Democratic Diffusion or Autocratic Learning?
A textual similarity analysis of African right to information laws

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Paper presented to the EPSA Conference, Madrid

Abstract:

Autocratic learning is not reserved for autocracies alone. Recent writings on both autocratic diffusion and democratic regression show how lawmakers are inserting restrictive provisions, manipulating formulations, and subverting intended democratic laws. Emulation and learning are highlighted as key diffusion mechanisms where autocratic-minded actors are learning how to undermine democratic laws and institutions from previous examples. However, few studies of diffusion theorize on learning and emulation across regime types; Theories of democratic diffusion does not incorporate, and subsequently cannot explain, the increasing trend of subverting democratic forms for non-democratic purposes, while theories of authoritarian diffusion do not (yet) capture how autocratic ideas and practices can spread to democratic regimes.

This paper examines autocratic diffusion as one possible explanation for subverting democratic laws across regime type. The study combines quantitative and qualitative text analysis methods to first measure textual similarities (i.e. copying) across laws and second trace instances of autocratic subversion to later laws (i.e. learning). It focuses on Right to Information (RTI) laws in Africa. African RTI laws are known to be paradoxical and have been adopted by liberal democracies and autocracies alike. Some of these laws limit information rights instead of enhancing them, and the continent is countering a global trend of adopting increasingly stronger laws to guarantee the right to information. This paper shows that instances of autocratic learning happen in all regime types, autocracies and democracies alike. Additionally, this paper highlights how autocratic learning can happen within processes of democratic diffusion, like the spreading adoption of RTI laws globally.

Keywords: diffusion, democratic diffusion, authoritarian diffusion, autocratic learning, textual analysis

Word count: 9.345 words, excl. references

1. Introduction

The study of democratic diffusion – a well-established field within political science – has long explored how democratic norms, institutions, and legal frameworks spread across countries (Brinks & Coppedge, 2006). By contrast, the emerging scholarship on autocratic diffusion examines how authoritarian ideas and practices circulate, often focusing on autocratic regimes alone (Ambrosio, 2010). Despite growing recognition that autocratic diffusion can occur even within ostensibly democratic processes (Ambrosio & Tolstrup, 2019; Hall & Ambrosio, 2017), these two strands of literature rarely engage with each other. This disconnect limits our understanding of how democratic norms may be simultaneously adopted, adapted, and subverted across regime types. Bridging these literatures is essential for capturing the complex dynamics of political diffusion in a world where democratic erosion and authoritarian resilience increasingly intersect.

At the same time, there is heightened attention to the role of legal frameworks in undermining democratic rights and freedoms (Bermeo, 2016; Corrales, 2015; Scheppele, 2018). While it is well-known that autocratic regimes often employ "democratic" laws as façades – through mechanisms such as limited implementation or superficial reforms – recent scholarship reveals a more nuanced phenomenon. Autocracies are not merely engaging in symbolic window dressing; they are actively imitating and manipulating democratic laws and institutions, but these work in different ways that they do in democracies (Ginsburg, 2020; Schedler, 2013).

Moreover, recent studies show that these repressive legal strategies are no longer confined to autocracies alone but are spreading into democratic regimes as well. Glasius and colleagues (2020) show how the likelihood of a country adopting restrictive civil society regulations increases when more neighbouring countries have previously introduced such restrictions. Schumann's (2025) study of restrictive internet policies shows how neighbouring governments learn from each other about acceptable levels of rights restrictions. Both of these studies focus on how governments learn from their regional environment and importantly include both autocracies and democracies in their sample. These contributions highlight the need for studying diffusion patterns across regime types and challenge traditional conceptions of how regime type determines diffusion patterns.

This paper asks: *How are processes of democratic diffusion being compromised through instances of autocratic learning?* To explore this question, the study focuses on Right to Information (RTI) laws in Africa – legal frameworks commonly celebrated as markers of

democratic diffusion and good governance (Banisar, 2006). The African context offers a compelling case, as it has witnessed a recent wave of RTI legislation that, in some cases, runs counter to a global trend of adopting stronger laws to guarantee information rights. Notably, some African RTI laws limit access to information instead of expanding it, illustrating the paradoxical nature of their democratic qualities (Adu, 2018).

Employing a mixed-method approach that combines quantitative textual similarity analysis with qualitative analysis of diffusion in legal texts, this study traces patterns of copying and learning embedded in RTI laws across African countries. The findings demonstrate that autocratic learning occurs across regime types, shaping even those laws that remain relatively strong in their commitments to ensure information access rights. This learning manifests in varied and nuanced ways: while the overall intent of many RTI laws is preserved, the study identifies the diffusion of authoritarian features – such as restrictive time limitations for information disclosure, political appointments of information officers, and exemptions favouring the presidential office – that undermine key accountability mechanisms. These elements, often introduced on politically sensitive issues, reveal how autocratic tendencies are embedded within processes commonly understood as democratic diffusion. Importantly however, while these instances of autocratic learning do occur they vary in their severity, or repressiveness, and do not necessarily subvert the overall meaning of the law.

By examining these dynamics, this paper contributes to two broad scholarly debates. First, it advances diffusion theory by integrating democratic and autocratic diffusion literatures, highlighting the need to consider cross-regime learning and emulation as intertwined phenomena. Second, it speaks to ongoing discussions about the nature of "repressive laws" and what constitutes restrictive legal provisions, notably in the regulation of democratic rights such as the regulation of civil society organisations (DeMattee, 2018; Dupuy et al., 2016) and digital spaces for freedom of expression (Garbe et al., 2023; Schumann, 2025). This paper underscores that autocratic learning is neither confined to autocracies nor always manifested through overtly repressive legislation. Instead, diffusion processes are complex and heterogeneous, with autocratic ideas subtly permeating democratic legal frameworks without fully undermining them. It shows that autocratic learning shapes democratic laws in significant yet varied ways, revealing a complicated picture of legal reforms where democratic gains coexist with the persistence – and sometimes the spread – of authoritarian strategies.

2. The Global Spread of Right to Information Laws

Right to information (RTI) laws, also called freedom of information (FOI) laws, are legal frameworks that grant citizens, residents, and other interested parties the right to access information held by government bodies without needing to prove a legal interest (Ackerman & Sandoval-Ballesteros, 2006, p. 93). While citizens' right to access information is often laid down in constitutions, an RTI law is a legal instrument to give power to this right and details how to realize and exercise it. In practical terms, having a functioning RTI regime in place means that citizens (and others) have both the right and the means to request, access and obtain information from government bodies about official rules and activities (Berliner, 2014; Luscombe & Walby, 2017). RTI laws usually cover a broad spectrum of information, ranging from personal records like health, education, and property data to public government activities such as budgets, tax and subsidies, procurement and tender processes, and so on.

The principle of 'right to information', or more popularly called 'citizen's right to know' (Article19, 1999), has gained momentum in international policy-making and shaped transparency law, policy, and practice (Diallo & Calland, 2013). RTI laws are often described as legal mechanisms for transparency and government accountability, and regarded as essential democratic instruments promoting openness, good governance, and citizens' active participation in political life (Afful-Dadzie & Afful-Dadzie, 2017; Berliner, 2014; Darch & Underwood, 2010; Michener, 2011). Put briefly, RTI laws are meant to improve democratic governance practices.

