The Politics of Liberal Rights in Africa

Regulating and legislating freedom of association, expression, and information

Lisa-Marie Måseidvåg Selvik

Thesis for the degree of Philosophiae Doctor (PhD)
University of Bergen, Norway
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Various analogues exist of how it is to write a thesis. For me, I say it has been like hiking in the mountains; In the beginning, the landscape is unknown, unchartered, and might look a bit unruly. You must navigate choices, locate paths, and mount summits. This is to acknowledge the many people I have met on my way, named and unnamed, and not the least the people who have wandered with me.

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Abstract

How does the contestation for liberal rights play out in Africa's multiparty democracies? This question forms the centre of inquiry in this thesis. Though African democracies to a large extent have embraced the electoral democratic tradition, democratic governance practices linked to the liberal components of democracy, accountability and civil liberties – hereunder liberal rights such as association, expression, and information rights – are still contested. Underlying the outward appearance of stalled democratic progress, this thesis will show that contention is playing out as a highly dynamic interaction in African democracies between those advocating for liberal rights on the one hand, and those challenging them on the other.

Focusing on elite-level interactions, notably between right advocates representing civil society on the one hand and politicians on the other hand, this thesis focuses on the contentious politics of regulating and legislating freedoms of association, expression, and information. The articles in the dissertation ask what explains strategies of government repression of liberal rights, what explains strategies of liberal rights advocacy, and what are the consequences of repression of and pushback against liberal rights?

This dissertation builds on and contributes to the literatures on democratic backsliding and civil society clampdown. On the one hand, the backsliding literature is useful for its focus on actions and strategies of political leaders. However, while existing studies on democratic backsliding increasingly focus on elite dynamics, the focus has primarily been on other political actors, such as opposition and courts, and not on members of civil society. On the other hand, while the civil society clampdown literature says more about the relationship with politicians, it rarely portrays civil society advocates as elite actors with an agency to shape this relation. While much scholarly attention has been afforded to political elites, elites within civil society have received less attention. The dissertation contributes to theory development in two significant ways. First, it includes an elite perspective of civil society actors and, second, it nuances the scholarship on democratic backsliding by emphasising the iterative relations between political elites and civil society actors.

This compilation PhD dissertation is composed of five independent articles, all focusing on processes of regulating and legislating liberal rights in Sub-Saharan Africa. All articles are concerned with the strategies of government and civil society actors, either one or both. Two of the articles in particular study the dynamics and interactions between political and societal elites in the case of drafting and advocating for the Right to Information Act (2019) in Ghana.

Theoretically, methodically, and empirically, all articles stand on their own. To varying degrees, the five articles combine quantitative as well as qualitative data and methods and while some of them are classical single-case studies, others take a cross-national perspective.

The two first articles speak to government strategies of repressing liberal rights. While Article 1 (*How African countries respond to fake news and hate speech*, co-authored with Lisa Garbe and Pauline Lemaire) identifies government strategies to regulate online information in Africa and evaluates which regime characteristics shape the choice of strategy, Article 2 (*Intended or Inverted Democratic Laws?*) further examines legislative strategies in how lawmakers are writing and designing African right to information (RTI) laws. The two next articles speak to advocacy strategies in promoting the right to information in an African democracy, Ghana. Article 3 (*Rights Advocacy in Ghana*) identifies the challenges that rights advocates face even in a relatively open and unconstrained political context and examines the strategic interactions between advocates and politicians. Article 4 (*A Platform or Partner*) focuses on advocates' strategies and their interaction with media actors and identifies the mechanisms of how advocates engage media actors as partners in advocacy work. Finally, Article 5 (*Government Repression and Citizen Support for Democratic Rights in Africa*, co-authored with Kendra Dupuy) speaks to the consequences of government repression of liberal rights, examining the relationship between government repression of civil society and media actors and citizen support for government control over freedoms of association and the media.

In sum, this compilation dissertation offers a comparative perspective on the politics of liberal rights in African democracies, both with regards to the political pushback against liberal rights and rights advocacy and with regards to the challenges faced by rights advocates and how they strategize to circumvent these. It highlights the significance of understanding strategies and argues that the continued study of the 'politics of liberal rights' should focus on actors and agency, should to a greater extent recognise diffusion and learning mechanisms, and should seek to better understand the narratives and justification for political pushback against liberal rights.

Sammendrag

Hvordan utspiller kampen om liberale rettigheter seg i Afrikas flerpartidemokratier? Dette spørsmålet er i sentrum for denne avhandlingen. Selv om afrikanske demokratier i stor grad har omfavnet den valgdemokratiske tradisjonen, er demokratisk styringspraksis knyttet til de liberale komponentene av demokrati, ansvarlighet (accountability) og sivile friheter – herunder liberale rettigheter som organisasjons-, ytrings- og informasjonsrettigheter – fortsatt omstridt. Under det ytre inntrykket av at demokratisering har stoppet opp, vil denne avhandlingen vise at det er svært dynamiske og interaktive prosesser mellom aktører som tar til orde for liberale rettigheters plass og utvidelse i et demokrati og de som utfordrer dem.

Med fokus på interaksjoner mellom eliteaktører, spesielt mellom rettighetsforkjempere som representerer det sivile samfunn på den ene siden og politikere på den andre siden, fokuserer denne avhandlingen på den omstridte politikken med å regulere og lovfeste organisasjons-, ytrings- og informasjonsfriheter. Artiklene i avhandlingen spør hva som forklarer strategier for politisk undertrykkelse av liberale rettigheter, hva som forklarer strategier for rettighetsforkjempere, og hva som er konsekvensene av undertrykkelse av liberale rettigheter?

Denne avhandlingen bygger på og bidrar til litteraturene om demokratisk tilbakegang og undertrykkelse av sivilsamfunnet. På den ene siden er demokratisk tilbakegang-litteraturen nyttig for sitt fokus på politiske lederes handlinger og strategier. Men mens eksisterende studier om demokratisk tilbakegang i økende grad fokuserer på elitedynamikk, har fokuset først og fremst vært på andre politiske aktører, som opposisjon og domstoler, og ikke på medlemmer av sivilsamfunnet. På den annen side, mens litteraturen om sivilsamfunnet sier mer om forholdet til politikere, fremstiller den sjelden medlemmer av sivilsamfunnet som eliteaktører med mulighet til å forme denne relasjonen. Mens mye vitenskapelig oppmerksomhet har blitt gitt til politiske eliter, har eliter i sivilsamfunnet fått mindre oppmerksomhet. Avhandlingen bidrar til teoriutvikling på to vesentlige måter. For det første inkluderer den et eliteperspektiv av sivilsamfunnsaktører, og for det andre nyanserer den litteraturen om demokratisk tilbakegang ved å understreke de iterative relasjonene mellom politiske eliter og sivilsamfunnsaktører.

Dette doktorgradsarbeidet består av en samling artikler, som alle fokuserer på prosesser for å regulere og lovfeste liberale rettigheter i Afrika sør for Sahara. Alle artiklene er opptatt av strategier til myndigheter og sivilsamfunnsaktører, enten den enes eller begges. To av artiklene ser spesielt på dynamikk og samspill mellom politiske og sosiale eliter i sivilsamfunnet i prosessen med påvirke og utforme en offentlighetslov, Right to Information Act (2019), i Ghana.

Teoretisk, metodisk og empirisk står alle artikler for seg selv. I ulik grad kombinerer de fem artiklene kvantitative så vel som kvalitative data og metoder, og mens noen av dem er klassiske enkeltcasestudier har andre et tverrnasjonalt perspektiv.

De to første artiklene handler om politiske strategier for å undertrykke liberale rettigheter. Mens artikkel 1 (*How African countries respond to fake news and hate speech*, skrevet med Lisa Garbe og Pauline Lemaire) identifiserer staters strategier for å regulere nettbasert informasjon i Afrika og evaluerer hvilke regimekarakteristikker som former valget av strategi, undersøker artikkel 2 (*Intended or Inverted Democratic Laws?*) videre strategier i hvordan lovgivere skriver og utformer offentlighetslover, såkalte 'rett til innsyn og informasjon'-lover. De to neste artiklene handler om påvirkningsstrategier for å fremme retten til innsyn og informasjon ved offentlighetslover i et afrikansk demokrati, Ghana. Artikkel 3 (*Rights Advocacy in Ghana*) identifiserer utfordringer som rettighetsforkjempere møter selv i en relativt åpen og ubegrenset politisk kontekst og undersøker de strategiske interaksjonene mellom forkjempere og politikere. Artikkel 4 (*A Platform or Partner*) fokuserer på sivilsamfunnsaktørers strategier og deres interaksjon med medieaktører og identifiserer mekanismer for hvordan de kan engasjere medieaktører som partnere i påvirkningsarbeidet. Til slutt, artikkel 5 (*Government Repression and Citizen Support for Democratic Rights in Africa*, skrevet med Kendra Dupuy) ser på konsekvensene av politisk undertrykkelse av liberale rettigheter, og undersøker forholdet mellom undertrykkelse av sivilsamfunns- og medieaktører og folkets støtte for statlig kontroll av organisasjons- og mediafrihet.

Samlet gir disse artiklene et komparativt perspektiv på politikken som utspiller seg rundt liberale rettigheter i afrikanske demokratier, både med hensyn til politisk motstand mot liberale rettigheter og rettighetsforkjempere og med hensyn til de utfordringer rettighetsforkjempere står overfor og hvordan de legger strategier for å omgå og overkomme disse. Avhandlingen fremhever betydningen av å forstå strategier. Den argumenterer for at studiet av politikk rundt liberale rettigheter bør fokusere på aktører og agens, bør i større grad anerkjenne diffusjons- og læringsmekanismer, og bør søke å bedre forstå narrativene og begrunnelsen for politisk motstand og tilbakeslag mot liberale rettigheter.

List of publications

1. Garbe, Lisa, Lisa-Marie Selvik & Pauline Lemaire. (2021). "How African countries respond to fake news and hate speech". *Information, Communication & Society*. DOI: 10.1080/1369118X.2021.1994623.

2. Selvik, Lisa-Marie (under review). "Intended or Inverted Democratic Laws? Examining the Manipulation of African Right to Information Laws".

3. Selvik, Lisa-Marie (under review). "Rights Advocacy in Ghana. Strategic interactions between advocates and politicians".

4. Selvik, Lisa-Marie (2021). "A Platform or Partner: Engaging the Media in Advocacy". *Global Policy*. DOI: 10.1111/1758-5899.12980.

5. Selvik, Lisa-Marie & Kendra Dupuy (under review). "Government Repression and Citizen Support for Democratic Rights in Africa".

Contents

Introduction

The African continent experienced a significant expansion of democratic regimes in the early 1990s. However, continued democratisation in the region appears to have stalled and remains at the level when multiparty democracies replaced autocratic military and one-party systems in the early 1990s (Arriola, Rakner, and Van de Walle forthcoming; Bleck and Walle 2018; Gyimah-Boadi 2015; Lynch and Crawford 2011). Though African democracies to a large extent have embraced the electoral democratic tradition, democratic governance practices linked to the liberal components of democracy, accountability and civil liberties – hereunder liberal rights such as association, expression, and information rights – are still contested (Adejumobi 2017; Chikoto-Schultz and Uzochukwu 2016; Conroy-Krutz 2020; de Jager 2021).

How does the contestation for liberal rights play out in Africa's multiparty democracies? This question forms the centre of inquiry in this thesis. Underlying the outward appearance of stalled democratic progress, this thesis will show that contention is playing out as a highly dynamic interaction in African democracies between those advocating for liberal rights on the one hand, and those challenging them on the other. According to some observers, the liberal democratic deficit in Africa is linked to the interests of political elites who are hesitant to accept limits on their power (de Jager 2021; Gyimah-Boadi 2015). Focusing on elite-level interactions, notably between right advocates representing civil society on the one hand and politicians on the other hand, this thesis focuses on the contentious politics of regulating and legislating freedoms of association, expression, and information.

To illustrate the salience of regulating and legislating liberal rights in African democracies, I borrow the narrative account of a Nigerian lawyer engaged in discussions between civil society and lawmakers on NGO laws in Sierra Leone and Nigeria in 2016. She writes:

> It was not surprising that the policy dialogue with the Sierra Leonean officials turned out to be quite contentious. At a side meeting, I told some participating NGO leaders that that sort of restrictive legislation, replete with onerous require-

ments for NGOs, was unlikely to be introduced in my country, Nigeria. I assumed our (Nigerian) democracy was too mature for such fractious distractions. Hey, I was so wrong! Three months later, precisely in June 2016, Nigeria's federal lawmaker, Honourable Umar Buba Jibril sponsored Nigeria's NGO Bill, which [in] my view, is an appalling imitation of the Sierra Leonean NGO Policy. The provisions of Nigeria's NGO Bill are not just similar to the Sierra Leonean Policy, but were also copied verbatim in a number of sections. Of all the things Nigeria needs to copy from Sierra Leone, restrictive legislation should never be one of them. (Ohaeri 2017)

Despite civil society pushback, the Sierra Leonean NGO law was adopted in 2017. Sierra Leone is one of three African democracies which in the last 15 years have adopted so-called anti-NGO laws,[1] legislation imposing state control over civil society and particularly over formal nongovernmental organisations (NGOs) working on human rights and democracy issues (Musila 2019). In Nigeria, the NGO bill died at committee level in the legislature, after much advocacy and protest from the civil society sector (Ayitogo 2019). Nigerian civil society was concerned that the adoption of the proposed NGO bill would signify a democratic regression (Gaebee 2016). Their fears were informed by the discourse of political proponents of the bill, their own engagement and discussion with politicians, and also by the fact that the law 'took after' the draconian Sierra Leonean law in regulating organisations on matters relating to funding, foreign affiliation, and national security. In the words of the above-mentioned lawyer:

The real intent of Honourable Umar's bill is crystal-clear! (. . .) The language and tenor of the Bill leave no doubt that its primary objective is to clamp down on the Nigerian civil society by widening the state's discretionary powers to interfere with NGO operations, and to impose additional layers of obstruction to a free civic space. (Ohaeri 2017)

This thesis approaches the study of repression of and pushback against liberal rights and rights advocates in African democracies from two angles, examining the actions and strategies of state-actors on the one hand and civil society advocates on the other. Focusing on democratic regimes, this compilation PhD dissertation explores the interplay between political and civil society actors in processes of regulating and legislating liberal rights. The various articles of the thesis all refer to one or several of the following research questions:

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[1]The other democratic regimes adopting anti-NGO laws were Zambia (in 2009) and Tunisia (in 2018), see Musila (2019). Regulation introducing restrictive provisions are often termed anti-NGO or anti-CSO laws by advocates.

