governing relations.

Further work on the concept of public sphere in communication discourse have been carried out by German sociologists Jurgen Gerhards and Friedhelm Neidhart who have developed an empirical model of public communication that distinguishes three levels of the public sphere [encounters in everyday life, public meetings and protests and political communication in the mass media] and specifies the input, through a put and output functions of the political sphere [19].

Giving insight as to how social media functions in the context of the old public sphere, Professor A Sen in his paper - A social media as a public sphere: The rise of social opposition suggests that: "before the advent of the social media, the mass media of press and broadcast were seen as adequate and beneficial for the conduct of democratic politics and sustained public sphere this is because these forms of media provided an opportunity for information about public events to be passed to all citizens, politicians and governments and to be criticized by the public. But as is typical of the information flow in these types of media, information flow is predominantly vertical and unidirectional and the heightened commercialization of the media market led to the neglect of democratic communities' roles between the public itself and the leaders" [20].

How far do the mass media provide a public sphere in which citizens may debate issues in a democratic forum and in which those in power may be held accountable to the public? Several scholars including Blumler; Garnham [19]; Collins et al. and Qualter suggest that the media is responding to economic and regulatory pressures to move from a public service model towards a market model [21,22]. In fact, the media are changing their relations to political processes. For instance, Habermas attacks the media in what he says here is a great power, but can it be harnessed for the public good? [21]. He sees the media as creating a society of private fragmented individuals for whom it is difficult to form the public rational-critical opinion which could oppose established power. He attacks the media for providing a pseudo-public sphere which distracts the laity from political action, being a sphere of public relations and passive spectatorship rather than genuine public debate [20].

Traditional media of radio, television and newspapers have often been constrained in their accountability responsibility due to constraints of economic marketing and regulatory pressures. This is the case in Africa where the limited size of the domestic economy and the absence of critical advertising infrastructure, like independently audited circulation figures, independently determine the audience ratings. Waisbord [23] in a case study of Latin America suggests that a strong co-dependence exists between the state, market and the press. This often results in severe challenges to the ability of the news media to be watchdogs, agenda setters and gatekeepers.

For example, unregulated influence of governments and markets coupled with the close proximity between officials and

business interests have historically undermined the media's role in democracy [21-25].

For instance, ownership structures limit the spectrum of possible issues that the news media can address in investigative journalism. It is not likely to uncover corporate corruption since major economic players also own the media. There is also editorial partisanship which is the norm rather than the exception. The market can also act as a constraint where the advertising industry is not sufficiently developed especially as few media outlets can survive financially outside state control. In most African countries most media depend on the state for advertising. With states posing such a huge challenge to the capacity of the news media to fulfill their ideal roles as watchdogs, agenda setters and gatekeepers, the new social media can be an asset to watchdog reporting.

The hopes of the new media fulfilling this role is further buttressed by McQuail [24] who contends that the new media provides a means to provide political information that gives room for the establishment of unlimited access to different voices and feedback between leaders and followers. It also provides a new forum for the development of interest groups as well as the formation of public opinion while allowing for dialogue between policy makers and active citizens to take place. But perhaps more than this, it provides an arena where public discourse and public opinion can take place. This has brought about a new public discourse without a tangible location but people converge in order to deliberate about national issues and make their opinions. The formation of virtual communities that come together for discourse over important national issues makes the social media the new public sphere [20,26].

The new public sphere of the social media provides a space for the marginalized to speak such as minorities and women who were excluded in the old public sphere. In the new public sphere for instance, women participated very actively during the Arab Spring and formed a veritable bulwark of opinion moulders that brought about accountability and change in the Arab states.

Under the old public sphere women could not express themselves. Their voices were suppressed as traditionally, women were not expected to engage in the political discourse.

In Egypt, women were in the forefront during protests in Cairo and elsewhere in Arab countries [27]. For instance, Asma Mahfouz, an online female political activist is credited with launching a video call that sparked the revolution against the autocratic military rule of US backed President Hosni Mubarak. So much has been written and documented about the Arab Spring. However, what seems pretty clear from the body of literature produced is that the social media acted as a catalyst for change.

The new social media has also given birth to the concept of Citizen Journalism which is defined simply as a citizen who uses mass audience reaching tools such as the Internet and mobile phone technology to spread information and receive feedback thus creating a platform for deliberations of sorts. Citizen is emphasized because participants partaking in the information dissemination are deemed to have a stake in what becomes of

that society. In other words, they are critical stakeholders who are interested in the development of that society. What differentiates citizen journalism from its concentrated participatory nature is that in citizen journalism, the producers are also the consumers and the consumers are also free to become producers as well vice-versa. Citizen journalism has contributed a lot by encouraging citizen participation in a manner that gives them the power to hold government accountable. They wield powers that make them a whistleblower and opens up a degree of anonymity on the internet. They are able to evade being identified from retributive justice by dictators. They also make available channels that tell the untold stories that otherwise won't make the traditional media, hence giving a voice to the voiceless and making deliberations on issues that concerns citizens more representative.