The global diffusion of RTI laws has seen a near exponential growth since the beginning of the 1990s (Banisar, 2006; Relly, 2012). Spreading across the world, today over 120 countries have an RTI law, covering most of Europe, America and Asia (Ackerman & Sandoval-Ballesteros, 2006; Banisar, 2005, 2018; Vleugels, 2012). The adoption of RTI laws is usually seen as a sign of democratic diffusion, as the spread of RTI laws has become one way of measuring the global diffusion and spread of liberal democratic norms and values. Developed and developing countries all around the world have adopted RTI laws as part of the agenda to improve their democratic governance (Adu, 2018, p. 2), and adoption is commonly viewed as a sign that these governments are committed to liberal democratic values (Banisar, 2006, p. 80).

However, laws intended to ensure democratic rights are not always designed to do so. The specific content of RTI laws varies greatly (Ackerman & Sandoval-Ballesteros, 2006). The dominant understanding of the adoption of RTI laws in the existing literature is that they are

vehemently opposed by unwilling and hesitant political actors and must be forced on them in a valiant struggle by local and international civil society advocates (Michener, 2010). The resulting law will be the product of this process, wherein political actors either succeed or fail in resisting this pressure. In fact, Banisar (2006) notes how the global push towards openness and transparency laws has led to a number of countries adopting RTI laws only in name, not in spirit.

There is thus a great variety in the content and quality of RTI laws around the world. On the African continent, the conditions that have made information access rights both important and hard to implement in the Global South generally, are found in their most extreme forms (Darch & Underwood, 2010). Vague formulations and contradictions make the laws weak guarantees for the right to information, rendering their use highly dependent on the interpretation of state and administrative workers, which public officers especially in less democratic settings often deploy for mischievous purposes (Asogwa & Ezema, 2017, p. 332).

Furthermore, RTI laws can be subverted into political tools aiming to restrict access to information, enshrine secrecy, and stifle criticism (Darch & Underwood, 2010; Diallo & Calland, 2013). A prominent example is the Zimbabwean Access to Information and Privacy Protection Act (AIPPA). Despite carrying the phrase 'access to information' in its title, it was used to stifle the free press rather than encouraging any kind of information access right (Banisar, 2018, p. 20; Darch & Underwood, 2010, p. 209).[1] AIPPA contains numerous contradictions to democratic norms and international standards; notably, it uses the notion of 'public interest' to justify *refusing* to release information, which is an extraordinary inversion of the usual practice of *releasing* information when it serves the public interest (Article 19, 2004, p. 6).

African countries did for a long time 'lag behind' the global norm of adopting RTI laws (Banisar, 2006; Diallo & Calland, 2013). There has been a recent flurry of adopting RTI laws, with twenty out of twenty-five African RTI laws adopted from 2010 onwards (Amanfo & Selvik, 2020). Figure 1 illustrate the recent spread of RTI laws in Africa.

[1] The Zimbabwean AIPPA was adopted in 2002, and updated in 2007, but has since been replaced by a new and slightly improved RTI law in 2020.

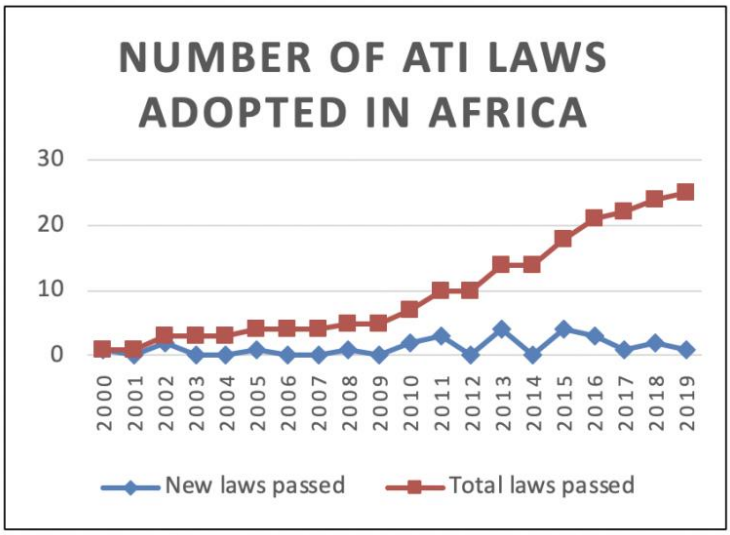

Figure 1: Collected from (Amanfo & Selvik, 2020). [This figure will be improved (and updated with most recent laws) in next version of the paper. Aim for now is to illustrate the exponential adoption of RTI laws in Africa.]

The spread and adoption of RTI laws in Africa has been paradoxical (Adu, 2018). For one, RTI laws have been adopted by African democracies and autocracies alike, ranging from the highly saluted South African PAIA (2000) to the infamous Zimbabwean AIPPA (2002), regarded the most egregious RTI law in the world. The South African Promotion of Access to Information Act (PAIA) has some of the most progressive features of any law in the world (Banisar, 2006). It is recognized as a model piece of legislation to follow (Darch & Underwood, 2010, p. 237) and was central when the African Commission drafted regional standards and best practices for access to information legislation (Shyllon, 2018).

Furthermore, many of the current African RTI laws contain several restrictive clauses and provisions. On the whole, African RTI laws are criticized for weak guarantees for citizens' actual access to information, with vague formulations of public interest and national security and long lists of information exempted from disclosure, with strict penalties for public officials who share state information (Asogwa & Ezema, 2017; Martini, 2014; Salau, 2017). All of this encourages a continued 'culture of secrecy' (Darch & Underwood, 2010). Indeed, measured to international standards for RTI legislation in Figure 2, it seems that African countries are countering a global trend of writing increasingly stronger RTI laws. This graph illustrates how Africa was a 'late starter' in RTI adoption and that the continent has a sharp negative trend line in the average quality of laws adopted.