- **RQ1**: What explains strategies of government repression of liberal rights?

- **RQ2**: What explains strategies of liberal rights advocacy in African democracies?

- **RQ3**: What are the consequences of repression of and elite pushback against liberal rights?

Vast scholarly attention has been devoted to the study of democracy and processes of democratic progress and recession (Diamond 2015; Howe 2017; Levitsky and Way 2015; Møller and Skaaning 2012; Plattner 2016). With growing concerns for the threats posed by illiberalism and authoritarianism to democracies across the world (Boese et al. 2022; Diamond, Plattner, and Rice 2015; Repucci and Slipowitz 2022),[2] scholarly efforts to understand contemporary challenges to democracies have coalesced into the field referred to as 'democratic backsliding' or autocratisation (Bermeo 2016; Cianetti and Hanley 2021; Haggard and Kaufman 2021a; Waldner and Lust 2018). By definition starting in democratic political contexts, the backsliding literature focuses on the strategies of democratically-elected but authoritarian-minded political leaders in challenging, eroding, or repressing liberal rights within democratic systems.

In parallel with the literature on democratic backsliding, a strand of the civil society literature focuses on how civil society actors and organisations are affected by government retrenchment of liberal rights and clampdown on actors advocating for them (Elone 2010; Howell et al. 2008; Rutzen 2015b). This phenomenon has been termed 'shrinking civic space' or 'closing space for civil society' and has been intrinsically linked to political pushback against human rights and democracy promotion (Borgh and Terwindt 2014; Bromley, Schofer, and Longhofer 2020; Buyse 2018; Chaudhry 2022; Dupuy, Fransen, and Prakash 2021). This literature has paved the way to better understand the causes and consequences of political repression and pushback against liberal rights and the strategies of rights advocates facing unwilling and reluctant political leaders.

In parallel with the literature on democratic backsliding, a strand of the civil society literature focuses on how civil society actors and organisations are affected by government retrenchment of liberal rights and clampdown on actors advocating for them (Elone 2010; Rutzen 2015b). This phenomenon has been termed 'shrinking civic space' or 'closing space for civil society'[3] and has been intrinsically linked to political pushback against human rights and democracy promotion (Borgh and Terwindt 2014; Buyse 2018; Diamond 2008; Dupuy, Fransen, and Prakash 2021). This literature has paved the way to better understand the causes and consequences of political repression and pushback

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[2]Often narrated narrated as a global backlash against democracy promotion (Carothers 2006; Perelli 2009) and civil society actors (Elone 2010; Howell et al. 2008).

[3]See for instance Brechenmacher (2017), Carothers and Brechenmacher (2014), Kreienkamp (2017), Mendelson (2015), Oram et al. (2017), Youngs (2015), and Youngs and Echagüe (2017).

against liberal rights and the strategies of rights advocates facing unwilling and reluctant political leaders.

This dissertation builds on and contributes to the literatures on democratic backsliding and civil society clampdown. On the one hand, the backsliding literature is useful for its focus on actions and strategies of political leaders. However, while existing studies on democratic backsliding increasingly focus on elite dynamics, the focus has primarily been on other political actors, such as opposition and courts, and not on members of civil society (but see Laebens and Lührmann (2021), Lorch (2021), and Rakner (2021)). On the other hand, while the civil society clampdown literature says more about the relationship with politicians, it rarely portrays civil society advocates as elite actors with an agency to shape this relation. While much scholarly attention has been afforded to political elites, elites within civil society have received less attention (Johansson and Uhlin 2020).

The dissertation contributes to theory development in two significant ways. First, it includes an elite perspective of civil society actors and, second, it nuances the scholarship on democratic backsliding by emphasising the iterative relations between political elites and civil society actors. It examines strategic interactions between elite-level actors in African democracies. Applying an agent-centric perspective that combines the strategies of both government and civil society actors, the thesis aims to improve our understanding of contention around liberal rights in African democracies and its consequences. With an elite perspective on challenging and advocating for liberal rights in African politics, I argue we can uncover the dynamics at play, both on the side of politicians and on the side of civil society actors, CSO leaders, prominent individuals in public debate, media actors and journalists with great influence on public discourse.

This compilation PhD dissertation is composed of five independent articles, all focusing on processes of regulating and legislating liberal rights in Sub-Saharan Africa. As a whole, the dissertation speaks to freedoms of association, expression, and information. All articles are concerned with the strategies of government and civil society actors, either one or both. Two of the articles in particular study the dynamics and interactions between political and societal elites in the case of drafting and advocating for the Right to Information Act (2019) in Ghana.

Theoretically, methodically, and empirically, all articles stand on their own. To varying degrees, the five articles combine quantitative as well as qualitative data and methods and while some of them are classical single-case studies, others take a cross-national perspective. All articles include a proper theoretical framework, separate literature reviews, and empirical analyses. Table 1 provides a synopsis of the articles.

The two first articles speak to government strategies of repressing liberal rights. While Article 1 (*How African countries respond to fake news and hate speech*) identifies government strategies to regulate online information in Africa and evaluates which regime characteristics shape the choice of strategy, Article 2 (*Intended or Inverted Democratic Laws?*) further examines legislative strategies in how lawmakers are writing and designing African right to information (RTI) laws. The two next articles speak to advocacy strategies in promoting the right to information in an African democracy, Ghana. Article 3 (*Rights Advocacy in Ghana*) identifies the challenges that rights advocates face even in a relatively open and unconstrained political context and examines the strategic interactions between advocates and politicians. Article 4 (*A Platform or Partner*) focuses on advocates' strategies and their interaction with media actors and identifies the mechanisms of how advocates engage media actors as partners in advocacy work. Finally, Article 5 (*Government Repression and Citizen Support for Democratic Rights in Africa*) speaks to the consequences of government repression of liberal rights, examining the relationship between government repression of civil society and media actors and citizen support for government control over freedoms of association and the media.

In sum, this compilation dissertation offers a comparative perspective on the politics of liberal rights in African democracies, both with regards to the political pushback against liberal rights and rights advocacy and with regards to the challenges faced by rights advocates and how they strategize to circumvent these. It highlights the significance of understanding strategies and argues that the continued study of the 'politics of liberal rights' should focus on actors and agency, should to a greater extent recognise diffusion and learning mechanisms, and should seek to better understand the narratives and justification for political pushback against liberal rights.

This introductory chapter proceeds as follows. The next section starts by clarifying the key theoretical concepts and how I define liberal rights and government repression, to include political pushback and 'pressures' on liberal rights and rights advocates. The chapter then moves to introduce the empirical landscape of liberal rights in African democracies and presents the case of Ghana and the policy-issue of right to information. I then review the literatures on backsliding and civil society clampdown, before presenting this dissertation's theoretical approach to strategic action and interaction between elite-actors in contentious politics. The section that follows describes the data and methods the articles rely on, as well as limitations and ethical considerations related to specific methodological choices made. The 'findings' section summarises the articles' findings related to the overarching research questions, before a concluding section discusses the overall implications, highlights theoretical, methodological, and empirical contributions, and offers concluding remarks. The introductory chapter is followed by all five articles in full length.

Table 1: Article overview

	paper	freedom of	focus	research design	cases	findings
(1)	Garbe, Lisa, Lisa-Marie Selvik and Pauline Lemaire (2021). "How African countries respond to fake news and hate speech"	information; expression	state-led strategies	explorative; cross-national	Africa (N=47)	We find that regimes typically restricting media freedom are more likely to use technological regulation and less likely to use legal regulation. We find mixed evidence concerning institutional constraints on the executive, which suggests we need a better understanding of the role of legislatures and courts in shaping legal regulation, especially of online information.
(2)	Selvik, Lisa-Marie (under review). "Intended or Inverted Democratic Laws? Examining the Manipulation of African Right to Information Laws"	information	lawmakers' strategies	cross-national	Africa (N=25)	This study identifies alterations and additions to 'right to information' (RTI) laws that deviate from international standards and model legislation on RTI, such as provisions concerning the sovereignty of the state, over-broad privacy protection and the control of the mass media. These inclusions can serve as 'red flags'. The paper shows how autocratic diffusion can happen within processes of democratic diffusion, and how it is happening in more covert, less obvious ways.
(3)	Selvik, Lisa-Marie (under review). "Rights Advocacy in Ghana. Strategic interactions between advocates and politicians."	information; association	advocates' strategies; interaction btw politicians and advocates	case study	Ghana	This study shows how the space afforded advocates by politicians is informed by informal aspects, such as politicians' perceptions of the advocacy issue and advocates fronting it. It also shows how advocates respond and interact with politicians to overcome these challenges. The paper argues that constraints and limitations be (re)created and shaped in the strategic interactions between actors.
(4)	Selvik, Lisa-Marie (2021). "A Platform or Partner: Engaging the Media in Advocacy"	information; expression	advocates' strategies; interaction btw media and civil society advocates	case study	Ghana	Two main mechanisms are uncovered in this study. First, it matters how civil society actors perceive of media actors in their media strategy, and how this in turn is received by media actors. Second, when CSOs seek to engage media as partners, it is necessary to also give room for their ownership and agency as independent advocacy partners.
(5)	Selvik, Lisa-Marie and Kendra Dupuy (under review). "Government Repression and Citizen Support for Democratic Rights in Africa"	association; expression	state-led strategies; consequences for citizen support	cross-national	Africa (N=37)	We find that increased government repression of civil society and media actors reduces the probability that citizens support association and media freedoms. We argue this occurs through mechanisms of elite persuasion, deference, and familiarity, connected to information flows from political elites to citizens.

Concepts and Background

This section provides conceptual clarifications of how I define liberal rights, what these rights are, and how they relate to understandings of democracy. Briefly put, the liberal rights of association, expression, and information are seen as key attributes of democratic regimes that enable actors to constrain political power and to ensure other democratic and human rights. It further provides a definition of government repression that includes political pushback and 'pressures' on liberal rights and rights advocates. I use government repression and political pushback interchangeably in this introductory chapter to emphasise the significance of repressive behaviour by political actors.

Next, the section introduces the empirical landscape of liberal rights advocacy in African democracies. It will give a brief background to understand 'politics of liberal rights' in African democracies and the civil society actors this thesis focuses on. The cases of the right to information as a liberal right and Ghana as an African democracy will be briefly presented.

Liberal Rights

Liberal rights are in this thesis understood to mean political civil liberties or political liberties. 'Political liberties' refer to the freedom that the population has in the political system, and exist to the extent that "the people of a country have the freedom to express any political opinions in any media and the freedom to form or to participate in any political group" (Bollen 1990, p. 10). Divided into political and private, civil liberties are generally understood "as certain freedoms to perform actions that individuals might wish to perform, which (it is thought) the state should not restrict" (Waldron 2003, p. 195).[4] The freedoms which fall under the category of political or public civil liberties are freedom of expression and freedom of assembly and association, while the more private and personal ones are freedom of religion and freedom of movement (Møller and Skaaning 2014). Based on conceptual definitional work derived from the philosophy of liberal thought and democracy theory (Skaaning 2008), this dissertation's definition of liberal rights is conceptually mapped in Figure 1 below and refer to the following rights and freedoms:

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[4]The freedoms that fall under the category of political civil liberties are also typically referred to as political liberties (Bollen 1990; Dahl 1971), basic freedoms, or variations of political and/or civil rights/liberties, sometimes with a slightly different meanings. These freedoms have also been called First Amendment-type rights (Goldstein 1978, 30–31, cited in Davenport 2007, p. 2), or 'personal exertion rights' (Skaaning 2008). See Skaaning (2008) for a comprehensive conceptual discussion and overview.

- Association rights: Freedom to form and join organisations

- Expression rights: Freedom of expression and speech

- Information rights: Freedom of alternative sources of information[5]

Using the term 'liberal rights' serves several purposes in this dissertation. First, the rights and freedoms referred to are seen as 'democratic rights', key components in maximalist understandings of democracy (Bollen 1990; Dahl 1971). A commonly agreed-upon definition of democracy is, roughly, "fully contested elections with full suffrage and the absence of massive fraud, combined with effective guarantees of civil liberties, including freedom of speech, assembly, and association" (Collier and Levitsky 1996, p. 434). This maximalist conception of democracy builds on Dahl's (1971; 1998) comprehensive and widely accepted theory of what constitutes a so-called electoral democracy, or what he termed a polyarchy.

