

# The Book Review of – Exploring the Role of Civil Society in the Formulation and Adoption of Access to Information Laws the Cases of Bulgaria, India, Mexico, South Africa, and the United Kingdom

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*Abstract— Director of Global Partners and Associates (GPA). Mr. Puddephatt has worked to promote human rights for 20 years and has specific expertise in program development and evaluation, with a focus on transparency, the role of media in society, and implementing human rights. He has led human rights organizations in the not-for-profit sector for more than 15 years. He was Executive Director of ARTICLE 19, a pioneering organization working on freedom of expression and freedom of information, between 1999 and 2004; Director of Charter 88, the United Kingdom's leading constitutional reform organization, between 1995 and 1999; and General Secretary of Liberty, the principal domestic human rights organization in the United Kingdom, between 1989 and 1995.*

*Index Terms- AIP, APIA, ATI, CFOI, CHRI, CIC, CommGAP, CSO, EPA, FOI, FOIA, ICO, IFAI, NCPRI, NGO*

## I. INTRODUCTION

This paper explores the significant role of civil society in advocating for, securing, and implementing access to information (ATI) laws in five countries: Bulgaria, India, Mexico, South Africa, and the United Kingdom. ATI laws are believed to enhance transparency, accountability, and good governance, which are essential for reducing poverty and achieving the Millennium Development Goals. Civil society has been instrumental in addressing information asymmetry between public officials and the public, a major obstacle to good governance.

The paper aims to understand how civil society has influenced the context and content of ATI legislation, and how it has interacted with public officials during

the legislative process. It also examines civil society's roles in implementing the laws post-enactment. The study highlights that civil society can mobilize grassroots support, provide expertise, promote benefits of ATI laws, facilitate knowledge sharing, monitor implementation, and build capacity for using ATI laws effectively.

## II. KEY OBSERVATIONS INCLUDE

- Civil society is diverse, with different coalitions representing various interests.
- Civil society's engagement varies based on local context and opportunities.
- Civil society is crucial for holding the government accountable and raising public awareness.
- The unique political history and socioeconomic characteristics of each country affect civil society's effectiveness.
- Civil society's interactions with international partners and the media vary.
- Public satisfaction and the capacity for research are vital for civil society's partnership with the government.

This paper seeks to contribute to the broader discussion on civil society's role in promoting the right to information.

The document, "Exploring the Role of Civil Society in the Formulation and Adoption of Access to Information Laws" by Andrew Puddephatt, provides an in-depth analysis of civil society's contribution to the passing of access to information (ATI) laws in five countries: Bulgaria, India, Mexico, South Africa, and

the United Kingdom. Below is a literature review based on the document:

### III. ROLE OF CIVIL SOCIETY

Civil society organizations (CSOs) have impacted the process of adopting ATI laws in multiple ways:

- **Advocacy for Legal Reform:** CSOs have been at the forefront of advocating for ATI legal reforms, often building popular support and creating a demand for information.
- **Legislative Participation:** These organizations have participated in drafting and shaping the legislation, lobbying members of the legislative process to ensure the laws are comprehensive and effective.
- **Public Education:** Post-legislation, CSOs help citizens understand their rights under ATI laws and train public officials in handling information requests.
- **Monitoring and Implementation:** They also play a crucial role in monitoring the implementation of these laws and promoting best practices both nationally and internationally.

### IV. CASE STUDIES

The document provides detailed analyses of the role of civil society in the adoption of ATI laws in five countries, highlighting the unique approaches and challenges faced in each context.

#### 1. Bulgaria

- The ATI movement in Bulgaria originated from environmental concerns and a post-Communist rejection of secrecy.
- The Access to Information Programme (AIP) led a focused campaign that remains a significant promoter of ATI regimes internationally.
- CSOs engaged with public institutions and followed up on the implementation of the ATI law, ensuring ongoing advocacy and monitoring.

#### 2. India

- Grassroots anti-corruption campaigns aimed at improving the conditions of the rural poor evolved into a broad and effective campaign for ATI.

- The movement maintained independence by avoiding the formation of a single organization, instead operating as a coalition of various groups.
- The National Campaign for People's Right to Information (NCPRI) played a significant role in lobbying and drafting the Right to Information (RTI) Act.

#### 3. Mexico

- An elite group known as the "Oaxaca Group," consisting of representatives from various sectors, was pivotal in planning, drafting, and lobbying for an ATI law.
- This high-level group dissolved after the law's passage, giving way to formally constituted NGOs that took over the implementation and advocacy roles.
- The Instituto Federal de Acceso a la Información Pública (IFAI) was established to oversee the implementation of the law.

#### 4. South Africa

- The ATI campaign emerged from a coalition of NGOs as part of the broader movement for constitutional change post-apartheid.
- The coalition's efforts led to the establishment of the Promotion of Access to Information Act (PAIA).
- A distinct NGO, the Open Democracy Advice Centre (ODAC), was created to handle implementation and advocacy.

#### 5. United Kingdom

- A specialist NGO led the campaign for ATI laws, benefiting from a wider movement for constitutional reform.
- The Campaign for Freedom of Information (CFOI) spearheaded efforts, continuing to lead civil society efforts post-legislation.

### CONCLUDING OBSERVATIONS

The experiences of these countries illustrate that there is no one-size-fits-all approach to civil society's role in promoting ATI laws. Effective strategies vary depending on the societal context, ranging from single dedicated NGOs to broad coalitions or elite groups. Understanding the local process of change and the incentives for traditionally secretive governments to adopt openness is crucial for civil society groups.

### KEY LESSONS

- Civil society's role is multifaceted, extending from the inception of a campaign to the implementation of ATI laws.
- Demonstrating the practical value of ATI laws is essential to prevent overselling their potential as a panacea for all societal issues.
- Building and sustaining broad coalitions can be effective, but maintaining independence and adaptability is equally important.

This literature review encapsulates the critical contributions of civil society in the formulation and adoption of ATI laws, drawing lessons from diverse international experiences as documented by Andrew Puddephatt.

### REFERENCES

Andrew Puddephatt – The Book Review of – Exploring the Role of Civil Society in the Formulation and Adoption of Access to Information Laws The Cases of Bulgaria, India, Mexico, South Africa, and the United Kingdom.