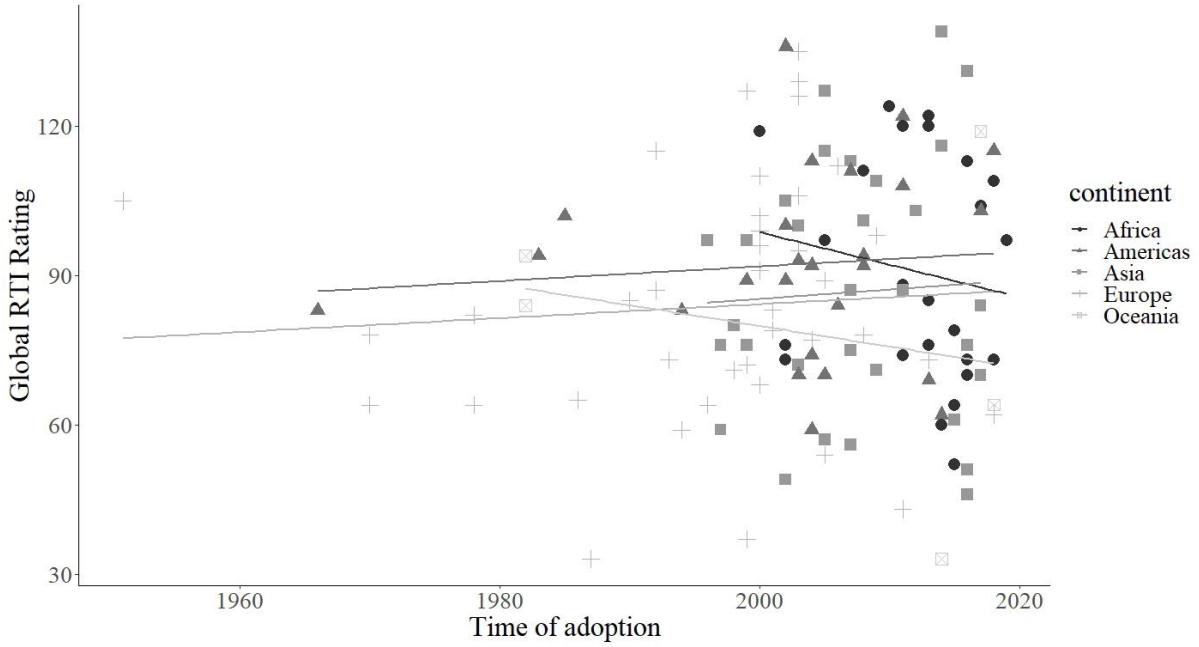

Figure 1. Continental trends of RTI laws by year of adoption and most recent Global RTI Rating (per January 2021), produced by the Centre for Law and Democracy and available at https://www.rti-rating.org/. The graph spans from year 1950 to 2020, the earliest observation being the Finish law of 1951. The trend lines for Americas (N=26), Asia (N=31) and Europe (N=40) show an increase in RTI Rating, while the ones for Africa (N=24, missing score for Guinea) and Oceania (N=5) shows a decline.

With this in mind, and returning to the notion of RTI adoption as the spread of democratic norms, we need to know more about what actually diffuses within RTI laws, in Africa as well as globally. One perspective on the spread of RTI adoption is that "the mere fact of having enacted an [RTI] law makes leaders look good and international actors feel pleased – largely irrespective of the legal quality of what was passed" (Michener, 2011, p. 147). Another perspective is the wide recognition that there is great variety of the content of these laws, and that an RTI law in name does not guarantee the right to information.

Relatively few scholarly contributions have examined what shapes the content of these laws. Some notable diffusion studies have emphasised the conditions for RTI adoptions.

While Relly (2011) examines conditions for RTI adoption such as regional diffusion effects and the presence a strong media sector, Berliner (2011) finds that electoral uncertainty affect political incumbents' decision to adopt RTI laws. However, both of these studies merely look at whether a law is adopted or not. By contrast, Berliner (2014) studies different draft stages of RTI laws in Eastern Europe and shows how the involvement of transnational advocacy groups improves the quality and strength of the final adopted laws. Michener (2010) explain legal strength of RTI laws in Latin America with having a president who lacks control

over the legislature and news media coverage of access to information laws. Besides these cross-national studies, most of the scholarly work on RTI laws are case studies on smaller samples. This merit a better systematic understanding of the content of these laws.

4. Autocratic Learning Within Processes of Democratic Diffusion?

Autocratic learning is not reserved for autocracies alone. Yet, theories of diffusion have tended to treat democratic and autocratic diffusion as separate phenomena, with limited theoretical engagement on how learning and emulation may travel across regime types. Few studies of diffusion theorize on learning and emulation across regime types; Theories of democratic diffusion do not incorporate, and subsequently cannot explain, the increasing trend of subverting democratic forms for non-democratic purposes, while theories of authoritarian diffusion do not (yet) capture how autocratic ideas and practices can spread to democratic regimes.

This paper posits that autocratic learning can – and does – take place within processes conventionally understood as democratic diffusion, regardless of regime type. The phenomenon of autocratic learning should increasingly be recognized as transcending regime boundaries, occurring not only within autocracies but also within ostensibly democratic contexts. Central to these processes are mechanisms of emulation and learning, whereby autocratic-minded actors, in democracies and autocracies alike, observe, adapt, and incorporate practices from previous examples to strategically weaken democratic governance.

Empirically, this suggests that autocratic features embedded in legal texts function as models that inspire like-minded lawmakers across countries, leading to the diffusion of restrictive legal provisions that erode democratic rights within the very frameworks intended to protect them. Diffusion, broadly defined as the spread or dissemination of practices (Elkins & Simmons, 2005), thus operates on two interconnected levels in this context: first, through the adoption and formal replication of democratic laws, and second, through the spread of subtle or explicit authoritarian adaptations that subvert those laws' democratic purposes.

This dual-layered dynamic challenges common assumptions in diffusion theory. The widespread adoption of democratic laws is often read as evidence of norm convergence and the spread of liberal values (Brinks & Coppedge, 2006; Elkins & Simmons, 2005; Finnemore & Sikkink, 1998). This view rests on a normative expectation that democratic regimes produce democratic laws aligned with international standards, while autocracies deviate from such

norms.[2] Indeed, the reality documented in studies of authoritarian diffusion reveals that autocratic and hybrid regimes often appropriate democratic institutions and legal frameworks, manipulating them to forestall genuine democratization (Ambrosio, 2010; Hall & Ambrosio, 2017; Hug, 2016). Ambrosio (2019, p. 2744) defines authoritarian diffusion as "the process by which the institutions, organizations, policies, strategies, rhetorical frames, norms, etc., which establish, protect, or strengthen authoritarian rule, are reproduced from one authoritarian system to another." Importantly, this diffusion involves active manipulation and deviation from democratic norms. Thus, when autocratic actors adopt model democratic laws, they often alter or invert legal provisions to serve authoritarian ends.

Recent developments in diffusion scholarship underscore that autocratic diffusion operates through the same fundamental mechanisms as democratic diffusion (Hall & Ambrosio, 2017). Law-making occurs within interconnected domestic, regional, and global legal-political ecosystems where actors rarely innovate in isolation but instead draw inspiration from external models (Elkins & Simmons, 2005). This is evident in diverse settings, from colonial 'blueprinting' (Berinzon & Briggs, 2016) and 'copy-paste' legislation in U.S. states (Funk & Mullen, 2018; Spirling, 2012), to the diffusion of Soviet-era legal frameworks (Bader, 2014), and the adoption of international norms facilitated by landmark judicial decisions (Eko, 2016) or model laws (Adeleke, 2018; Shyllon, 2018).

However, instances of autocratic learning in law-making can take multiple forms. One prominent strategy is the insertion of specific provisions that fundamentally invert a law's democratic intention while being obscured by otherwise democratic-appearing text. Corrales (2015) describes this as 'autocratic legalism', whereby laws contain clauses empowering citizens or political groups but simultaneously embed provisions that disproportionately advantage the executive or ruling elites – a "devil in the detail" approach that undermines democratic accountability under the guise of legality. Other forms of subversion include vague, contradictory, or selectively weakening provisions that erode certain rights while maintaining others, such as authoritarian-minded law-makers re-engineering constitutional checks on executive power to dilute legislative oversight (Cox, 2014). Such tactics illustrate how

[2] This theoretical point of departure of making democratic laws or breaking with recognised international standards has a highly normative aspect to it, because it involves the notion of 'appropriate' or 'proper' behaviour and aims at identifying norm-breaking behaviour (Finnemore and Sikkink 1998).

democratic institutions and laws are not only co-opted but carefully redesigned to preserve an authoritarian status quo.