Divided into political rights and political liberties in Figure 1, Dahl (1998) identifies six institutional requirements that must all exist for a regime to qualify as a polyarchy: (1) freedom to form and join organisations; (2) freedom of expression; (3) right to vote; (4) right of leaders to compete for votes; (5) alternative sources of information; and (6) free and fair elections.[6] While proponents of more minimalist conceptions of democracy typically argue that the relationship between democracy and other factors such as civil liberties should be treated as empirical rather than definitional,[7] the Dahlian counter-argument is that democracy without the inclusion of most of the people and without liberties that make elections meaningful is an oxymoron (Teorell et al. 2019, p. 75). The liberal rights in question are thus essential components of what makes a democratic regime democratic in this maximalist understanding. In the words of Diamond (2002, p. 21):

> [D]emocracy requires not only free, fair, and competitive elections, but also the freedoms that make them truly meaningful (such as freedom of organisation and freedom of expression), alternative sources of information, and institutions to ensure that government policies depend on the votes and preferences of citizens.

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[5]Freedom of information is often seen as a sub-component of freedom of expression, but is in this dissertation treated as a freedom in its own right. See section on 'The Right to Information' below for a more elaborate explanation.

[6]This is a reduction of the original eight requirements proposed in Dahl (1971, p. 3), missing the following two: eligibility for public office and institutions for making government policies depend on votes and other expressions of preferences. These are left out because they are considered covered by the other aspects (Teorell et al. 2019, p. 75).

[7]It is typical to compare Dahl's (1971) maximalist conception of political democracy to that of Schumpeter (1942), *Capitalism, socialism & democracy*. New York: George Allen & Unwin, who only regard Dahl's institutional prerequisites necessary for democracy. For a more comprehensive overview of this scholarly debate, see Teorell et al. (2019).

Second, the liberal rights are 'constraining' rights, and they give both social and political actors the possibility to constrain political power. The principle of accountability is key in theories of democracy. Mechkova, Lührmann, and Lindberg (2019) define political accountability as "constraints on governments' use of political power through requirements for justification of its actions and potential sanctions". In the Dahlian conception of democracy, liberal rights make governments more accountable and responsive to its citizens. In addition to elections, civil liberties, and universal suffrage, the liberal tradition stresses strong rule of law and effective checks and balances that limit the use of executive power (Merkel and Lührmann 2021; Teorell et al. 2019). The concept of liberal democracy thus posits a more demanding conceptualisation of democracy than the maximalist presented above. The free exercise of liberal rights are key for both intra-governmental constraints and extra-governmental constraints on political power (Jee, Lueders, and Myrick 2021, p. 7), as without them neither civil society and media actors nor independent courts, parliaments and opposition could not form or function in their supposed accountability function.[8]

Lastly, the liberal rights are all internationally recognised human rights. The freedoms of association and assembly, of expression and speech, and of information, form a central part of the overall human rights landscape. In addition to being enabling rights,[9] they are also valuable for their own sake. While often employed for other purposes, the act of staging a protest is an important exercise of agency and asking for and getting hold of information is important just because of a 'right to know' (Chamberlain 2016, p. 367).

Figure 1 provides a conceptual map of how the three liberal rights of interest are situated in the overall democracy and human rights landscape, in the intersection between civil liberties and democratic rights.

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[8]Other have referred to different types of accountability mechanisms as either horizontal, vertical, and diagonal accountability mechanisms (Mechkova, Lührmann, and Lindberg 2019).

[9]This is a concept borrowed from the human rights literature, as "[h]uman rights discourse has long acknowledged the intersectionality of human rights in the sense that rights acquire meaning and content through the existence and realisation of other rights" (Chamberlain 2016, p. 366).
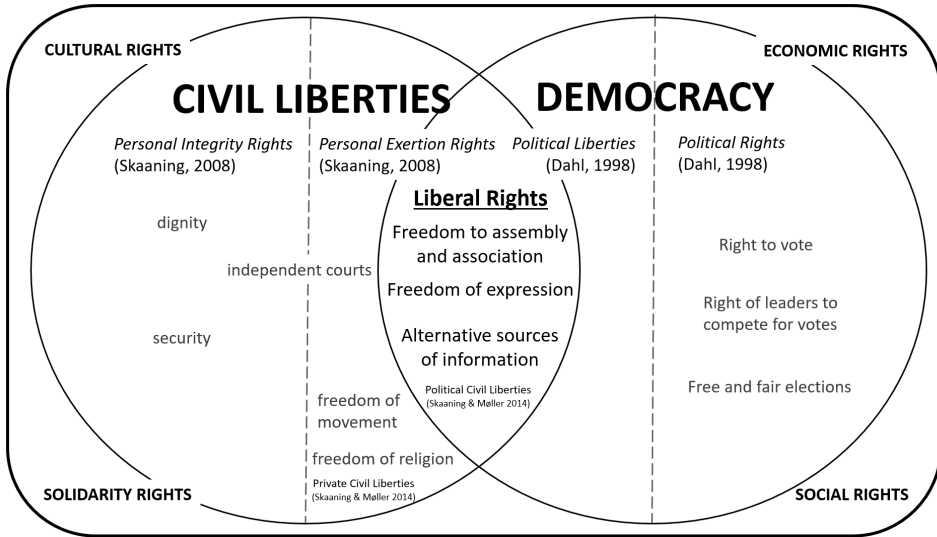
Figure 1: Liberal rights situated in a conceptual map of civil liberties and democratic rights within the human rights landscape. The figure is adapted from Skaaning (2008, p. 35), drawing on Møller and Skaaning (2014). The classifications of democratic rights and civil liberties are unpacked from Dahl (1998) by building on Bollen (1990).

The figure illustrates the connection between democratic rights and civil liberties in conceptions of democracy. By terming these liberties and freedoms 'liberal rights', I invoke a rights language to emphasise their belonging to the human rights landscape. This is particularly relevant in the context of this thesis, as the 'politics of liberal rights' in Africa is itself working at the intersection of democracy and governance (elections, accountability, and transparency) and human rights – as will be further detailed in the section on rights-based advocacy and rights advocates in Africa below.

The protection of human rights is an important part of democracies adhering to the liberal tradition, as they ensure equal participation and protection for minorities. Indeed, in current discourse and contemporary analyses of democratic politics, the repression of these rights and political pushback against those exercising them in order to advance other rights is often seen as a 'liberal deficit' in otherwise democratic regimes (Arriola, Rakner, and Van de Walle forthcoming; de Jager 2021; Howe 2017; Møller and Skaaning 2014; Plattner 2017).

Government Repression and Political Pushback

How do we understand government repression of – and political pushback against – liberal rights and those who exercise them? A multitude of terms are being used to describe repression of certain actors, their rights, and their political space, from restrictions, clampdown, and crackdown (Buyse 2018; Chaudhry 2022; Christensen and Weinstein 2013; Dupuy, Fransen, and Prakash 2021; Dupuy, Ron, and Prakash 2016) to pressures and constraints on political space (Borgh and Terwindt 2014; Mcadam, Tarrow, and Tilly 2003; Tilly and Tarrow 2007). When studying government repression and political pushback against liberal rights in democratic regimes, we need a broad understanding of repression. By conventional understandings, government repression involves

> the actual or threatened use of physical sanctions against an individual or organisation, within the territorial jurisdiction of the state, for the purpose of imposing a cost on the target as well as deterring specific activities and/or beliefs perceived to be challenging to government personnel, practices or institutions (Goldstein 1978, p. xxvii, cited in Davenport 2007, p. 2).

The above definition captures a wide variety of coercive behaviour by political authorities, efforts that can be either overt or covert, violent or non-violent, state, state-sponsored, or state-affiliated, and successful or unsuccessful (Davenport 2007, pp. 2–3). Like other forms of coercion, repressive behaviour relies on threats and intimidation to compel targets. To determine what constitutes government repression, Borgh and Terwindt (2014) suggest to classify government actions by its degree of coerciveness. They see government repression as the moments or episodes of coercive forms of domination, when the domination becomes more visible (Borgh and Terwindt 2014, p. 40).

Since repression is often understood by acts, and their purpose and consequences, this dissertation sees political pushback as repressive behaviour by political actors with the intention and purpose to repress – regardless of the success of that behaviour. As illustrated in the quote by the Nigerian rights advocate at the beginning of this text, while the introduction of a restrictive law (as in Sierra Leone) is a clear example of repression, the failure to pass it (as in Nigeria) nevertheless displays efforts at political pushback against civil society freedom. The latter is a good example of repression as political pushback, because it displays repressive behaviour (by some political actors) with the intent to pass the restrictive law proposal. While the intended repression did not succeed since the law was not passed, civil society actors in Nigeria still experienced repressive behaviour and political pushback against their association rights.

Within this broader view on repression and political pressures, Borgh and Terwindt

(2014) distinguish between restrictions and pressures on civil society actors. Building on the concept of 'political space', they argue that *restrictions* on political space include "any kind of limitation [civil society actors] have, without attributable acts from a particular actor" (p. 40). These limitations can for instance result from unequal power structures and do not represent repression as such.[10] *Pressures* on political space, by contrast, are "a specific and visible restriction that occurs when [civil society actors] are actively blocked, thwarted or repressed by other parties" (Borgh and Terwindt 2014, p. 40). This is thus seen as a coercive form of domination wherein political actors impose constraints on civil society actors as part of a conscious and active effort to repress and impede their work.

Table 2 below presents an overview of different types of pressures and repressive behaviour that civil society actors may face, as distinguished by Borgh and Terwindt (2014, pp. 41–48).

Repressive actions and behaviour take the form of policies, laws, and measures, and are often interlinked and used in a certain order and cycle of escalation. They are not necessarily carried out by state actors, and uncertainties can reign about whether or not they are state-sanctioned or not Borgh and Terwindt (2014, pp. 42–43). Elements in this typology also apply to other actors who are dependent on liberal rights that government actors can seek to repress, like the media or opposition politicians. The next section presents the empirical landscape of repression of liberal rights and those who exercise and advocate them.

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[10]From a structural violence perspective (Galtung 1969), this can also be seen as intentional injustice and repression of certain actors. That actors have different political opportunity structures in theories of political mobilisation, for instance, is one expression of how different actors can face different limitations and restrictions on their work.

Type	Acts	Other (selected) work:
Physical coercion (harassment and intimidation)	Threats, injuries and killings Impunity and lack of protection	Bakke, Mitchell, and Smidt (2020) on human rights abuses Chaudhry (2022) on violent crackdown
Judicial pressures: Criminalization: prosecution and investigation	Preventive measures such as terrorism lists and terrorism task forces Restrictive CSO bills on registration and operation	Gloppen, Gerzso, and Van de Walle (forthcoming) on judicial lawfare
Administrative pressures: Administrative restrictions	Ad hoc measures by different government agencies	Bloodgood, Tremblay-Boire, and Prakash (2014), Bromley, Schofer, and Longhofer (2020), Christensen and Weinstein (2013), DeMattee (2018) and DeMattee (2019), Dupuy, Ron, and Prakash (2016) on legal restrictions Gloppen, Gerzso, and Van de Walle (forthcoming) on administrative lawfare Chaudhry (2022) on administrative crackdown
Discursive acts: Stigmatization and negative labelling	Criminal stigmatization Social stigmatization	Gloppen, Gerzso, and Van de Walle (forthcoming) on socio-discursive strategies Kreienkamp (2017) on social stigmatisation
Participation under pressure	Co-optation Closure of newly created mechanisms (of dialogue and participation)	Holdo (2019) on co-optation

Table 2: Overview of repressive strategies and actions taken by government actors to repress and push back on liberal rights and rights advocates, collected from Borgh and Terwindt (2014, pp. 41–48). While their study is focused on NGOs, as a specific type of CSOs, their overview resonates with the broader literature on civil society and media repression. For one, the 'administrative pressures', 'judicial pressures', and 'discursive acts' bear similarities to elements of Gloppen and colleagues' (forthcoming) typology of the different legal strategies that autocrats exploit to stay in power, namely judicial lawfare, administrative lawfare, and socio-discursive strategies.

Repression of Liberal Rights

Most accounts of government repression deal with state power and government behaviour that violate the overall freedoms of what is termed 'civil liberties' in Figure 1 above (Davenport 2007, p. 2). The literatures on state repression and human rights violation are thus highly interlinked.[11] Consequently, it is arguably hard to disentangle the respect for the liberal rights in question, freedoms belonging all citizens irrespective of their role in society, from the repression of certain actors most prominently exercising them, such as civil society organisations and the media.

When presenting the Civil Liberties Dataset, Møller and Skaaning (2014) argued that there had been little systematic and comparative work on developments in levels of

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[11]There are great and diverse literatures concerned with the question of state and government repression, ranging from strategies of repression in non-democratic regimes to the challenges facing human rights activism (Davenport 2007). A vast literature on norm diffusion also offers insights about pushback against democratic norms and liberal rights.

repression for the freedoms of expression, assembly, association, religion, and movement (the 'civil liberties' in Figure 1 above) as compared to repression of electoral rights and physical integrity rights. Early comparative work on press freedom, for instance, examined how media freedom affect government respect or violation of human rights, in particular physical integrity rights (Whitten-Woodring 2009).

Since then, however, we have learned more about the correlates and sequencing of freedoms and the repression of them. Scholars have focused on media freedoms (Kellam and Stein 2016; VonDoepp and Young 2013; VonDoepp and Young 2016; Whitten-Woodring and Belle 2017), civil society freedom (Chaudhry 2022; Dupuy, Ron, and Prakash 2016), and on combinations of civil society and media freedom in mechanisms of accountability (Mechkova, Lührmann, and Lindberg 2019). Møller and Skaaning (2014) identify a sequence of repression, where freedom of expression is generally repressed at least as much as freedom of association and assembly, which in turn is repressed at least as much as freedom of movement, while freedom of religion is rarely repressed more than any of the others.