While the New Social media provides ample opportunity for citizens to engage the government, there are limitations as observed by Moyo [26], in his study on blogging down a dictatorship in Zimbabwe. His findings revealed that despite the internet's power as a tool in promoting people's right to communicate, it is limited by two factors. Unequal access to the infrastructure and liberal social movements that are somewhat elitist in their configuration - thus not as totally popular or representative as democratic practice would have it be. There is also the limitation of citizen journalism being turned into hoaxes, thus raising false alarms or leading to wrong decision-making and the free ability of governments to take up the same tools such as the internet to spread propaganda.

Howbeit, citizen journalism thrives in a democracy only when the citizens take upon themselves to actively engage governance, deliberate and come up with solutions among themselves and impact governance in their respective societies no matter the barriers to freedom of expression. In order to have active participation in governance and not limit it to only a few, the attitude of the generality of the populace must change towards governance. Tomi Oladepo says that they must adopt and imbibe an attitude of I-want-to-know-what is going on culture [28-30].

They must adopt an inquisitive mind about governance and not be docile to information served them by the state. If government dominates the traditional media, they have an alternative in the social media. They can challenge the figures provided in the budgets and hold government agencies accountable through proper scrutiny. For instance, in Nigeria, the yearly budgets provided by the Ministries of Finance and approved government budgets are now available on the Internet and accessible for the citizens.

Accountability in the Public Sphere

Accountability has been defined by Feintuck and Varley [28] from a legal perspective and offers its definition in two parts. One of these is "a requirement to give an account of one's actions, either directly to the public, or via public authorities". Secondly, it means "being liable to sanctions if found in breach

of some requirement or expectation attaching to the exercise of power" [31].

However, according to Anne Katrina for, accountability to happen in the public sphere, a space must exist between the state and civil society where, both government and the citizen exchange information and services. For instance, the citizens communicate their demands to the government and if they are satisfied with how these demands are met by the government, they accordingly reward the government with legitimacy of office. The government provides the rules and regulations as well as public goods and services to the citizens which must be accounted for. As, service delivery without accountability is insufficient to achieve good governance. Citizens are therefore, stakeholders in the public sphere where effective communication among them raises the citizen's voice and thereby strengthens accountability [32].

The social media in the public sphere accountability posits that the social media can directly hold those in power/government to account by acting as watchdogs over leaders.

- It provides a platform for robust, constructive public dialogue in the public sphere.
- It provides a platform for those in power to answer for their action and
- Improve participation.

Although the social media provides the platform for citizens and civil societies to engage government in an unfettered access, in the open quest for transparency and accountability, governments too are also discovering the use of the social media as a means of promoting their activities in response to the challenge by citizens and civil societies.

The use of the social media by governments is creating the means to improve governance. For Instance, social media is providing the means for easy publication and the rapid spread of information, thereby creating a transparent atmosphere that can strengthen citizens' goodwill towards government. In the words of Anita Dunn, former White House Communications Director for President Barak Obama, "If you are not communicating with social media, you are leaving a growing part of the population out of the conversation" [33]. It is not social media versus the conventional press. These are not competitive channels. It is an additive process. In other words social media complements the traditional media. If you are only communicating through the social media, you leave out a significant part of the population. And if you communicate only through traditional media, you leave out a significant amount of the population [33].

That is why governments are communicating in all platforms just like the citizens; NGOs and civil societies have become dexterous in the use of social media platforms for activism.

Governments too, have learnt to use the social media to counter attacks and to present their own side of the story. While in the U.S Government, communication directors combine both responsibilities for social media and traditional media, the Nigerian government has appointed a Special Adviser to the President on Social Media. As governments are discovering, web

pages, social media and mobile technology hold great potentials to enhancing communication between governments, journalists and citizens.

Government communicators can get more information out faster to reporters than when they are physically present in the newsroom. Governments can use tweets and blogs to clarify information, deal with rumours and counter falsehood and misinformation. Governments can also present their information, pictures and videos directly to the public without going through the filters of the news media. For instance, when so much rumours and falsehood were being spread about the health status of President Muhammadu Buhari of Nigeria his media advisers were always quick to send pictures of his meetings with government officials in London where he was undergoing medical treatment. In one instance, the social media had it that he was dead.

But several pictures of his meetings with government officials from his vacation home in London went viral in both the social media and the traditional media.