However, the travelling of restrictive provisions in laws can also be the result of more nuanced processes. In the context of restrictive NGO laws, Glasius et al. (2020) demonstrate how lawmakers in both democratic and autocratic states learn from examples by copying recently enacted provisions from regional precedents and how a wide range of considerations affect whether they adopt repressive provisions or not. These patterns suggest that alongside the diffusion of democratic standards, a parallel and simultaneous diffusion of autocratic legal techniques occurs, with regressive laws and legal provisions serving as 'inverted models' that inform subsequent legislation.

Recognizing this complexity, democratic diffusion cannot be understood solely as progress toward liberal norms but must also account for how democratic legal frameworks may be compromised from within through autocratic learning. Hence, just as model democratic laws provide templates for rights-enhancing legislation, prior autocratic adaptations and innovations within such laws become blueprints for further restrictions. This reframing expands diffusion theory by acknowledging that autocratic learning is not reserved for autocracies alone and that complex law-making processes and legal reforms involve not only the transmission of normative democratic ideals but also the dynamic contestation and negotiation of those ideals shaped by competing political interests and strategies.

Note to the reader: This paper is currently undergoing re-construction. What you have read so far, follows the new revision. Unfortunately, the Data and Methods section and the Findings sections have not been streamlined yet.

The "old sections" below therefore have strong traces of the old framework of 1) first, identifying instances of textual manipulation, and 2) identify how this travels to later laws. In the revisions, I hope to streamline this to only focus on the diffusion element. The "old" analysis also placed a lot of emphasis on how African RTI laws are deviating from so-called "model laws".

The findings section includes some "add-on" pages at the end, with what I would like to present as the main findings. I find these more meaningful that the "old" findings. I would very much like your thoughts on this part.

5. Data and Methods

Interested in manipulation of recognised standards and democratic norms and how this manipulation travels, this study analyses textual similarities and dissimilarities across African RTI laws and model laws. In order to investigate the potential manipulation of international standards and norms, domestic laws are first compared to the recognized model laws, the South African law (2000) and the African Union Model Law (2013), referred to in the text respectively as SAF-2000 and AU-2013. To trace how manipulation potentially travels to later adopters, the study also compares similarities from earlier to later domestic RTI laws.

The idea of examining textual similarity, i.e. text reuse or copying, between texts is an established approach to the study of diffusion in comparative law and 'legal transplants' (Watson 1974[1993]). More recently gaining traction in political science, studies of diffusion increasingly seek to examine textual similarities and trace 'who takes after whom' in lawmaking (Bader 2014; Eko 2016; Glasius et al. 2020). Measuring and tracing textual similarities can shed light on questions that involve the spread of words or ideas (Funk and Mullen 2018, 135), be they democratic or non-democratic – or merely an indication of what serves as 'a model' or inspiration. [Note to reader: this method presentation will be updated with recent developments and contributions to studying legal similarities quantitatively, such as Allee and Elsig 2019; Alschner et.a. 2019; Chalmers et.al. 2024; Rauh 2021.]

The texts for analysis are the RTI laws of the 25 African countries that have adopted a law, per January 2021, as well as the AU Model Law (2013). The legal texts are adopted and recognised RTI laws, mainly collected from the RTI Rating database for national legal frameworks commonly recognized as RTI laws.[3] Different translations of the AU Model Law (2013) were downloaded from the African Commission on Human and Peoples' Rights website.[4] Including all officially adopted versions, in cases where a country has amended and adopted a law anew, the total of legal texts counts 31 (see Appendix B for full list of African RTI laws, with date of adoption, original name of law, and updated versions). The textual

[3] Adopted and recognized RTI laws in Africa (per Jan 2021) are mainly collected from the RTI Rating database (rti-rating.org) but supplemented by the Africa Freedom of Information Centre (AFIC, africafoicentre.org), the FreedomInfo.org (freedominfo.org/), and Open Society Justice Initiative (2019). Downloads done between June 2019 and January 2021.

[4] The AU Model Law can be accessed at: https://www.achpr.org/legalinstruments/detail?id=32. Downloads done between 20 June–23 October 2019.

analysis is divided by language, and relies on official versions or official translations of the laws in one of the colonial languages, English, French or Portuguese.[5]

This study combines quantitative and qualitative approaches to text analysis. It first employs quantitative methods to measure textual similarities and dissimilarities, and second uses this as a departure point for qualitatively identifying and tracing textual manipulation in and across domestic laws. The initial quantitative measurement of textual similarities is reported in full in Appendix C. First, Appendix C.1 reports textual similarities from domestic laws to preceding model laws and from earlier to later domestic RTI laws, indicated by the Jaccard similarity measure (0–1) and calculated with the *textreuse* package (Mullen 2020).[6] This similarity analysis comprises 208 document-pair comparisons. Second, Appendix C.2 reports African RTI laws' textual dissimilarities from the AU Model Law (2013), expressed by the words that remain in African RTI laws once all words in common with the model law are removed. The qualitative analysis examines patterns of diffusion and trace the use of specific words, concepts, and phrases, assisted by a simple text matching program *Copyfind*.[7] This facilitates a systematic close-read of textual similarities by pairwise comparisons of documents. [Note to reader: The close-read analysis is greatly improved by the work of a RA, who both used the Copyfind interface but also systematically compared the content of the laws herself by close-reading all the the texts.]

To supplement the textual analysis, the analysis includes contextual information on the strength of laws in relation to international standards and in what kind of political regime a law was adopted. For strength, the Global Right to Information Rating indicates how a law is assessed by experts in accordance with international standards.[8] The RTI Rating is produced by the Centre for Law and Democracy and is an established assessment score for the quality of RTI legislation globally. For regime characteristics, V-Dem's *Regimes in the World* measure provides categories of regime types (Lührmann, Lindberg, and Tannenberg 2017), while Polity's *Polyarchy* measure (0–1) indicates the degree to which national political systems meet the minimum requirements for political democracy. Aligned with this study's focus on

[5] While some of the countries have laws in Arabic, like Tunisia and Morocco, or Amharic in the case of Ethiopia, official translations are included in French and English.

[6] The raw data and script for creating and pre-processing the textual corpora and conducting the analysis is available in the GitHub repository 'AfricanRTIlaws'. See Appendix C for more on quantitative measurements.

[7] Copyfind is an open-source windows-based program, developed by Professor Lou Bloomfield of the University of Virginia to detect plagiarism. Available from: https://plagiarism.bloomfieldmedia.com/software/copyfind/.

[8] Available at https://www.rti-rating.org/.

democratic rights, this scale is constructed from indicators of freedom of expression, freedom of organization, media pluralism, and the holding of fair elections (Coppedge et al. 2016).

The collected data and supplementing information for analysis is summarised in Table 1, including the initial quantitative measurement of textual similarity with respective model laws, the South African law (2000) for Anglophone laws adopted before 2013, or the AU Model Law (2013) for all laws adopted in or after 2013.