Measures of government repression of freedoms of association, expression, and information often focus on the political space afforded to civil society and media actors and their ability to operate. Increasingly, scholarly efforts have identified the repressive actions governments take in particular towards civil society and media actors. Scholars studying government repression and 'shrinking space for civil society' largely focus on segments of civil society. While some focus on civil society organisations (CSOs) in general, others focus more narrowly on what is called nongovernmental organisations (NGOs).[12] For CSOs and NGOs, studies often measure the extent to which organisations face 1) barriers to entry, like burdensome registration requirements, or some activities banned/illegal, 2) barriers to funding, like restrictions on foreign funding, and 3) barriers to advocacy, like being barred from certain political activities (Chaudhry 2022; Christensen and Weinstein 2013; DeMattee 2018; Dupuy, Ron, and Prakash 2016; Glasius, Schalk, and De Lange 2020). For media actors, studies often focus on the extent to which they are free to operate without government censorship and what harassment they face by both state and non-state actors (Conroy-Krutz and Koné 2020; VonDoepp and Young 2016; Whitten-Woodring and Belle 2017).

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[12]These terms and abbreviations will appear interchangeably throughout the text.

African Democracies and Liberal Rights Advocacy

Though African democracies to a large extent have embraced the democratic tradition, holding repeated elections with high political participation, the political pushback is arguably stemming from an absence of the classical liberal tradition in terms of accountability and civil liberties (de Jager 2021). African political elites seem content to use electoral mechanisms and popular support to gain access to political power, but once in power they are hesitant and resist placing any constitutional restraints on their power (Gyimah-Boadi 2015; Gyimah-Boadi and Yakah 2013). The contestation around democratic governance practices of some African governments therefore continue to revolve around the liberal components, such as the freedom of association, expression, and information (Adejumobi 2017; Chikoto-Schultz and Uzochukwu 2016; Conroy-Krutz 2020).

In aggregate democracy indices, this is reflected in a seemingly stalled democratic progress on the continent (Arriola, Rakner, and Van de Walle forthcoming). Since 2000, five African countries have been rated as 'liberal democracies' by V-Dem's *Regimes of the World* measure: South Africa (from before 2000 until 2012), Mauritius (from before 2000 until 2016), Ghana (from 2003 until 2014, and from 2017 until 2020), Botswana (from 1999 onwards), and Benin (for a brief period, from 2013 until 2014) (Coppedge et al. 2021).

Civil society actors in African democracies are faced with a daunting task: to advocate and advance the political liberalisation processes their countries embarked upon in the 1990s. The irony in this is that the advocates' ability to do their work is in large part contingent on the very freedoms and rights they seek to ensure and enhance. In order to understand the experiences of civil society actors in advancing democratic rights in relation to political elites, a brief backdrop of the growth of the civil society sector and the role of civil society actors in the African 'democratic project' is necessary.

After the second African wave of protests demanding political change in the late 80s and early 90s, the continent's nascent civil societies — the beginning of the civil society landscape as we know it today — were at the forefront of democratisation (Branch and Mampilly 2015; Gyimah-Boadi 1996). Civil society has played a key role in African politics since the political openings following the political liberalisations – if not a determining role, then at least a significant one given the emphasis it has been given by scholars and donors alike. The years of political openings in the 1990s saw a ballooning of civil society organisations in many African countries.[13]

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[13]However, the significance of the emergence of an African civil society sector in the context of Western influx have also been approached more cautiously, as they were seen as weak and tightly linked to the state (Gyimah-Boadi 1996; Kasfir 1998).

As part of the strategy to promote and strengthen democratic rule, international donors provided large amounts of financial support to the civil society sector in Africa (Dupuy, Ron, and Prakash 2015). The 1990s' reintroduction of multiparty constitutions was therefore followed by a global expansion of internationally-funded CSOs working on liberal values, promoting democracy and human rights. There was also a significant influx of international actors and conditions in the ideologically-driven democracy programmes and assistance, which were promoted by NGOs and donors, practitioners and policy-makers. Indeed, significant portions of international development aid were channelled through service provision organisations outside the state (Dupuy and Prakash 2018). As a consequence, the formal civil society sector, and especially foreign funded NGOs, soon became inextricably bound up with Western concepts such as 'civil society', 'democracy', 'good governance' and 'social capital' (Kasfir 1998; Mercer 2003).

Many understandings of 'civil society' exist, but it can be defined as "a political sphere where associations of citizens seek, from outside political parties, to shape the rules that govern social relations" (Scholte 2014, p. 20). This dissertation approaches the notion of civil society actors with a bit wider definition that includes individual citizen rights advocates, where 'rights advocates' are understood as associations of citizens, organisations, groups, networks and individuals, who are organised to promote a cause, principled idea, and norm, and who further, borrowing from Keck and Sikkink (1998, pp. 8–9), advocate policy changes that cannot be easily linked to a rationalist understanding of their 'interest'. This can typically include media actors, academics, and lawyers, and other prominent figures engaged in public debate.

The idea that civil society would act as a check on the government was based on the rather hopeful assumption that these organisations are in some way separate from, and willing to act against, the state (Cheeseman 2015, pp. 68–69). On the other hand, African governments are typically believed and expected to subvert the growth of an influential civil society (Bratton 1989; Diamond 2008). With an even more critical view, Kasfir (1998, p. 123) points to the paradoxical position of the state within civil society in Africa, thereby causing a problem of creating a civil society strong enough to force the state into democratic reform.[14]

While initially focused on building robust civil societies in newly liberalised polities, both for the sake of service-provision and to function as watchdog institutions holding power to account, parts of the African civil society sector, both local and international organisations, have increasingly grown into an advocacy-oriented sector vocalizing political

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[14]He criticised a Western over-emphasis on the civil society sector, arguing that a broader strategy of governance both building civil society and assisting political institutions would be more likely to contribute democracy.

demands, with a more rights-based approach to both governance and development (Andreassen and Crawford 2013; Nelson and Dorsey 2008; Williamson and Rodd 2016). As civil society organisations increasingly demand participation in the policy process, the relationships between contemporary African governments and CSOs have become adversarial and imbued with mutual mistrust (Chikoto-Schultz and Uzochukwu 2016; Mati 2020).

In conclusion, the idea of 'civil society' has become inseparable from any credible discussion of democracy and state–society relations in Africa (Atibil 2012, p. 46). Civil society is regarded a basic institution of democratic rule, alongside with media, multiparty elections, legislatures, and political parties. While many definitions and conceptions of civil society exists (Jensen 2006; Obadare 2005), Tocqueville's description of independent voluntary associations as a countervailing force to government is currently held as the defining feature of civil society amongst many scholars and practitioners. Indeed, this underlying normative assumption in most theories of democracy and democratisation are driving discussions on the role that civil society actors should have in politics and global advocacy campaigns.

In her review of the different conceptions of civil society in Africa, Atibil (2012) notes how there is a distinct 'conflict' tradition in the civil society literature where organised civil society actors are not only independent from the state, but also struggle against it for power and resources, which in her view "invariably promotes the oppositional politics that is so prevalent in Africa" (Atibil 2012, p. 47). Other scholars, like Gaventa (2006) and Young (1999), have also highlighted the competing and sometimes contradictory tasks of civil society organisations with both complementary, supplementary, and adversarial relationships with governments. According to Gaventa (2006), civil society organisations are to provide a voice for citizens to communicate with government, extend the reach of government by delivering services to citizens, and hold government officials accountable through watchdog efforts. This is arguably challenging tasks to juggle, especially in developing democracies.

Whether African civil societies' capabilities to influence and deepen democracy are viewed positively or negatively, civil society organisations, and especially those engaged in promoting good governance and advocating for democratic rights, must be considered as political actors in African politics. The question of what role civil society actors should play in politics in Africa is far from settled (Atibil 2012; Chikoto-Schultz and Uzochukwu 2016; Mati 2020; Whitfield 2003). Divergent, and sometimes conflicting, conceptions of civil society actors and their (legitimate) role in politics are part and parcel of the contention in state-society relations (Atibil 2012).

Right to Information in Africa

The 'right to information' (RTI), also called 'the right to know',[15] is in many ways self-evident, but is also at the same time an intricate concept (Diallo and Calland 2013, p. 8). In practical terms, right to information means that citizens have the right to request and access government information, documents, and records from government bodies about official rules and activities (Berliner 2014, p. 479). So-called RTI laws thus provide citizens a right to request information from their government (Luscombe and Walby 2017; Worthy 2017). In a broader sense, it could be argued that freedom of information should be understood as encompassing other rights and freedoms such as media freedom, freedom of expression and free speech, and overall room for dissent and critical voices. The UN General Assembly Resolution 59(1) on Freedom of Information from 1946 states that:

> Freedom of Information is a fundamental right and is the touchstone of all the freedoms to which the United Nations is consecrated. Freedom of Information implies the right to gather, transmit and publish news anywhere and everywhere without fetters. As such it is an essential factor in any serious effort to promote the peace and progress of the word.

This language was not, however, clearly understood or defined at the time as the right to request and receive information from public authorities (AccessInfo 2006). This provision has later been regarded as an integral part of the fundamental right of freedom of expression, as recognized by this resolution and by Article 19 of the Universal Declaration of Human Rights of 1948, which states that the fundamental right of freedom of expression encompasses the freedom to "to seek, receive and impart information and ideas through any media and regardless of frontiers".

The UN recognition of the right to information was preceded by two significant events, namely Sweden's adoption of the world's first access to information law in 1766 and the French Declaration of Human and Civic Rights of 1789, which enshrined citizens' 'right to know' on the issue of tax payment and spending into the French constitution (Berliner 2014; Rattan 2009). Historically, freedom of information and freedom of the press have been highly intertwined ever since Sweden's RTI law (Ackerman and Sandoval-Ballesteros 2006). In modern times, after the UN resolution, freedom of information has also been enshrined as a corollary of freedom of expression in other major international instruments, including the International Covenant on Civil and Political Rights (1966) and the American Convention on Human Rights (1969).

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[15]Many terms flourish such as freedom of information (FOI) and access to information (ATI) and variations thereof.

Since 1992, there has been a global evolution of 'access to information' rights (Banisar 2005; Banisar 2018), and significant global developments have occurred in the area of transparency law, policy, and practice in the period since (Diallo and Calland 2013). The dominant understanding of RTI laws in the existing literature is that they are vehemently opposed by political actors and must be forced on them in a valiant struggle by local and international civil society advocates (see Ackerman and Sandoval-Ballesteros 2006; Banisar 2006). Overall, there is a tendency to see processes of RTI adoption as part of a big push by international and national stakeholders, while unwilling political actors either succeed or fail in resisting their pressure (Michener 2011).

The African experience of adopting RTI laws is relatively recent and chequered (Amanfo and Selvik 2020). Article 2 provides a review of the RTI adoption in Africa. On the African continent, the conditions that have made access rights both important and hard to implement in the Global South generally, are found in their most extreme forms (Darch and Underwood 2010). Two of the articles in this dissertation conducts and in-depth case study of RTI advocacy in Ghana (Articles 3 and 4, see methods section below for more on case selection.) Next, this section presents a brief outline of the political landscape in Ghana, one of Africa's most democratic regimes.

Ghana as an African Democracy

While Ghana's democracy has been institutionalised through several 'steps in the right direction', the institutionalisation of democratic norms and best practices is more mixed. Governmental accountability and transparency are severely inadequate, and the inner workings of government are 'shrouded in secrecy' (Gyimah-Boadi and Yakah 2013, p. 259). Furthermore, the rule of law remains poorly entrenched and institutional checks-and-balances remain weak, as power is legally and constitutionally over-concentrated in the executive branch. The political landscape is characterised by extreme partisanship and political polarisation between the two dominant parties, the National Democratic Congress (NDC) and the New Patriotic Party (NPP), as members of both parties see the control of the state as the most lucrative avenue for wealth and affluence (Gyimah-Boadi 2018).

Since the transition to multiparty politics in 1992, the space for citizen participation in political life and public affairs has expanded. While Ghanaian civil society organisations are suffering from a residual 'culture of silence' from its previous experiences with authoritarian regimes, they also enjoy a favourable legal and regulatory environment for operation and advocacy (Botchway 2018; Gasu 2017; Whitfield 2009). However, there is minimal state support for CSOs that seek to remain autonomous from the state or

pursue a political agenda to counter state hegemony (Arthur 2010). According to Fo-
bih (2008) this is due to the government's suspicion of civil society actors as a threat
to its overall power. With regards to the media, despite great media liberalisation after
the political opening in the 1990s, shortcomings remain with regards to archaic laws in
the statute books and court fines crippling media actors (Nyarko, Mensah, and Owusu-
Amoh 2018), challenges of a highly partisan media landscape (Conroy-Krutz 2020), and
a lingering culture of suspicion of, and even hostility to, media among many Ghanaian
officials and politicians (Gyimah-Boadi and Yakah 2013).