The social media has opened up avenues for access to government and government officials and created the avenue for possible new community driven initiatives. Moreover, it saves time and money and provides information through social media channels which is faster, easier and cheaper to access particularly by younger people who tend to use, read and operate in the social media space. The social media creates new ways of working through online collaboration across government departments and with citizens. This has led to changes in the way government operates and develops policy.

The Nigerian Federal Ministry of Finance has created a website through which it posts the monthly Federal allocation to states and the Federal Capital Territory. Through the postings of what is accrued to each state, citizens are able to monitor precisely what each state derived from the federation account. It provides the platform to engage state governments and hold them accountable in terms of how they utilize the state resources.

In the move to ensure open disclosure of information, the Nigerian Vice President on 22nd September, 2017, launched the public –private partnership Web portal. The Web portal which was built with the aid of the World Bank is to ensure public accountability and open access to good governance. All information about government and private sector partnership in the execution of and awards of contracts will be in the public domain.

While such open disclosure of information is to ensure open accountability in governance, there are fears that unless citizens are engaged and made to overcome their inertia and general participation, such web portals may remain dormant without achieving the purpose to which it was put in place for in the first place.

Censorship of Social Media

A Quartz Africa Report on the Internet performance in African countries states that in 2016, government directed internet

outages became the rule rather than the exception as many African governments intentionally disrupted the internet or electronic communication with the intention of exerting control over the flow of information and thereby infringing on freedom of expression [34].

According to the report, the interruptions occurred during critical electioneering periods as was the case in Gabon, and during protests advocating for social justice in Ethiopia. For instance, such shut downs were witnessed in the Gambia in the period preceding the 2016 elections [34].

In Ethiopia, after months of protests that led to the death of hundreds, the Ethiopian Prime Minister Hailemariam Dessalegn was said to have decried the use of the social media in a speech delivered at the United Nations describing it as a tool to exploit people's genuine concerns and spread their message of hate and bigotry without any inhibition”

In Nigeria, legislation was another way governments tried to subvert the use of the internet and social media. The hash tag #No to social Media Bill was used to protest a proposed bill that will jail for two years or fine \$10,000 anyone posting an “abusive statement” on Twitter, WhatsApp or any form of social media [34].

Many countries in Africa according to Access Now have in their draft Cybercrime laws in Kenya, Ethiopia, South Africa and Zimbabwe significant elements of concern in using and accessing the internet. Many clauses in the bills placed restrictions on whistleblowers and digital security researchers.

Similarly, The Freedom House 2016 Report “Silencing the Messenger::Communication Apps Under Pressure” states that more governments than ever before have targeted social media and communication Apps as a means of halting the rapid dissemination of information, particularly during antigovernment protests. The report further highlighted the fact that public facing social media platforms like Facebook and Twitter were subjected to censorship for several years. While a new trend by governments is to target voice communication and messaging apps such as WhatsApp and Telegram. These services are able to spread information and connect users' more securely while making it more difficult for the authorities to control information or conduct any form of surveillance.

According to the report, governments censored more diverse contents as they expanded their censorship dragnet to cover a growing diversity of topics and online activities. Among the sites and pages censored in many of the countries included those through which people initiated digital petitions or calls for protests. Websites and online news outlets that promote views of political opposition groups were also among those targeted [2].

Similarly, contents and websites that dealt with the issues of LGBTI [lesbians, gays, bisexuals, transgender and intersex] were also increasingly blocked or taken down on moral grounds. Censorship of the written word has intensified likely due to the ease with which users can now share them and the fact that they often serve as compelling evidence of official wrongdoing.

In authoritarian countries, governments used antiterrorism laws to prosecute users for simply writing about democracy, religion, or human rights [2].

The internet remained a key tool in the fight for better governance, human rights and transparency. For instance, in more than two-thirds of the countries in the study by Freedom House, internet based actions had led to some sort of tangible outcomes. From the defeat of a restrictive legislative proposal to the exposure of corruption through citizen journalism. In Nigeria for example, internet activists helped to thwart a bill that would have limited social media activity in the country. In many other countries, individuals are using messaging apps as private social networks where they can enjoy greater freedom of expression than on more established public facing social networks such as Facebook and Twitter. New messaging and calling apps also provide greater anonymity than conventional voice and SMS services that can be tracked due to SIM card registration requirements. Several others offer end-to-end encryption that prevents wiretapping and interceptions. Activists and human rights defenders in repressive countries have found ways to protect their communication by convening on WhatsApp, Vibe and Telegram in order to share sensitive information conduct advocacy campaigns or organize protests [2].

Penalties for Social Media Infractions

While many governments attempted to place restrictions on the access to social media and communication platforms, far more turned to traditional law enforcement methods to punish defaulters and deter users. Since June 2015, police in 38 countries arrested individuals for their activities on social media compared with 21 countries where people were arrested for content published on news sites or blogs [2].