	Country	Year	RTI Rating (of 150)	Regime Type	Polyarchy measure	Measured similarity with AU Model Law, 2013 (South Africa, 2000)
English corpus						
1	South Africa	2000	119	2	0.696	
2	Zimbabwe	2002	72	1	0.281	(0.18)
3	Uganda	2005	97	1	0.325	(0.53)
4	Zimbabwe	2007	70	1	0.252	(0.16)
5	Ethiopia	2008	111	1	0.249	(0.25)
6	Liberia	2010	124	2	0.656	(0.13)
7	Nigeria	2011	88	1	0.415	(0.11)
8	African Union	2013				(0.25)
9	Sierra Leone	2013	122	1	0.498	0.14
10	South Sudan	2013	120	0	0.232	0.28
11	Sudan	2015	64	1	0.229	0.10
12	Kenya	2016	113	1	0.472	0.18
13	Tanzania	2016	73	2	0.524	0.21
14	Malawi	2017	104	2	0.534	0.30
15	Seychelles	2018	109	2	0.574	0.45
16	Ghana	2019	97	3	0.739	0.28
17	Zimbabwe	2020	73	1	0.289	0.35
French corpus						
1	Guinea	2010	-			-
2	Niger	2011	74	0	0.264	-
3	Tunisia	2011	71	1	0.264	-
4	Rwanda	2013	85	1	0.243	-
5	African Union	2013	-	-	-	-
6	Ivory Coast	2013	76	1	0.489	0.10
7	Benin	2015	52	3	0.684	0.06

8	Burkina Faso	2015	79	2	0.581		0.06
9	Tunisia	2016	120	2	0.730		0.10
10	Togo	2016	70	2	0.503		0.08
11	Morocco	2018	73	0	0.314		0.12
Portuguese corpus							
1	Angola	2002	76	0	0.163	-	
2	African Union	2013	-	-	-	-	
3	Mozambique	2015	60	1	0.445		0.08

Table 1. African RTI laws included in the study in three corpora; seventeen English legal texts, eleven French texts and three Portuguese texts. The Global RTI Rating is not available for the law of Guinea, nor the African Union Model Law. Regime type is coded by V-Dem's *Regimes in the World* measure (*v2x_regime*), with 'autocracy' (0), 'electoral autocracy' (1), 'electoral democracy' (2), and 'liberal democracy' (3). Polity's *Polyarchy* measure (*v2x_polyarchy*) ranges from 'most autocratic' (0) to 'most democratic' (10). Both regime measures are sourced from V-Dem's data set round 9, included for the year before adoption as the adoption of a RTI law is likely to affect a country's score, at least on the more fine-grained *polyarchy* scale. The similarity measure is a Jaccard similarity measure, displaying a ratio measure of 'how much b borrows from a', calculated with the *textreuse* package (Mullen 2020). The measure ranges from 0 and 1, where the closer to 1 indicates more similarity.

This combination of quantitative and qualitative methods is highly beneficial. Researchers often read a vast number of legal texts in comparing and tracing concepts and formulations, like Bader's (2014) study of how election laws of post-Soviet states extensively borrow and adapt from Soviet and post-communist Russian laws or Eko's (2016) analysis of the evolution of defamation law in Africa as diffused from the U.S. Supreme Court. This is highly work intensive. As illustrated by Glasius et al. (2020) in their study of NGO restrictions, supplementing rigorous statistical analysis with textual examples is beneficial as 'smoking gun evidence' to support findings.

Some limitations of this study are, for one, that it is conducted on official versions in the colonial languages, English, French and Portuguese. The drafting process – and textual material – could have occurred in other official or dominant languages, like Arabic. However, learning and copying from examples arguably need a common language. In addition, textual resource material for writing RTI laws is largely available in the former colonial languages, most notably in English (Darch and Underwood 2010). According to Berliner (2016), the London-based international NGO Article 19 is one of the most active and high-profile advocates working on RTI issues.

Another limitation of this study is the underlying causal argument in all studies of diffusion. In limiting the analysis to focus on only African domestic and model laws, it is possible that other resources have impacted the wordings of the laws, like recommendations issued from legal experts and NGOs working on RTI or non-African countries' RTI laws considered as global model laws. Attempting to check for the latter, Appendix C.3 reports African RTI laws' textual similarities with other recognized model laws in the world. The results show that African RTI laws rely on African model laws, at least textually. Likewise, the analysis does not include draft laws and unadopted versions of RTI laws, even though draft laws also can affect laws adopted by other states (Glasius et al., 2020, 458).[9] Lastly, and related, diffusion in laws can take place even though word-by-word textual similarities are not identified. While this study is focused on textual reuse and textual manipulation, this does not capture the full range of how democratic laws are manipulated and how these manipulations travels.

6. Findings: Identifying and Tracing Manipulation of Legal Text

This section identifies and traces textual manipulation of recognised standards and norms in African RTI laws. The first part of the analysis shows in what ways textual manipulation happen by examining how some RTI laws manipulate or deviate from recognised model laws by adding aspects not intended or recognised by RTI standards. The second part compares and traces these alterations and additions across RTI laws, showing how concrete instances of textual manipulation serves as 'examples to follow' and travels to later laws.

The analysis below builds on initial quantitative measurements of textual similarities and dissimilarities across African RTI laws and model laws. Figure 2 portrays African RTI laws' similarity measure to a model law in relation to the laws' RTI Rating score and regime type in which it was drafted. The plot only shows laws that are compared a recognised model law, either SAF-2000 for all Anglophone laws adopted before 2013 or AU-2013 for all the laws adopted after 2013, both Anglophone, Francophone, and Lusophone.

[9] For a study on draft RTI laws, Berliner (2016) examine how draft laws develop and improve with international legal involvement in the drafting process by analysing 20 non-African countries with adopted RTI laws per 2008.