While democratic backsliding in Ghana for a long time seemed implausible, anti-
democratic behaviour by government officials and other state actors are increasingly
a cause for concern, also with regards to rights and freedoms (Gyimah-Boadi, Logan,
and Sanny 2021). In fact, both Mechkova, Lührmann, and Lindberg (2017) and Hag-
gard and Kaufman (2021a) identified a backsliding episode in 2017 (see Appendix, p. 5
Haggard and Kaufman 2021a). However, this classification is contested. I argue with
colleagues elsewhere (Oduro, Selvik, and Dupuy forthcoming), that Ghanaian political
elites repeatedly have resisted to introduce restrictions on executive power in particular,
as manifested through continued failures to implement needed constitutional reforms,
delays in adopting and implementing key civil liberties legislation to improve minority
rights, and active attacks on media pluralism and freedoms. Yet, Ghana is one of Africa's
most robust democracies.

In the context of this dissertation, two events deserve mention besides the process leading
to the RTI law. Before the 2016 elections, a public outcry was prompted by Ghana's
Inspector General of Police announcing a countrywide social media blackout might be
implemented both before and after election day (Akwa 2016). Internet shutdowns are
regarded as a particularly autocratic mechanism of regulating freedom of expression and
information (see Article 1, Garbe, Selvik, and Lemaire (2021)). The fear that Ghana
would follow countries as Ethiopia and Uganda rallied members of civil society, media,
academia, and the general public (Akwei 2016; Kwakofi 2016). In the end, government
made assurances and the Internet was kept open during the elections.

More recently, in June 2021, a private members bill was tabled in the Ghanaian Parlia-
ment to criminalize LGBTQI+ practice and advocacy. Not only would the proposed law
criminalise all same-sex relations, but it would also disband all LGBTQI+ groups, asso-
ciations, clubs, and organisations (Newsroom 2021). It would thus curb the associational
freedoms of both the LGBTQI+ community and rights activists in Ghana. Advocates
and prominent members of civil society are speaking up against majoritarian (over)rule
and for the protection of minorities, and for the constitutionally guaranteed freedoms
of speech and expression, association and assembly (Hawkson 2021; Wakefield 2021).

Discussions in parliament are, at the time of writing in 2022, ongoing.

With regards to the right to information (RTI) law in Ghana, advocacy started in the late 1990s as the demand for RTI legislation grew amongst leading members of civil society (see Gyimah-Boadi 2000). The right to state-held information was already a constitutional right in Ghana, as the 1992-constitution made provisions for "all persons living in Ghana to have the right to information as a fundamental human right" (Constitution of Ghana 1992). As such, the RTI law was merely operationalising a right that all Ghanaians already have.[16] CHRI (2019) notes how the specific provision on RTI in the constitution was also inspired by the global right to information campaign and the traction it was gaining worldwide.

Civil society actors' advocacy for an RTI law can therefore be seen as both the continuation of the democratising work laid down in writing the 1992 Constitution (Gyimah-Boadi 2000; Gyimah-Boadi 2018), and as part of the global movement for RTI adoption (Banisar 2005). As showed through the RTI advocacy, linkages to global social movements and advocacy campaigns have been critical to the rise of rights-based advocacy in Ghana and the political activism that civil society organisations are leading (Crawford and Anyidoho 2013; Ukaigwe 2018; Whitfield 2009).

A draft RTI bill was put forward and presented to the-then NDC-government by the Ghanaian thinktank Institute of Economic Affairs (IEA) in 1999. A civil society coalition to organise the advocacy for the draft law was formally established in 2003 (CHRI 2019). Since its inception, the Right to Information (RTI) Coalition gathered a broad range of civil society organisations, including media interest organisations, and individual members, like academics, lawyers, judges, and people in the media landscape. The RTI Coalition was spearheaded by the Commonwealth Human Rights Initiative (CHRI), who acted as the Secretariat of the Coalition throughout the process, together with the Media Foundation for West Africa (MFWA), Ghana Center for Democratic Development (CDD-Ghana), and Ghana Integrity Initiative (GII), which is the national chapter of Transparency International (for more on the Coalition, see (CHRI 2019), and Articles 3 and 4).

Today, these civil society organisations are established and recognised actors in the Ghanaian civil society sector (Botchway 2018; Kamstra, Pelzer, et al. 2016). And, as I show in Article 4, while media actors initially were 'partners missing in action', being

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[16]The adoption of the 1992-constitution signified the final stage of Ghana's democratisation process, and the constitution laid important foundations for all enabling rights for the vibrant civil society landscape and media scene in Ghana today (Abdulai and Crawford 2010). The new constitution was a fairly liberal democratic constitution even at the time, and it made elaborate provisions for the protection of a wide array of fundamental human rights (Arhin 1995; Gyimah-Boadi and Yakah 2013).

largely passive members of the RTI Coalition, a Media Coalition on RTI was set up in 2018 and prominent individual journalists engaged in the advocacy campaign (Article 4, Selvik (2021)). In addition, the RTI Coalition gathered supporters from a middle-class movement, led by prominent and influential individuals (Daswani 2020).

Theoretical Review and Approach

In studying government repression and pushback on liberal rights and rights advocates, the dissertation draws on, and contributes to, two literatures: the democratic backsliding literature and the literature on civil society clampdown. This section reviews the two literatures, and presents the theoretical approach adopted in this dissertation. Rooted in the current literature, I suggest that research on 'the politics of liberal rights' would benefit from an interactive perspective, focusing simultaneously on strategies of government actors and civil society actors to better understand the significance and consequence of strategic (inter)action.

Backsliding Strategies

The backsliding literature emerged as a research agenda in response to increased scholarly interest in the observed erosion of the quality of democratic institutions and norms within regime types previously considered democratic. The observed diminishing quality of elections and political institutions in cases such as Venezuela, Hungary, Poland, but also the US, sparked considerable journalistic as well as scholarly interest (Cianetti and Hanley 2021; Corrales 2015; Levitsky and Ziblatt 2018). Scholarly efforts focused on the phenomenon of 'backsliding' and intra-regime change as incumbent leaders undermine and manipulate core democratic ideals of accountability, competition, power-sharing, and the rule of law (Bermeo 2016; Dresden and Howard 2016; Mechkova, Lührmann, and Lindberg 2017; Waldner and Lust 2018). This emerging literature highlights the incremental and slow erosion of conditions for democratic institutions such as opposition parties, legislatures and independent courts, civil society actors, and a free press.

The novelty of this research is the focus on explaining processes of incremental intra-regime changes: the backsliding process. Contrary to studies of outright regime change, the outcome of interest is not necessarily regime change and the resulting political regime, but rather the process through which this change occurs. Vast scholarly attention has been devoted to the study of regime types, transitions to and from democracy, and processes of democratisation and autocratisation within regime types. While these theories

are helpful in explaining why regimes breakdown, we lack(ed) systematic and comparative work on precisely how they break down (Bermeo 2016, p. 5). This is the mission of the backsliding literature: explaining an outcome related to, yet distinct from, the classic debates on democratic consolidation or reversion to autocracy (Waldner and Lust 2018).

A first challenge for studies on democratic backsliding is to define and recognise it. Initial conceptualisations saw backsliding as changes that could occur in any regime type. In one of the first seminal writings on democratic backsliding, Bermeo (2016, p. 6) noted how existing conceptions of democratic backsliding were broad and opaque, denoting the "state-led debilitation or elimination of any of the political institutions that sustain an existing democracy". In their attempt to place the study of democratic backsliding on sturdier conceptual, operational, and theoretical ground, Waldner and Lust (2018, p. 95) suggested that backsliding "entails a deterioration of qualities associated with democratic governance, within any regime", but further emphasised that in democratic regimes "it is a decline in the quality of democracy" while in autocracies "it is a decline in democratic qualities of governance".

The democratic backsliding literature has coalesced on studying backsliding as a process with a democratic context as a starting point. To echo the critical view of Levitsky and Way (2015), studies interested in democratic backsliding and regression should focus on political contexts where there is democratic value to be lost. Per most definitions, democratic backsliding is thus taking place in and within democratic regimes (Haggard and Kaufman 2021a; Waldner and Lust 2018). As such, democratic backsliding is conceptualised as a distinctive form of political change that can lead to regime change (i.e. *reversion*), but in most instead leads to intra-regime change (i.e. *erosion*) (Haggard and Kaufman 2021a; Haggard and Kaufman 2021b; Waldner and Lust 2018).

The essential argument is that democratic backsliding processes are happening through slow, gradual, and incremental changes made by democratically elected but authoritarian-minded leaders. Democratic backsliding is defined as the "incremental erosion of democratic institutions, rules and norms that results from the actions of duly elected governments, typically driven by an autocratic leader" (Haggard and Kaufman 2021a, p. 1). The backsliding in question is thus the result of purposeful efforts by autocrats who came to power through electoral means.

The biggest contribution of the backsliding literature – in my view – lies in its focus on the strategies of incumbent leaders. As argued by Bermeo (2016, p. 5), political scientists have "focused more often on economic and institutional correlates than on choices and choosers". There is now largely a consensus in the backsliding literature

that backsliding results from the strategies and tactics of autocratic leaders and their allies in the executive, legislative and judicial branches of government (Haggard and Kaufman 2021a, p. 3). The focus is on actual choices and strategies.

Bermeo (2016) presents three strategies of democratic backsliding that are on the rise: *promissory coups*, *executive aggrandizement*, or *strategically manipulating elections*. While the first involves the ouster of an elected leader, the latter two are strategies employed by incumbent leaders, so-called 'elected autocrats', often as a joint strategic venture and in a slow and ambiguous manner. Executive aggrandizement refers to episodes where "elected executives weaken checks on executive power one by one, undertaking a series of institutional changes that hamper the power of opposition forces to challenge executive preferences", while manipulating elections strategically denotes a "range of actions aimed at tilting the electoral playing field in favour of incumbents" (Bermeo 2016, pp. 10–13). These strategies have multiple targets, ranging from opposition candidates, courts, and ombudsmen to civil society organisations, the media, and minority groups in society.

There are several different approaches to explaining democratic backsliding, and little scholarly consensus exists on what theoretical approaches offer most explanatory power (Jee, Lueders, and Myrick 2021; Waldner and Lust 2018). While the literature has grown significantly since Waldner and Lust (2018)'s review concluded that efforts to explain backsliding 'remain inchoate', there is still no unified theoretical framework to explain processes of democratic backsliding in democratic regimes (but see recent suggestions from Haggard and Kaufman (2021a), Haggard and Kaufman (2021b), and Jee, Lueders, and Myrick (2021)). According to Jee and colleagues (2021), disagreement about when, where, and why backsliding occurs (still) impedes scholarly progress.

Nonetheless, following Waldner and Lust (2018)'s call drawing in agency-based theories to a greater extent in a 'balance of power' framework, several contributions in the field are balancing structure and agency to varying degrees (for a review, see Andersen (2019)). Studies on democratic backsliding increasingly place emphasis on decisions made by political actors (i.e., their agency), working within democratic systems with varying degrees of constraints on them. While some contributions offer institutional explanations for backsliding, focusing on constitutions, legislatures, and parties (Gandhi 2019) or democracy-promoting international organisations (Meyerrose 2020), most of the more prominent studies focus on a combination of institutions and actors (Andersen 2019; Haggard and Kaufman 2021b).

Focused on describing and explaining the granular changes that happens when incumbent leaders and political elites chip away at the bases of democracy, existing studies of

backsliding can therefore tell us a lot about the strategies that government actors pursue. Common in most accounts of backsliding is the manipulation and undermining of the three mutually constitutive elements of democracy: free and fair elections, horizontal checks on executive power, and political and civil liberties. Bermeo (2016)'s two types of backsliding strategies – *executive aggrandizement* and *strategically manipulating elections* – target the electoral system, horizontal constraints on political power, and assaults on rights. In the most current and comprehensive work conceptualising backsliding to date, (Haggard and Kaufman 2021a) focus their analytical attention on "the elected officials and contenders – presidents, prime ministers, legislators and other political elites – who deploy majoritarian appeals to undermine the institutional checks and protections of liberal democracy" (Haggard and Kaufman 2021a, p. 2).

Furthermore, this focus on actors and their strategies acknowledges the possibility that authoritarian-minded actors are working within democratic contexts. By that, I mean any of the following: in established democracies, outright 'authoritarian actors' can be understood as those actors who are openly in opposition to the democratic regime and with intentions to transform democracy into some sort of autocracy (Merkel and Lührmann 2021, p. 869). More common are perhaps so-called 'illiberal', 'semi-loyal' or 'reluctant democrats (Cox 2014), actors who are not fully committed to the norms and institutions in democracies that constrain the executive and enforce civil liberties and the rule of law. Though these actors might not outright attack the electoral components of the democratic regime, they often try to dismantle its liberal dimensions (Merkel and Lührmann 2021).

The focus on authoritarian-minded actors operating in democratic regimes also recognise the constraints posed by both institutions and other actors. This is particularly relevant in democratic systems, where we would expect there to be some resistance from both institutional structures and other actors, either in vertical, horizontal, or diagonal mechanisms of accountability (Mechkova, Lührmann, and Lindberg 2019). Based on an extensive literature review, Jee, Lueders, and Myrick (2021) present both extra-governmental and intra-governmental constraints as important avenues in a unified approach to researching democratic backsliding. In their framework, they thus highlight how government actions to reduce society's ability to hold officials accountable is a highly relevant arena for backsliding. Most of the writing on how to counter backsliding, however, focuses on the institutional checks and the role of other political actors, such as courts and political opposition (Cleary and Öztürk 2022; Leininger and Nowack 2022; Somer, McCoy, and Luke 2021). Nonetheless, this is highlighting the agency of actors working within institutions as important drivers for democratic responses to authoritarian challengers (Andersen 2019; Merkel and Lührmann 2021).