The increased penetration of the social media in countries considered as repressive has enabled discussions and information sharing on issues that governments deem sensitive which often results into arrests of journalists and politicians, activists and ordinary citizens who may not be aware they are crossing the red line.

In Nigeria, two Premium Times journalists were arrested by the Nigerian Police following their reports of corruption allegations against the Nigerian Chief of Army Staff. General Tukur Buratai. Security officials sent plain clothed officers to arrest the publisher Dapo Olurunyomi and one of its correspondents that cover the judiciary, Evelyn Okakwu. This raid by the police led Amnesty International to condemn the action. while, CPI had called on the Nigerian authorities to drop the charges against the journalists and to desist from further attempts to intimidate the media. Lawyers of the Nigerian Chief of Army Staff had filed charges against the social media and the arrests of the journalists came a few weeks after the publication of the website [35].

Omoyele Sowore of the Sahara Reporters is another reporter who also suffered similar fate at the hands of security agents when the police in Lagos arrested him on criminal charges of defamation and blackmail. The online publication had in its January 2016 report that Mr. Fatodu stood as front for a former

Minister of Aviation, Femi Fani Kayode in the mismanagement of funds meant for the purchase of arms for the military. Mr. Fani kayode is standing trial on allegations that he received funds from a former National Security Adviser, Sambo Dasuki. Sowore is the founder of Sahara Reporters and it is out to promote citizen journalism and to expose corruption, human rights abuses and other political misconducts.

A Nigerian Senator, Shehu Sani, spoke out against the arrests by security agents. He said “The increasing arrests points to a nation repulsive and allergic to free press and slowly gravitating towards authoritarianism.”

Before this incident, in 2014, Tonye Okio who was a former aide to the governor of Bayelsa State, Timipre Sylva at the states liaison office in Abuja had spent 86 days in prison in Bayelsa. His arrest and subsequent detention without trial in a Bayelsa prison over a comment he was alleged to have posted on Facebook sparked off a public outcry and condemnation in the print, electronic and social media. He was arrested because he had criticized a serving governor of Bayelsa state, Seriake Dickson on Facebook who ordered the police to arrest him in Abuja and take him down to Bayelsa State.

In the northwestern Katsina State of Nigeria also, a Facebook critic of the Katsina State Governor, Aminu Masari, Ibrahim Bature remained in prison for over 35 days after his arrest.

The police had arrested Bature on August 28th, 2017 on charges of inciting disaffection to the government and defamation of character. An F.I.R read that sometimes in July 2017, Bature published and tweeted false report that Governor Masari was trying to ruin the state's future by collecting loans worth N77, 7 billion and that the government was going for another loan of USD 110 million to build hospitals in 34 local governments.

Among the allegations against Bature was that he had said in a video “Comrades and activists of Katsina state let us form a strong coalition and collectively say enough is enough. Enough of this nonsense, we did not agree on this idea”.

Instead of the Katsina government refuting such allegations using the media and social media platform with facts and figures, it resorted to using the law enforcement to arrest, intimidate and suppress such social media activists.

In the course of carrying out their duties, Journalists and social media activists sometimes face attacks by security officials. Such attacks against them may go unprosecuted, and in an environment in which such impunity against attackers combines with the threat of legal prosecution and harassment in connection with critical coverage, this could encourage self-censorship.

Conclusion

That the new social media technologies is enhancing democratic debate and citizen empowerment across Africa is not in doubt. The democratic space has been further expanded with the participation of the social media, however, the promise with which it is held as an alternative to the traditional media in

the public sphere of accountability has brought its users into conflict with governments.

The possibilities created by the new public sphere channels for people to come together in order to combat corruption, wasteful spending or abuse by government through sharing of sensitive information, advocacy campaign, organize protests, discuss, analyze and deliberate on issues beyond geographical boundaries as is now obtainable through Facebook, Twitter, WhatsApp, Tumblr, etc. faces new challenges and constraints.

While Nigeria allows a relatively open Internet environment, bloggers, journalists and social media activists when not incarcerated, face intimidation, harassment, arbitrary arrests and even torture. In Africa there are full panoply of repressive measures to control the internet and invariably the flow of information. Moreover, many countries have cybercrime laws which raise significant elements of concern in using and accessing the internet. However, to circumvent these restrictions, and make the internet an open and secure platform for all, different organizations, NGOs, civil societies and communities must work together to protect these digital platforms and human rights

The role of the social media should be to facilitate the creation of viable alternatives to state-controlled media; In this regard therefore, adequate care needs to be taken in order to create an environment in which new technologies can foster citizen empowerment, which in turn will provide for good governance and accountability in Africa.

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