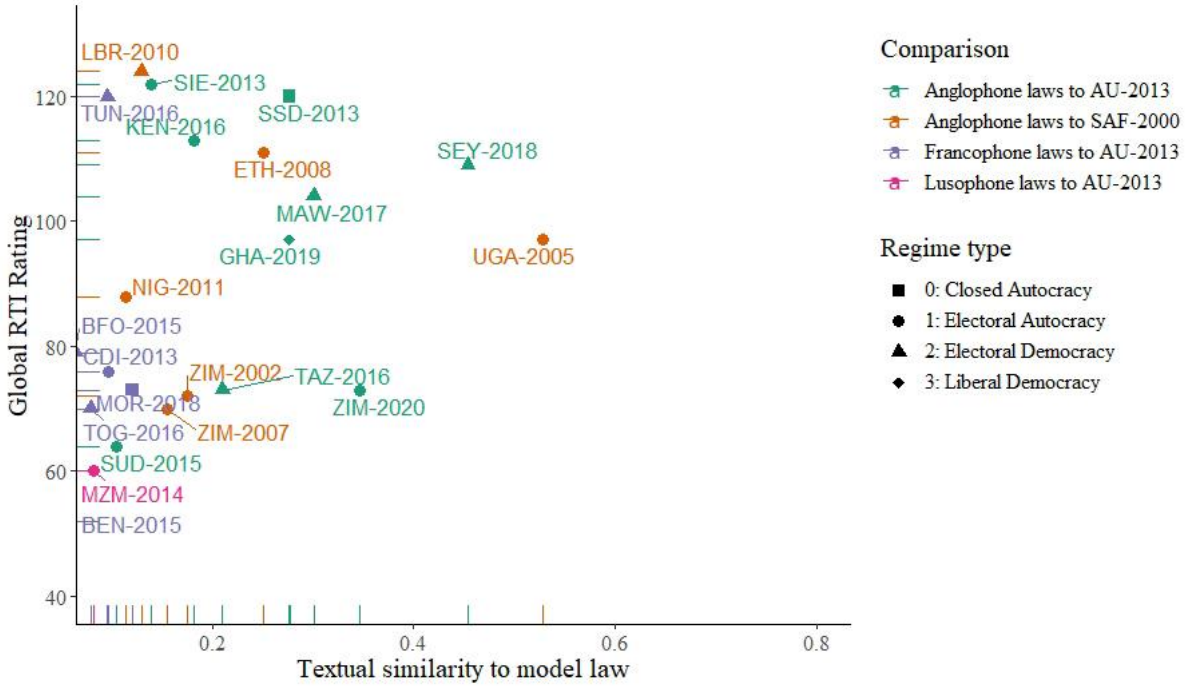

Figure 2. Plot showing the relation between measured textual similarity to recognized model laws and the Global RTI Rating. The plot separates by language where Anglophone, Francophone and Lusophone laws have different colours, and by regime where autocracies, electoral autocracies, electoral democracies and liberal democracies have different shapes. The plot only contains RTI laws with a similarity measure to any of the model laws, excluding Lusophone ANG-2002 or Francophone GUI-2010, TUN-2011, NIG-2011 and RWA-2013. See Table 1 or Appendix C for full results from the similarity analysis.

This initial measurement of textual similarities of domestic RTI laws to recognised model laws offers some general insights; For one, there is great variation across the three corpora of laws in terms of how much textual overlap there is with recognized model laws. Anglophone laws have made more use of recognised African model laws in drafting RTI legislation than Francophone or Lusophone laws. Moreover, the comparisons across domestic laws reported in Appendix C also show less copying across Francophone and Lusophone laws. Consequently, this analysis proceeds with only the English corpus of RTI laws. Of interest, however, this initial mapping confirms that SAF-2000 and AU-2013 have indeed served as model legislation for the continent (Shyllon, 2018), if more for laws drafted in English than for the rest.

Second, a textual similarity score alone is not very informing. There are no obvious relations between how textually similar a country's law is to a recognised model law and either regime type or how strong or weak the resulting law is scored by the RTI Rating. Figure 2 does, however, serve as a useful starting point to explore potential cases of manipulation, as the

textual similarity scores can provide pointers to the reliance on African model laws for both textual use – and potential mis-use – of these templates.

6.1. Textual manipulation of model laws

This section applies two approaches to studying textual manipulation of model laws in domestic RTI laws. One approach is offered by Figure 2 above, as the plot reveals which laws have made substantial use of the model laws but nonetheless score low in terms of compliance with recognised norms and standards by the RTI Rating. These cases invite closer examination of the laws in terms of inverting or subverting model laws. The second approach is to examine *dissimilarities* to the model laws, namely deviations from the norm, as opposed to *near-similarities*. Both approaches explore alterations and manipulations of best practices and recognized democratic norms in RTI laws. In the examination of textual similarities and dissimilarities, and focused on the English corpus of laws, the analysis finds that there are clear instances of textually (mis)-using model laws to manipulate and alter provisions in domestic laws.

[Note to reader: I have removed one Text example here, of how Uganda inserted "sovereignty" in its law. This is not interesting in the context of diffusion, because autocratic innovation does not travel to later laws.]

This study expects more autocratic countries to manipulate recognised norms and standards in writing intended democratic laws. As an electoral autocracy, Uganda's insertion of sovereignty is one example of what Salau (2017) finds to be undemocratic practices of African regimes in relying on vague and widely-drafted laws to deny access to state-held information on grounds of state security. Moreover, invoking sovereignty has connotations to regime security, which, as Adeleke and Adams (2019) highlights, should be distinguished from national security. While UGA-2005 insertion of 'sovereignty' in this case is unique, the limitations national security provisions put on the access to information in RTI laws is well-known, in Africa (Darch and Underwood 2010; Asogwa and Ezema 2017; Adu 2018) and globally (Banisar 2006). This is a case of manipulation by adding a broad and vague term, highly open for interpretation in a restrictive way.

Another approach to explore alterations and manipulation of best practices and accepted norms in RTI laws is to look at what is *dissimilar* to the model laws, namely deviations from the norm. What is added to the laws that is not recommended or recognized as

part of the scope by the international legal community? Once all words a law share with the AU Model Law (2013) are removed, what remains can give an indication of aspects that have been added to the laws. In other words, this approach can reveal the norm-breaking content in African RTI laws. Table 2 presents some selected laws and the most frequent words that remain in them once all shared words with AU-2013 are removed. While the full table is presented in Appendix C.2, the table below shows those laws with most substantially meaningful additions to the laws.

ZIM-2002		ZIM-2007		ETH-2008		ZIM-2020	
Freq.	*Word*	*Freq.*	*Word*	*Freq.*	*Word*	*Freq*	*Word*
256	shall	295	shall	125	shall	96	entiti
123	media	173	media	56	proclam	56	shall
114	mass	157	mass	46	media	23	cap
70	board	76	privaci	42	mass	14	secretari
67	minist	74	board	39	period	12	media
45	subparagra	60	minist	19	publish	11	expect
36	ph	56	council	18	organ		
30	registr	52	registr	16	ombudsman		
26	chapter	45	subparagraph	12	institut		
24	accredit	37	accredit	12	repli		
24	correct	34	substitut	12	feder		
24	fund	33	insert	12	impound		
24	owner	33	fund	11	news		
22	chairman	32	regist	10	cabinet		
20	account	32	inquiri	10	compani		
18	contraven	31	chapter	10	regist		
18	servic	30	agenc	10	certif		
17	certif	29	schedul				
17	privaci	28	associ				
16	inquiri	27	owner				
	schedul						

Table 2. Most frequent terms once all words shared with the AU-2013 are removed. All words with a frequency of 10 or above is reported in the table, and only laws with substantially interesting terms. Full table is reported in Appendix C.2.

Table 2 shows that the Zimbabwean laws, in particular ZIM-2002 and ZIM-2007, and the Ethiopian law, ETH-2008, are prominent examples of African RTI laws that have added specific (and extensive) provisions on the media. Words such as ‘mass’, ‘media’, and ‘news’

have a high prevalence in these three legal texts.[10] Both the Zimbabwean and Ethiopian laws are examples of combined legislation, where the public's right to access information is regulated alongside the functioning and regulation of the media sector. In fact, the Ethiopian Freedom of the Mass Media and Access to Information Proclamation is often referred to as 'the Mass Media law'. While this combination is not uncommon, on the African continent, it has proven to be an ominous sign when states seek to regulate the media and information rights together. In the case of the two first Zimbabwean laws, both ZIM-2002 and ZIM-2007 include a lot on the media, and was in many ways written as media laws, to regulate – and restrict – the free operation of the mass media (Darch and Underwood 2010; MISA 2019). In Ethiopia, while introduced as only one of several laws that restricted the free press, the ETH-2008 added new features, including broad powers to initiate defamation suits and demand corrections in print publications, as well as registration requirements for newspapers (Human Rights Watch 2015, 10, 64). The case of Ethiopia shows how an electoral autocracy can draft a relatively strong RTI law, per the RTI Rating, but when the regime is turning more overtly repressive towards both civil society and the media (see Dupuy, Ron, and Prakash 2015; Freyburg and Garbe 2018), the provisions in the RTI law can be applied for regime survival and political gain. It could thus be argued that the combination of RTI and media legislation is a 'red flag' in drafting strong and credible RTI laws in Africa.