To summarise, while the backsliding literature acknowledges that civil society and media actors are targets of backsliding strategies, and that the freedoms of association and expression are 'prime sites' of attack (Bermeo 2016; Haggard and Kaufman 2021b), there has been scant scholarly attention to the role that civil society and media actors play in constraining political elites' backsliding strategies (but see Laebens and Lührmann (2021), Lorch (2021), and Rakner (2021). In a special issue on 'democratic resilience', however, Merkel and Lührmann (2021) emphasise the ability of both institutional guardrails and civil society to withstand the attempts of incumbent leaders to erode accountability. As such, civil society, and all non-state actors such as the media or ombudsman institutions, are part of the democratic response to backsliding attempts and strategies.

According to Haggard and Kaufman (2021b, p. 38), there is a 'slippery slope' argument at work: an attack on any one of them will pose a threat to the others. Indeed, Laebens and Lührmann (2021) show how pressures from civil society and the media, as mechanisms of diagonal accountability, played a part in halting democratic erosion, when working together with mechanisms of horizontal (institutional oversight) and vertical (electoral competition) mechanisms of accountability. In a less optimistic view, however, Lorch (2021) argues that in weakly institutionalized democracies, civil society actors are easily captured by political elites and therefore do not pose constraints on incumbents' backsliding strategies.

Rakner (2021), on the contrary, finds that that civil society actors can mobilise resistance even in weakly institutionalised democracies, and she shows how civil society actors were successful in resisting executive aggrandizement by amending the constitution in Malawi, but did not have the same success in Zambia. In their comparison of Malawi and Senegal, Leininger and Nowack (2022) find that external democracy support can assist domestic actors and institutions in deflecting increased autocratisation, especially when directed at building up civil society organisations. We arguably need to understand more about the role of civil society actors in processes of democratic backsliding, and importantly how they can respond to government strategies to undermine liberal rights.

Civil Society Clampdown and Responses

Concerned with government clampdown on civil society organisations, a strand of the civil society literature grew in parallel with the literature on democratic backsliding. Already in the early the 2000s, repression of NGOs and CSOs were seen as a broader pushback on democracy promotion (Carothers 2006; Gershman and Allen 2006; Perelli 2009). The literature concerned with NGO-government relations was well-established,

concerned with the operation and regulation of NGOs in developing countries and notably foreign-funded NGOs working on development and democratic governance (Bratton 1989; Brinkerhoff and Brinkerhoff 2002; Coston 1998; Mercer 2002). Highly interlinked with the growing focus on autocratisation highlighted in the section above, a literature on civil society clampdown has emerged to study the phenomenon of 'shrinking' or 'closing' space for civil society actors, broadly understood as increasingly adverse relations between (certain) civil society actors and governments.

It is important to understand the evolution of the relationship between governments and civil society actors in relation to the growth of foreign-funded domestic organisations, as well as the influx of international organisations. As noted above, the quantity and policy influence of these organisations grew rapidly with encouragement and funding from Northern donors, who believed (and hoped) their support would help consolidate this force for social and political reform (Dupuy, Ron, and Prakash 2015, p. 421). Some scholars viewed this expansion with optimism, arguing that globalisation, ICTs, norm diffusion, and networks of principled activists would constrain state sovereignty and prompt greater citizen participation (Keck and Sikkink 1998; Risse-Kappen et al. 1999). But more sceptical scholars pointed to the adverse consequences of high influx of foreign funding, such that greater dependence on funding may compromise organisations' autonomy vis-à-vis funders, distort accountability, and weaken their legitimacy in the domestic setting (Edwards and Hulme 1996; Hearn 2007).[17]

Early work on the role of foreign-funded civil society organisations in the Global South was mostly concerned with the effectiveness of foreign aid, and what could potentially hamper this (Brass et al. 2018). Highly policy-oriented and practitioner-focused, this literature did arguably not take into great account domestic relations and interactions between NGOs and governments. As argued by Dupuy, Ron, and Prakash (2015), both the above-mentioned optimists and sceptics underestimated the state's continuing power and influence over the formal civil society sector. One exception is Bratton (1989)'s work on government-NGO relations in Africa, where he argues that government ideology, legitimacy, and administrative capacity shape government-NGO interactions. Another later contribution is Mercer (2002) who argued that the role of NGOs in the politics of development is far more complex than much of the NGO literature so-far would suggest. She called for a more contextualised and less value-laden approach to the understanding of the political role of NGOs (Mercer 2002).

By contrast, the literature that emerged focussing on government regulatory restrictions

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[17]Indeed, critics such as Hearn (2007) noted how the NGO literature initially was drawing on liberal pluralist theory rather than substantial empirical research, because it was dominated by the concerns of the policy-making and NGO communities.

'brought the state back in' (Dupuy, Ron, and Prakash 2015, p. 422). The main focus of this literature is on how governments enact and enforce the rules under which CSOs emerge, operate, and channel resources, i.e. legal regulation. Closely interlinked with development studies, this literature has focused equally on the capacity of states to (effectively) regulate in addition to how open or closed (democratic or non-democratic) the political contexts have been for CSOs working on the promotion of liberal rights and values.

With growing concern about increased autocratisation and pushback against democracy and human rights promotion, the literature on CSO legal restrictions has been driven in large part by policy and practitioner publications, aimed at raising awareness and alarm (Carothers 2015; Carothers and Brechenmacher 2014; Mendelson 2015; Oram et al. 2017; Wolff and Poppe 2015). Complemented by academic interest and research (Bloodgood, Tremblay-Boire, and Prakash 2014; Christensen and Weinstein 2013; Dupuy, Ron, and Prakash 2016; Rutzen 2015a; Wilson 2016), this literature contributes with increased systematic and comparative insights on the trends of government restrictions imposed on both domestic and international organisations.

This was the first mission of the literature on restrictions; to document and examine an increasing trend of governments' legal restrictions. This literature first focused on the trend of governments' repressive regulation of civil society organisations and later on how organisations and donors could respond to this repression. I refer to this literature as the 'civil society clampdown' literature as it focuses on how governments clamp down on notably civil society organisations, how organisations and actors can respond to these repressive actions, and what the consequences of such clampdown are. This literature provides some important insights in the context of this dissertation on 'the politics of liberal rights'.

First, it provides further possible explanations for political pushback against liberal rights and those who advocate them, adding to the above argument of constraints on political power. Previous studies on legal restrictions most importantly establish the link between increased government repression and restrictions and actors working on democracy promotion and human rights, notably with a right-based approach to development and linkages to international donors (Bromley, Schofer, and Longhofer 2020; Buyse 2018; Dupuy, Fransen, and Prakash 2021). Studying the introduction of legal restrictions on CSOs and NGOs was arguably the most visible and identifiable form of repression, both because foreign funding restrictions caught the public eye mostly due to their international dimension (Buyse 2018, p. 966) and because 'counting laws' was a good starting place to identify the ongoing trend and examine cross-national patterns (Dupuy, Fransen,

and Prakash 2021; Glasius, Schalk, and De Lange 2020).[18]

Various explanations for the repression of civil society are offered, but all circling around the same two main arguments; restrictions are about stifling political opposition and pushing back on international (Western) norms. The restrictions thus stem from both domestic and international considerations, are highly intertwined, and point back to Goldstein's (1978) above-mentioned definition of repression as "deterring specific activities and/or beliefs perceived to be challenging to government".

With regards to stifling political opposition, Christensen and Weinstein (2013) argue that governments restrict foreign support to civil society in hopes of weakening groups that might mobilise opposition, i.e. 'defunding dissent'. Dupuy, Ron, and Prakash (2016)'s study of the introduction of restrictive laws on foreign funding supports this argument, and further shows that the likelihood of their introduction increases after contested elections (in countries that receive a lot of aid). Examining the effect of restrictions and repressions on transnational collaborative efforts, Fransen and colleagues (2021) argue that organisations that challenge the existing political order, and in broader terms the existing political economic order as the economic priorities set by the ruling regime, are likely to be affected by restrictions and repressions. They find that particularly labour and human rights NGOs involved in transnational advocacy experience repression, as well as environmental and developmental NGOs to some degree.

With regards to pushing back on norms, the 'shrinking space' trends uncovered are also explained by an overall trend of challenging, or openly resisting, the international promotion of democracy and human rights (Bromley, Schofer, and Longhofer 2020; Buyse 2018; Wolff and Poppe 2015). This normative pushback was highlighted in early writings, termed as a 'backlash against democracy promotion' (Carothers 2006; Perelli 2009). While this normative pushback was originally championed by autocratic countries, leaders of more democratic countries are also applying the same rhetoric and justification. Especially the arguments of national sovereignty have proved remarkably persistent, where foreign aid is easily seen or portrayed as a violation of the same (Breen 2015; Dupuy, Ron, and Prakash 2016; Mendelson 2015; Rutzen 2015b).

The consensus in the clampdown literature seems to be that even though governments legitimise their regulation and restriction of civil society as "attempts to free domestic politics from foreign influence, in practice most regimes installing these restrictions and engaging in repression do so out of domestic political motivations" (Fransen et al. 2021, p. 14). However, Wolff and Poppe (2015) notes how these justifications by states should

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[18]Later contributions have sought to nuance the initial mapping of legal restrictions, see DeMattee (2018) and DeMattee (2019).

not be easily dismissed but taken seriously if they are to be overcome (a point I will return to in the next section).

Second, the clampdown literature has further emphasised the ability of CSO actors to respond to and counter government repression. Again, this area of inquiry is to a large extent driven by policy-concerns about how donors could react and how domestic and international CSO activities can 'survive' (Anheier, Knott, and Burns 2017; Brechenmacher and Carothers 2019; Carothers 2015; Kreienkamp 2017; Oram et al. 2017). Scholarly works in this area have focused on the consequences for domestic civil society, examining how increased restrictions affect the organisational landscape (Dupuy, Ron, and Prakash 2015; Fransen et al. 2021) or flows of foreign-funding and development outcomes (Dupuy and Prakash 2018; Hossain and Oosterom 2021).

The literature also focus on more proactive strategies of responding to repression, in attempts to counter and push back on it (Berger-Kern et al. 2021; Borgh and Terwindt 2014; Höglund and Schaffer 2021; Rakner 2018).[19] In their study of how NGOs in Guatemala, Honduras, the Philippines, and Indonesia have responded to government pressures, Borgh and Terwindt (2014) provides a schematic overview of responses, presented in Table 3, much in line with findings from other work on civil society responses:

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[19]Note that several of the articles referred to are part of the special issue of which Article 4 forms part, titled "Restricting NGOs: From Pushback to Accommodation" (see Dupuy, Fransen, and Prakash 2021).

	Defensive responses: coping with pressures or protecting against the symptoms	Proactive responses: (re)claiming space
Single organisation	Immediate reactions of a single organisation to cope with experienced pressures Examples: - deny or relativise - leave the country - stop work - change work - self-protection, such as guard or fence - submit a complaint for a particular case in order to receive a direct response	A rights-based claim on other actors for longer-term protection, accountability, or reforms Examples: - request (real) protection of the government - initiate dialogue with those responsible for the restriction - denounce the specific problem in the press - protest, lobby or go to trial in order to set a precedent - systematically inform the public and international partners
Coordinated organisation (national/ international)	The effort to provide direct self-hep in coordination with other actors Examples: - request support from other NGOs - receive security trainings or support from a legal assistance fund - form a network to deal with specific challenges and develop self-help strategies	Cooperation and networking between organisations with a view to push for structural change Examples: - form a network or alliance to monitor pressures - develop a longer-term strategy or campaign - set up a collective dialogue with government agencies - send out a collective press release to call attention to the experienced pressures

Table 3: Response strategies of NGOs under pressure, collected from Borgh and Terwindt (2014, p. 137). For similar schematic overviews and typologies of responses, see Berger-Kern et al. (2021), Bloodgood, Tremblay-Boire, and Prakash (2014), and Kreienkamp (2017).

Consequently, the clampdown literature has evolved to examining the interactions between civil society actors and governments in pushing back on restrictions and repression (Borgh and Terwindt 2014; Buyse 2018). This is a new avenue of research, and it is in this scholarly focus this dissertation places itself, as it emphasises more varied and interconnected views on actors than the previous focus on NGOs and CSOs as organisational entities.

Scholars have examined the importance of dialogue with politicians and effective counter-narratives for civil society restrictions. Berger-Kern and colleagues (2021) find that arguments that resonate with both the general public and politicians are crucial when it comes to lobbying and advocating against civic space restrictions in Kenya and Kyrgyzstan, where a broad alliance of local CSOs were able to draw on pre-existing mobilising structures and put forward a socioeconomic narrative to lobby restrictions. Rakner (2021) comparison of Malawi and Zambia also highlights the importance of pre-existing mobilisation structures, as well as pro-democracy cleavages amongst societal elites and civil society organisations' connections to political (opposition) parties, to protect consti-

tutional rights against executive aggrandizement and attempts to space for civic engagement. Highlighting the importance of civil society actors apart from the 'conventional view' of CSOs working on democracy and governance issues, Höglund and Schaffer (2021) examine how groups of journalists and media organisations in Uganda have strategized to defend their freedom to report against a semi-authoritarian regime that increasingly clamps down on independent media. They also highlight the significance of broad mobilisation and support in countering repressive actions by governments and the significance of having public credibility (Höglund and Schaffer 2021).