Furthermore, RTI advocates and experts on the continent have highlighted how – although RTI laws are often perceived as 'media laws' – RTI laws should be laws for all citizens (Adeleke and Adams 2019). Indeed, Adeleke (2018b, 214) points to how RTI advocacy in Africa have hugely benefitted from allies in the media, but that media actors should not drive the campaign as the focus should be on ordinary citizens' right to information, citing the case of RTI advocacy in Nigeria. Another case in point is the RTI law of the democracy Ghana (GHA-2019). Because the law was initially perceived as a law largely for the media, the civil society advocacy strategically emphasised that it was a law for all Ghanaians (CHRI 2019, Selvik 2021). The resulting law does not contain any mention of the mass media.

[10] In the full results table in Appendix C.2, we see that words such as privacy and media are also showing up in UGA-2005 and SSD-2013 respectively three and five times. This was not explored further, but it is curious – as shown in the case of UGA-2005 above and the insertion of 'sovereignty', to mention one word once can be enough to carry significance.

6.2. Manipulation travels to later RTI laws

In this second part of the analysis, the study examines how the new additions to the RTI laws and the concrete instances of textual manipulation travel to later adopters. The initial quantitative measurements of textual similarities between domestic laws, reported in Appendix C, indicate that there is copying and (re)use of text from earlier laws in later laws, at least written in English. Some of these textual similarities can be the result of both laws initially relying on the same model law, or another textual resource, thereby ending up with a high textual similarity. However, it could also be an indication of using other laws as examples to follow, which includes instances of earlier manipulation serving as 'inverted models'. This highlights the need to examine how and what text travels across these laws.

In a systematic close-read approach of how textual manipulation travels, the analysis finds explicit examples of how alterations of and additions to provisions in model laws travel to later adopters. One example is how provisions on 'privacy' occur in the RTI laws. While the South African law, SAF-2000, also made provisions for the protection of privacy, the formulation of 'invasion of personal privacy' first appears in ZIM-2002, and later repeated in UGA-2005, NIG-2011, KEN-2016 and TAN-2016, as shown below. This stands out as an example of manipulation of a model law provision which travels to later adopters. By contrast, the AU Model Law (2013) does not contain any mention of privacy. While ZIM-2002 did not take much text after SAF-2000, only 0.18 similarity measured in this analysis, there is nonetheless the notion of 'building on' the provision in SAF-2000, concerning the 'unreasonable disclosure of personal information'. The original phrasing in SAF-2000 comes from two similar provisions detailing 'grounds for refusal of access to records', one from Part 2 on 'Access to records of public bodies' (Article 34) and the second from Part 3 on 'Access to records of private bodies' (Article 63). The provisions read as follows:

> SAF-2000, Article 34 and Article 63. Mandatory protection of privacy of third party who is natural person
> (1) Subject to subsection (2), the [information officer of a public body/head of a private body] must refuse a request for access to a record of the body if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.

Text example 2A. The slight differences between the two provisions marked in brackets.

The following comparison shows how ZIM-2002 built on the provision in SAF-2000, and how this travelled and developed further with the later laws UGA-2005, NIG-2011, KEN-2016 and TAN-2016, of which the two latter are so similar they are presented together in the text example.

ZIM-2002, 25 Protection of information relating to personal privacy: *(Repeated verbatim in ZIM-2007, para. 25.)*	UGA-2005, 21. Access to health or other records:	NIG-2011, 13 Exemption of law enforcement and investigation:	KEN-2016, 6. Limitation of right of access to information TAN-2016, 6. Exempt information *(Slight differences indicated by brackets.)*
(1) The head **of a public body** shall not disclose personal information to an applicant if the **disclosure** will result in **the unreasonable** invasion of a third party's **personal** privacy. (2) In determining whether or not a disclosure of personal information constitutes an unreasonable invasion of a third party's **personal** privacy, …	An information officer shall refuse access to health records, the disclosure of which would **constitute an invasion of personal privacy**.	(1) A public institution may deny an application for any information which contains (a) records (...), but only to the extent that disclosure would (...) (v) **constitute an invasion of personal privacy** under section 15 of this Bill, …	(d) involve **[the]** unwarranted **invasion of the privacy** of an individual, other than [the/an] applicant or [the/a] person on whose behalf an application has, with proper authority, been made;
Similarity with SAF-2000, 34(1) and 63(1) in bold.	Similarity with ZIM-2002, 25(2) in bold.	Similarity with UGA-2005, 21 in bold.	Similarity with NIG-2011, 13(1)(a)(v) in bold.

Table 3. Text example 2B. Similarities to previous law marked in bold.

This inclusion of 'invasion of personal privacy' in RTI laws is interpreted as an autocratic insertion or addition in ZIM-2002 in order to subvert the right to and practice of releasing information. To recall, the Zimbabwean AIPPA (2002/2007) is titled 'Access to Information and Protection of Privacy' and is a known example of an inverted RTI law that abuses privacy provisions to restrict information (Asogwa and Ezema 2017; Adu 2018; African Network of Constitutional Lawyers 2012). While the inclusion of privacy is in and of itself today regarded an ominous sign for the democratic practice of giving citizens access to

information (Darch and Underwood 2010), the counter-argument here is that SAF-2000, the model of a strong and democratic RTI law for developing countries across the world also contained provisions on privacy. However, there is a fundamental difference; while SAF-2000 was hailed for including privacy rights for individuals both with regards to public and private bodies alike, the latter a particular problem in many African countries (Adeleke 2018b), ZIM-2002 and ZIM-2007 has been criticized for restricting privacy rights. These remarks rely on both how the laws are written and how they have been applied and used.

The expectation of this study was that textual manipulation by autocratic countries travel to other autocratic countries' laws. This example shows that manipulation by addition is travelling to other RTI laws, in this case the electoral autocracies Uganda, Nigeria and Kenya. The resulting laws are scored very differently, UGA-2005 at 97, NIG-2011 at 88, and KEN-2016 at the high 113, one of the highest rated laws in Africa (see Figure 2). What we observe in the case of Tanzania is in fact that a textual manipulation by an autocratic country also travel to an electoral democratic country. Viewing electoral regimes together as hybrid regimes, this is in line with what Glasius and colleagues (2020) finds in their study of how restrictive NGO provisions spread. With regards to especially UGA-2005 and TAN-2016, the insertion of this provision on privacy has been highlighted as problematic, in both the provision and interpretation of the law (CIPESA 2015). With recent developments in Tanzania, this might not be that curious however, as the country has been described as a country in the process of democratic backsliding, especially with regards to information rights (Parks and Thompson 2020).

[Note to the reader:]

I have some "off the paper" advancements to report. After submitting my thesis (in 2022), I engaged a RA for help with close-read of the English legal texts in order to identify more instances of 1) deviations from model laws (autocratic interventions) and 2) the diffusion of these deviations (autocratic diffusion). Together, we identified several interesting examples of diffusion, on the topics of:

- Appointment of information officers (eligibility, conflict of interest and political affiliation)
- Limitation period on protected information (how long "old" information should be protected)
- Blanket exemptions for the office of the President and Vice-President (not required to release any information) – not presented below

I hope these new empirical examples can bolster the analysis and argument. Importantly, I think these examples are better than the ones I currently present in the findings sections, namely provisions concerning the sovereignty of the state (which actually does not diffuse), over-broad privacy protection (which is hard to interpret/discuss implications of), and the combined regulation of the mass media (which is particular for two of the authoritarian countries in the sample). Largely because these provisions more directly speak to "the politics of access to information", affecting aspects such as 1) political appointments and the politization of information officers, 2) access to records that could be used in old but still relevant political disputes, and 3) whether the top echelons of the political system feels threatened by information requests and possible access.