These case studies illustrate a shift in the literature on civil society clampdown and how we may study the role of civil society in resisting both government repression and the onset of democratic backsliding. This shift concerns both how we view civil society actors as political actors working within domestic contexts, going back to Mercer (2002)'s argument of the political role of NGOs, and how we see their political space as an interactive space between governments and various civil society actors. This interactive approach to political space draws heavily on the social movements and political mobilisation literature, the origins of the civil society literature, and brings back a more agent-centric perspective on civil society actors in the context of repression and political pushback. These considerations are important if we are to better understand the strategies and interactions between government and civil society actors in the 'politics of liberal rights'.

A Combined and Interactive Approach

The aim of this dissertation is to analyse the contestation for liberal rights playing out in Africa's multiparty democracies, and most notably to understand this contention as a dynamic interaction between societal and political elites. As shown above, the backlash and civil society clampdown literatures have largely emerged from similar policy and scholarly concerns, namely emerging non-democratic tendencies and illiberal norms. I argue that combining these two literatures may benefit our understanding of government and civil society strategies independently, and also enhance our understanding of the interactions, consequences, and significance of the various actors' strategies in contention over liberal democratic rights.

The theoretical approach to understanding strategic action presented here draws on the broader political mobilisation theories of contentious politics (Tilly and Tarrow 2015). The concept of 'contentious politics' in the political mobilisation theory is by most definitions depicted as an interaction between actors. Tilly and Tarrow (2007) presented an interactive approach to contentious politics, in which they primarily focus on the mecha-

nisms and processes that involve challengers and their target, in sequences of interactions – be this government authorities or third parties like the media and the public. As such, contentious politics brings together three central features of social life: contention, collective action, and politics.[20]

A key perspective of this dissertation is how strategies are informed by actions of other actors. In social movement and political mobilisation theory, protestors are often seen as players in fields of strategic contestation, along with many other types of players (Mcadam, Tarrow, and Tilly 2003; Tilly and Tarrow 2007; Tilly and Tarrow 2015). Considering the actions and choices of others is essential in both the study and exercise of strategy, most prominent in game theory. Strategies and strategic decisions can be seen as "pursuing goals in relationship to other players who may resist" (Jasper 2004, p. 14). The strategic choices of actors are thus vital in any understanding of contention, as they are the micro-foundations of political action. Indeed, Jasper (2004, p. 11) argues that "[s]trategic choices could be the explananda for new kinds of explanations of mobilisation and conflict". Examining actors and their actions and interactions is arguably key in both explaining strategies and understanding their preconditions and consequences.

From reviewing the backsliding and civil society literatures above, government strategies of repression and political pushback are largely explained by non-democratic tendencies amongst authoritarian-minded leaders. Combined, these explanations have both domestic and international aspects, wherein restrictions are about reducing constraints on political power, stifling political opposition, and pushing back on international norms. Most prominently, restrictions on foreign funding are introduced because it supports and empowers societal actors to take political roles. Increased political pushback against liberal rights and right advocates is thus arguably happening because these rights and advocates pose a threat for political leaders and constrain political power.

As explained by Bermeo (2016), repressive behaviour by political leaders is often a strategic response to some perceived threat. She sees democratic backsliding strategies as rational responses to international incentives and to a domestic history wherein state actors are "acting defensively to prevent re-enactments of past assaults" (Bermeo 2016, p. 15). Incumbent political actors are thus responding to what they perceive as threats and take measures to reduce that threat. Others argue the political pushback, at least in Africa, is as much about reducing any constraints on political power (Arriola, Rakner, and Van de Walle forthcoming; Gyimah-Boadi 2015).

Explanations for government repression of liberal rights focus on the various incentives

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[20]According to Tilly and Tarrow (2015, p. 7), contentious politics involves "interactions in which actors make claims bearing on other actors' interests, leading to coordinated efforts on behalf of shared interests or programs, in which governments are involved as targets, initiators of claims, or third parties."

and opportunity structures available to government actors. In Article 1 and 2, I study
how the salient issue of hate speech and fake news creates a pretext in which governments
can shut down information flows online in a repressive manner,[21] and how the drafting of
intended democratic laws can also serve as an opening to make more regressive provisions
with regards to the release of public information. Article 3 investigates the initial political
resistance towards the RTI law in Ghana, highlighting political fear as a key obstacle to
adopting the law.

Civil society strategies are also explained by incentives and opportunity structures avail-
able to government actors, but their room for strategic action and manoeuvre is much
more dependent on the constraints they operate under. This may explain why the civil
society clampdown literature has been relatively one-sided, first and foremost concerned
with 'mapping the trend' of clampdown (Wolff and Poppe 2015) and placing more sig-
nificance on government actions which conditions the political space. Admittedly, gov-
ernments are the stronger actor with the most coercive forms of domination at their
disposal, and civil society actors are in many ways dependent on the space allowed by
government which can be characterised as a continuum of openness and restraint (Coston
1998).

While civil society actors' strategic action is often explained by the 'political opportunity
structures' in which they operate (Mcadam, Tarrow, and Tilly 2003; Tilly and Tarrow
2015), some scholars argue that we should understand civil society's space for action
more broadly defined as 'political space'. As evidenced in the review of civil society
strategies to resist government clampdowns, civil society actors can pursue both defen-
sive or proactive responses (see Table 3 above), where the choice of strategy could be
influenced by whether the organisation or individual in question is standing alone or take
part in a broader coalition, what allies they have both internationally and domestically,
and what their options are (Breen 2015; Fransen et al. 2021; Kreienkamp 2017). The
political space is thus determined by more than the formal and institutional structures
in which actors operate.

Building on Tilly and Tarrow (2007) understanding of political space, Borgh and Ter-
windt (2014) suggest – based on an updated review of political pressures on space for
civil society – that space consists of three interlinked factors: (1) existing institutional
channels, including laws and procedures and the possibilities for contestation they offer
(i.e. the conventional *opportunity structures*); (2) discourse and the power to label and
frame; and (3) the capacity to maintain and create new spaces. In a similar vein, Jasper
(2004; 2021) also advocate a move away from merely looking at the essentially struc-

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[21]For instance, Morgenbesser (2020) argues that the advent of 'fake news' laws are in fact part of
legal repression strategies in a menu of autocratic innovation.

tural factors in the opportunity structure theory of civil society action, to examining the *strategic interactions* between actors.

Arguing that contention is shaped by strategic interactions opens for a more interactive approach to political space, in which civil society actors also can re-claim and create new space (Borgh and Terwindt 2014; Buyse 2018), than the conventional view of opportunity structures. As such, Jasper (2021)'s work represent a shift in the social mobilisation literature, explained by the incorporation of feminist scholarship in recent decades which has balanced structural perspectives with attention to the actors' points of view, their perceptions, and their agency to choose when faced with strategic dilemmas. Strategic action arguably always implies agency, and by examining strategic interaction the agency is examined on both sides of an interaction.

Theories of social movement and political mobilisation have long grappled with the balance between structure and agency (Ganz 2003).[22] By presenting a more sociological approach to game theory, Jasper (2004; 2021) seeks to bridge these divides. He argues that "[we] must recognise that structured arenas shape players, players' decisions, and the outcomes of interactions, but we cannot assume effects without looking at the choices made, the interactions, and the results" (Jasper 2004, p. 4). The crucial difference here is to focus the analysis on the political context not as a set of 'structures', but rather as players who use their tactical tools to influence other players (Duyvendak and Fillieule 2015).

While proposing an agent-centric perspective, this dissertation's approach is to focus on strategic interactions and thereby acknowledge that actors are operating within a set of structures. As such, this approach mirrors the above-mentioned development seen in the backlash literature (Andersen 2019) as well as the new direction the civil society clampdown literature appears to be venturing into. The argument by this dissertation's combined approach is that all players confront dilemmas, make choices, react to others, and so on. We can only understand contention when we pay equal attention to all of them.[23]

To summarize, this dissertation examines strategies by both political and civil society actors and the strategic interactions between actors engaged in contention for liberal rights, and the consequences of these. Applying the strategic interaction perspective allows an equal weight to agency to all players, politicians and civil society actors alike.

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[22]Indeed, Jasper (2004, p. 4) argues that different "structural, cultural, and game-theoretic approaches to political action have talked past one another for a long time".

[23]This does not, however, mean that all actors are equal, CSO actors lack the resources and forms of domination of the state, but they inhabit the same universe and must all make choices which we pay equal attention to (Jasper 2021).

Article 3 most directly applies this approach, by examining the strategic interactions between the RTI advocates and politicians in Ghana. In a similar vein, Article 4 studies the interactions and dynamics within civil society coalitions and advocacy campaigns, showing how these can be a composite of very varied actors and how the strategic interaction perspective can explain and unpack strategies and their effect.

In order to better understand the contentious politics of liberal rights, this dissertation further argues for a focus on strategic interactions between elite actors. With an elite-level perspective on challenging and advocating for liberal rights in African democracies, the aim is to uncover the dynamics at play, both on the side of politicians and on the side of certain civil society actors, such as CSO leaders, prominent individuals in public debate, media actors and journalists with influence on political processes and public discourse.

When Waldner and Lust (2018) argued for the usefulness of applying a 'balance of power' approach to the study of backsliding, they argued that the role of political coalitions could play a vital part. Coston (1998)'s typology of government-NGO relations also emphasise the relative balance of power as crucial in the relationship between actors. As suggested by the review of the literatures above, civil society actors are both expected to act as constraints on political power – and seemingly also pose a threat to political leaders as government clampdown can be explained as strategic responses to domestic civil society actors and their role in politics. Furthermore, it is often a certain segment of civil society, or certain civil society actors, that face clampdown, whether to reduce their access to foreign resources or transnational expert networks or to minimise their political influence at home.

The idea that societies can be seen in terms of dominant and competing elites is not new (Scott 2008).[24] Elites are often defined as a small group of individuals who "have vastly disproportionate control over or access to a resource" (Khan 2012, p. 361), and/or are linked to positions that allow them authority to exercise influence over others (Scott 2008). While much scholarly attention has been afforded to political elites, in both sociology and political science, elites within civil society have received less attention (Johansson and Uhlin 2020) – despite knowing that small groups of civil society organisations and prominent leaders often occupy central positions in all kinds of societies. Indeed, the literature on civil society in Africa often highlights how some organisations have more political clout and exercise more political influence than others exactly because of their ability to provide legislators with resources and share their expertise (Arthur 2010;

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[24]Indeed, it has been central to the research agendas of political and economic sociology through much of the twentieth century (Scott 2008), and especially the role of elite settlements for political stability and the distribution of power have received a lot of attention in political science (Behuria, Buur, and Gray 2017; Burton and Higley 1987; Oduro, Mohammed, and Ashon 2014).

Botchway 2018). However, as exemplified with the case of Ghana, CSOs are also typically criticized for having hierarchical organisational structures and an urban elite profile, and neither being accountable to citizens nor open to their participation (Kamstra and Knippenberg 2014).

While civil society actors are considered societal elites, defining civil society actors as elites within the political system may be more controversial. Conceptualising the principle of democracy at a high level of abstraction, Bollen (1990, p. 9) argues that political democracy is the "extent to which the political power of elites is minimized and that of nonelites is maximized".[25] Bollen (1990)'s main argument is based on a balance of power framework similar to the one proposed by Waldner and Lust (2018) in that "[i]t is relative balance between elites and nonelites that determines the degree of political democracy".

As such, civil society actors – and notably the leading members of civil society organisations and media houses with the capacity, resources, and clout to control and constrain the national government – can be seen as both elites themselves and as a nonelite counterweight to elite political power. Arguably, this is the duality of certain civil society actors, that to the extent they have the power to influence political actors they can be seen as elites, while to the extent that they are able to counteract political power they are seen as nonelites. This can arguably be a double-edged sword for rights advocacy.

Case Selection, Data and Methods

This section discusses the case selection for this dissertation, the types and sources of data I have collected during my doctoral work, and the methods I have used to analyse the data. To reiterate, each article has a proper methods section where methodological choices and limitations are discussed in the depth and detail allowed by the article format. In this section, I also reflect on the limitations and ethical aspects related to my research. Table 4 presents an overview over the cases, analytical focus, data, research design, and methods used in the five articles.

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[25]He further elaborates that: "By political power I am referring to the ability to control the national governing system. The elites are those members of society who hold a disproportionate amount of the political power. These include the members of the executive, judicial, and legislative branches of government *as well as leaders of political parties, local governments, businesses, labour unions, professional associations, or religious bodies*" (Bollen 1990, p. 9, emphasis added).

Table 4: Cases, data, and methods per paper

	cases	focus	time of data	data	research design	methods
(1)	Africa	state-led strategies	2015–2019	7'787 news stories; cross-national dataset (N=47) (FON reports)	explorative; cross-national	textual, structural topic model (STM); regression, multilevel model (MLM) (validation: t-test)
(2)	Africa	lawmakers' strategies	2000–2020	31 legal texts; cross-national dataset (N=25)	cross-national	descriptive statistics; textual, similarity (quant. and qual.)
(3)	Ghana	advocates' strategies

interaction btw politicians and advocates | 2019 | 38 interviews ($D_{1A}+D_{1B}$); observational data | case study | qualitative interviewing |
| (4) | Ghana | advocates' strategies

interaction btw politicians and advocates | 2012, 2019 | 32 interviews ($D_{1A}+D_{2A}$); 348 news stories; 18 press statements | case study | qualitative interviewing; textual, similarity (quant.) |
| (5) | Africa | state-led strategies

consequences for citizen support | 2011-2018 | cross-national dataset (N=37) | cross-national | logit regression, multilevel model (MLM) |

Case Selection: Right to Information Advocacy in Ghana

The case selection in this dissertation is doubly motivated. First, the choice of Ghana is motivated by its status as one of the most democratic countries in Africa, often held up as a 'star democratizer' (Gyimah-Boadi 2015; Whitfield 2009), but where democratising efforts at further deepening the democratic system arguably has proved futile in the face a reluctant and bipartisan political elite (Arthur 2010; Gyimah-Boadi and Yakah 2013). Second, the process of advocating, debating, and drafting the Right to Information Act (2019) in Ghana provided a long-term perspective on the dynamics between political elites and prominent civil society actors in challenging and advocating for a liberal democratic right. Selecting a single case study allowed for an in-depth study of a long process of discussing, drafting, and advocating for a liberal democratic right, such as the right to information, wherein I could examine the dynamics between political and civil society actors when challenging and/or advocating for liberal rights in an African democracy. According to Jasper (2004, p. 11), this kind of in-depth study using field-work and thick interviewing methods should provide the nuanced understanding and information that explanations of strategy require.