Below is a short presentation of the "new evidence" regarding the first two topics listed above. Importantly, these cases of textual similarities focus more on the semantic meaning of the texts rather than necessarily the word-by-word similarities. Let's see if you are convinced by this "evidence" of diffusion:

1. **Appointment of information officers:**

Some RTI laws establish an oversight body specific for RTI, like an independent information commission to deal with RTI requests. (While others rely on existing institutions, like the Human Rights commission as is the case with SAF-2000.) When examining the RTI acts that do establish an oversight body for the specific purpose of RTI, the question of eligibility for appointing members to the body (so-called information commissioners) and for terminating the appointment became a point of interest. According to the RTI ranking and the AU model law, the international best practice is to put a 5-year limit on holding political office and to refuse any member who has ever been convicted of a crime. The AU model law reads (emphasis added):

> **47. Criteria for appointment**
> (2) Information commissioners must not
> (a) have been convicted of a serious crime;
> (b) be declared insolvent; or
> (c) hold a political office at any level of the state or occupy a position within a political party at the time of nomination, *or have held such office or position in the five years preceding the nomination*.

The following RTI law of Sierra Leone (2013) and the Seychelles (2018) are both silent on the 5-year limit, and rather excludes persons who are effectively "an employee of a political party or holds an elected or appointed position in central or local government" (SIE-2013, Article 31, 3(a)). Both laws disqualify members who have been convicted of an offence. However, a

curious difference is found in the law of South Sudan (2013), namely that the 5-year embargo is "moved" from holding political office to criminal offences:

Sierra Leone 2013	South Sudan 2013	Seychelles 2018
31. Composition of Commission (3) No person shall be appointed as a member of the Commission if that person– (a) is an employee of a political party or holds an elected or appointed position in central or local government; or (b) has been convicted of an offence involving fraud or dishonesty.	**35. Appointment of Information Commissioner** (4) To be eligible for appointment as a Commissioner a person shall: (b) not be an official or employee of a political party; (c) not be a holder of an elected position at any level of Government; (d) not be an un-discharged bankrupt or insolvent; or (e) not have been convicted of a crime involving violence, dishonesty or moral turpitude *within five years preceding the appointment*.	**38. Eligibility of Information Officers and Chief Information Officer** (2) A personal shall not be appointed as the Chief Information Officer or Information Commissioner if that person -- (a) holds office in, or is an employee of a political party; (b) has been convicted or served a sentence of six months or more for an offence involving fraud, dishonesty or moral turpitude.

Indeed, this 5-year embargo on criminal charges in SSD-2013 rather than political appointment [marked in green], can be traced back to the Zimbabwean RTI law of 2002:

> **Section 40(3). Provisions applicable to the Media and Information Commission**
> **2. Disqualifications for appointment as member**
> (1) The Minister shall not appoint a person as a member and no person shall be qualified to hold office as a member who—
>
> > (d) has, within the period of five years immediately preceding the date of his proposed appointment, been convicted— (…) [of an offence]
> > and sentenced to a term of imprisonment exceeding six months imposed without the option of a fine, whether or not any portion has been suspended, and has not received a free pardon.

Additionally, while SEY-2018 does not include this 5-year limit it does echo the specification of offences exceeding six months in ZIM-2002 [marked in blue].

For discussion:

- All of these three laws rank high on the RTI rating (SIE-2013 scores 122, SSD-2013 scores 120, and SEY-2018 scores 109), and SEY-2018 also have one of the highest similarity scores with the AU model law.
- This shows how learning can happen from autocratic countries' laws and how provisions or alterations that undermine liberal democratic principles spread to other laws, even strong laws adopted by democratic countries, like the Seychelles, who otherwise relies heavily on the model law and complies with international standards.

2. Limitation period

According to the Global RTI Rating and their indicators for RTI laws, information "must be released as soon as an exception ceases to apply" and laws should contain "a clause stating that exceptions to protect public interests do not apply to information which is over 20 years old."[11] The AU model law (2013) does not provide any recommended provisions on the time limit for how long information can be exempt from disclosure, but the South African PAIA (2000) provided an early standard for African countries, aligned with international standards:

> **Article 41, Subsection (3)**
>
> **Defence, security and international relations of the republic**
>
> A record may not be refused in terms of subsection if it came into existence more than 20 years before the request.

This time limitation of twenty years applies to information exempted from disclosure due to national security and defence and international relations concerns. Not all RTI laws define such a time limit, but amongst those who do, the changing amount of time is of interest:

Uganda 2005	**Liberia 2010**	**South Sudan 2013**	**Sudan 2015**
32 Defence, security and international relations (2) A record may not be refused under subsection if it came into existence more than twenty years before the request	4.9 Maximum period for non disclosure Information or records exempted from disclosure or public may remain exempted for as long as the reason for their exemption exists, but in any event no longer than a continuous period of fifteen (15) years	34 Time Limit The provisions of (...) shall not apply to a record which has been held for more than 30 years.	12 Disclosure of information relating to the following shall be exempted from the implementation of the provisions of this law (c) Secrets relating to national defense or state security, or its foreign policy if fifty years has not passed since their creation
Kenya 2016	**Tanzania 2016**	**Ghana 2019**	**Zimbabwe 2020**
6 Limitation of Right of Access to Information (7) (...) information is presumed not to be exempt if the information has been held for a period exceeding thirty years	6 Exempt Information (5) ... information shall be presumed not be exempt if the information has been held for a exceeding thirty years	78 Limitation of period for information exempt from disclosure Information classified as exempt information under sections 5 to 16 ceases to be exempt information on the expiry of thirty years calculated from the end of the calendar year in	27 Protection of defense, security and international relations (3) A record may not be refused in terms of (...) came into existence more than twenty years before the request. If—

[11] See Indicator 32, https://www.rti-rating.org/country-data/by-indicator/

		which the information came into existence.	

Apart from Liberia (2010) with its mere 15-year limit and Sudan (2015) with its 50-year limit, there seem to be formed a new normative acceptance around 30 years as the appropriate time limit. Discussion notes:

- The last instance of 20 years in Zimbabwe's revision of the RTI law, which previously did not include any time limit, is an interesting one. In this case, the nature of the drafting process might shed lights on this "return" to the international standard. Working hypothesis: a lot of international support in the drafting process and a lot of focus on bringing Zimbabwe's RTI legislation "up to scratch".
- This example of time limit might seem not so interesting, but from my case study (PhD thesis) of the drafting process in Ghana I know that these are the details that are discussed and that can have real consequences. Politicians are afraid that journalists and CSO actors will "dig up old dirt" to settle their "private grievances", and want to protect themselves against this. In the case of Ghana, a 2013-draft bill had a 25-year limit on paper, but by the time of adoption in 2019, the limit had been raised to 30 years.

7. Discussion and Conclusion

[tbc]

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