Ghana is as both a typical example of RTI legislation adoption in Africa as well as a

curious one, as many thought – civil society actors included – that Ghana would pass this law without much hesitation (Ukaigwe 2018). Processes of drafting and adopting RTI laws are typically regarded to be due to a 'big push' by national and international stakeholders, with unwilling political actors either succeeding or failing in resisting their pressure (Michener 2010). This narrative resonates in the picture drawn up by African scholars and observers reporting on the issue (Adu 2018; Asogwa and Ezema 2017; Razzano 2017), as the advocacy and adoption of these laws play out with the notion of conflict and struggle between the government and civil society actors due to high level of contention and competing interests (Darch and Underwood 2010). In many ways, the political process of advocating for and debating the RTI law in Ghana is similar to RTI adoption elsewhere in Africa, in that the initial political reaction was hesitance and fear. It thus sheds light on political pushback against liberal rights advocacy in an African democracy.

Data and Methods

I have collected, compiled, and analysed five main primary sources of data for this dissertation: a total of 38 interviews with Ghanaian politicians and civil society actors (D_1) and four different bodies of textual data: news stories covering all of Africa (D_3), all RTI laws adopted by African countries to date (D_4), press statements issued by the RTI Coalition (D_5) and news stories from Ghana (D_6). In addition, I have analysed secondary interview material provided by another researcher (D_2). Tables 5 and 6 provide overviews of the interview data and textual data. All data, collection procedures, and data treatment are described in the respective articles.

This project's methodological approach is inspired by pluralism of both data material and methods. In the simplest terms, multi-method research involves combining data gathering and analysing techniques from two or more methodological traditions (Seawright 2016). This dissertation has for instance combined quantitative and qualitative approaches by validating the computer-assisted textual analysis in Article 1 with case studies, or vice versa in Article 4. While Article 2 employs textual analysis methods, it nonetheless combines quantitative and qualitative approaches as the calculation of similarity scores is combined with a careful reading of the pair-wise comparisons.

My general choice for a mixed methods approach was motivated by three main considerations: Complementarity, triangulation, and theory development (Greene, Caracelli, and Graham 1989). I have sought to complement analyses based on one type of data with data of a different nature. In Article 3, I relied on Parliamentary Hansards to corroborate the narratives and explanations offered by my interviewees. For multi-method

research to be 'worth the effort', in the words of Seawright (2016), the design must be constructed in a manner that allows additional methods to test assumptions that are generally untested in single-method research. If done well, it can thus address issues of descriptive and causal inference, from "matters of speculative assertions into points of empirical debate" (p. 42). Seawright's statement aptly describes our attempt in Article 1, wherein the structural topic modelling (STM; Roberts, Stewart, and Tingley 2019) technique allowed us to identify and explore topics in the African news coverage on hate speech and fake news. In order to learn more about which countries were discussed with regards to which strategies, we were able to use the calculated topic proportions per country-year as dependent variables in a multilevel model to predict what regime characteristics were driving which regulatory strategies. This allowed our analysis to become more systematic and provide others with findings to replicate and test.[26]

Article 4 is the most prominent illustration of how triangulation of data can aid and advance the study of identifying agency. This study combines in-depth interviews with both strategizing actors and the 'target' of the strategies, namely the media actors, with a textual analysis of the similarity between media coverage and civil society press statements. I triangulate the findings of mechanisms from the interview data with quantitative text analysis of news stories in order to validate the findings regarding the mechanism of journalists' increased agency and ownership to the RTI issue. This offers a fruitful avenue to examine the proposed mechanisms of increased journalistic engagement with the RTI issue, emphasising that the media actors gained more agency in the RTI advocacy in Ghana. This highlights how a combination of qualitative and quantitative methods can be highly beneficial in examining – and identifying – agency and intentions.

Table 5 synthesises the textual data material and information about its scope, how it has been collected, which languages are present, and method of analysis.

Table 5: Textual material

data	text type	n	sourced from	how	language	analysis method	further info
D_3	news stories	7'787	Factiva database	search string w/ keywords	EN	structural topic model (STM)	art. 1
D_4	legal texts	31	Global RTI database, (+++)	all adopted laws	EN, FR, PO	similarity analysis, diffusion (quant. and qual.)	art. 2
D_5	press statements	18	CHRI office, Facebook profile	all available	EN	similarity analysis, diffusion (quant.)	art. 4
D_6	news stories	348	GhanaWeb	webscraped w/ keywords			

[26]Article 1 also makes an empirical contribution as it provides a systematic overview of different regulatory strategies pursued by governments, validated by a t-test and by qualitative case studies from Freedom on the Net reports (see Appendix D, Article 1).

Importantly, this dissertation uses a combination of interview methods and textual analysis, both separate and in combination, in order to identify strategies and examine agency. Articles 1, 2 and 4 have employed computer-assisted textual analysis to identify and examine strategies pursued by different actors. In Article 2, both quantitative and qualitative textual analysis offers insights into the processes of learning in law-making, a highly agent-centric form of diffusion (Elkins and Simmons 2005; Hall and Ambrosio 2017). While it is not new to study textual similarities across laws to identify learning in law-making (see review in Article 2), this study is nonetheless part of a new research front in political science concerned with the agency of legal strategies of authoritarian or illiberal lawmakers (see Glasius, Schalk, and De Lange 2020).

Fieldwork, Interviews and Observational data

Despite digital advances, field research – that is, to leave one's home institution in order to collect information and insights – remains indispensable for political scientists (Kapiszewski, MacLean, and Read 2015). The interview and observational data in this dissertation mainly result from my own fieldwork in Accra, the capital of Ghana, during the fall of 2019. During my fieldwork, I was situated as a visiting researcher at the Ghana Centre for Democratic Development (CDD-Ghana). As CDD-Ghana was one of the leading civil society actors in the RTI Coalition, this affiliation facilitated contact with all the key civil society and media actors in the RTI Coalition, as well as politicians they had been working with at some point or another – which was practically everyone I had pre-identified as relevant informants based on Parliament Hansards and other reports, and then some. The facilitation by CDD-Ghana consisted of both personal presentations by key 'door openers' and the vast network and lists with contact information I got access to, not to mention the CDD email I could use in my own reach out. I owe a great deal to this affiliation.

Identifying interviewees followed the following criteria. They were either individual members or representatives of organisational member of the RTI Coalition or Media Coalition on RTI at one point during the RTI campaign for civil society actors; or they took part in the Parliamentary work on the RTI bill either in the joint handling committee or winnowing committee; or they had an active role in discussions on the floor in the capacity of parliamentary leadership, majority or minority leader, minister, or other over-average interested MPs for politicians. I identified names and relevant interviewees by reading Parliamentary Hansards and press coverage.

Table 6 provides an overview of the interview material. The 24 interviews with civil society actors (D_{1A}) and 14 interviews with politicians (D_{1B}) were all conducted by

Table 6: Interview material

data	n	time of collection	place	duration	interviewees	further info
D_{1A}	24	Aug-Nov 2019	Accra	45-75 min	CSO actors media actors individuals	art. 3, 4
D_{1B}	14	Oct-Nov 2019	Accra	30-60 min	politicians	art. 3
D_{2A}	8	Jul-Aug 2012	Accra		media actors	art. 4

personal encounters, apart from one which was conducted over the phone. Qualitative semi-structured interviewing was my preferred method in order to learn about the actors and their choices and understandings. The interviews, conducted half a year after the RTI law was adopted, give insight into how the actors retrospectively evaluated the process and outcome and reflected on how they had interacted with other actors, and their strategies and choices, perceptions and understandings.

Being at CDD-Ghana and in Accra at a time when the RTI Coalition was reflecting on its campaign provided the possibility to observe seminars and training sessions on 'lessons learned' in strategic parliamentary advocacy work and be present when the Coalition launched its report on the 20-year long process of advocating for the RTI bill (see CHRI 2019). I could also observe first-hand how CDD-Ghana and their closest collaboration partners conduct their parliamentary advocacy and how they interact with politicians on a day-to-day basis.

In addition, I also had the fortune to draw on a secondary source of interview material (D_{2A}), namely another researchers' interview notes from 8 interviews with media actors in Accra the summer of 2012. These interviews focused on developments of media freedom in Ghana and the interviewees in this context offered reflections on the ongoing process of advocating and debating the RTI bill and the role and perspectives of the media. The 2012 interviews are mainly with media actors: five from media interest and civil society organisations, one editor of a newspaper, one lawyer, and one university scholar. More importantly, two of the interviewees in this group have remained individual members of the RTI Coalition and were re-interviewed by me in 2019. This valuable insight into another researcher's interview notes provides a longitudinal perspective on the advocacy work and the role of the media, albeit in a limited form of second-hand reported notes (not transcripts).

Limitations and Ethical Concerns

The multi-methods approach of this dissertation is arguably one of its strengths. However, this approach also has limitations and weaknesses. Like any other endeavours, research is a trade-off between priorities. I have made choices and delimitations that should be taken into account as they have implications for how the findings should be understood. Investing time and resources into different kinds of data collection meant to forego other studies. While this dissertation provides an in-depth case study of RTI advocacy in Ghana, it would also have been interesting to compare this case more systematically to others, either RTI advocacy elsewhere or other kind of liberal rights advocacy in Ghana, such as the ongoing process of advocating for the Affirmative Action Bill (Appiah 2015).

Interviewing also invites ethical considerations. The data collection and data treatment has followed guidelines for ethical conduct from The Norwegian Centre for Research Data (NSD). I gave both oral and written (digital and printed) information about my research and collected written consent from all my interviewees, when possible (see Information Letter and Consent Form in Appendix). It was my intent to display trustworthiness in handling my interviewees information. I believe it is an important principle to provide information about privacy rights and be transparent concerning how I would store and use the data gathered.

Lastly, while not necessarily a shortcoming, it is important to reflect on one's positionality. As a Western scholar interviewing on the topic of liberal rights, there are undeniably some normative underlying assumptions. However, I believe that I developed good enough rapport with my interviewees, civil society advocates and politicians alike, for them to share freely their thoughts and reflections without quails. That said, I probably had different conversations with my interviewees than a Ghanaian researcher would have. Lastly, especially in the context of decolonising knowledge production and research in Africa (Asiamah, Awal, and MacLean 2021), I am very aware that I – as a young, foreign, and female doctoral student – was fortunate to gain access to political and societal elites with such ease.

Findings

This section provides a summary of the articles and highlights their findings in relation to the overarching research questions this dissertation focuses on. The articles are presented and summarised in order of appearance, from 1 to 5. I use this section to show how the theoretical approach of explaining strategies is applied in different ways across the articles and to present the different explanations this offers in terms of government strategies, civil society strategies and the consequences of political elites' pushback on liberal rights.

Government Strategies

The first focus of the dissertation is on government strategies of repressing and pushing back against liberal rights. Three of the articles identifies strategies of political actors in regulating and legislating liberal rights. Article 1 focuses on state-led regulation of freedom of expression online. Article 2 focuses on how 'right to information' (RTI) laws are written. Both identify strategies pursued by government actors in regulating and legislating liberal rights using textual analysis and examine different explanations for the choice of strategy. Article 3 focuses on how Ghanaian politicians in parliament engage in strategic interactions with civil society actors. Combined, these articles offer explanations for strategic choices in terms of how political elites are constrained, and how they constrain other actors, using mechanisms of learning and diffusion.

Article 1 identifies state-led strategies to regulate online content in Africa and evaluates which regime characteristics shape the choice of strategy. As there is no systematic overview available on the various ways in which African countries regulate online content, my co-authors and I first applied automated text analysis techniques to identify different regulatory frames discussed in news coverage in relation to challenges of fake news, hate speech, misinformation, and disinformation. We find that African governments mainly employ two regulatory strategies to regulate online information, technological approaches such as Internet shutdowns, blocking and filtering of websites, and legal approaches such as introducing legislation or conducting judicial review. Article 1 therefore makes an empirical contribution as it fills a knowledge gap as to what African governments are doing to regulate online information, especially in the context of fake news and hate speech. This article advances the study of freedom of online information in Africa.

To explain the choice of regulatory strategy, Article 1 evaluates the influence of different regime characteristics, namely the constraints that a free press and institutional checks pose on incumbent discretionary power (what Jee, Lueders, and Myrick (2021) termed

extra- and intra-governmental constraints). An implicit assumption is that some regulatory strategies are more democratic than others, and that the more media freedom and greater institutional constraints on executive power will mean more legal *ex post* approaches to online regulation, seen as a more 'democratic strategy' than technological *ex ante* approaches. Previous studies on regulation of online information and expression have typically focused on legal regulation in democracies or censorship of media and information in autocracies. Indeed, we confirm that technological regulation as a strategy is applied more in autocratic and repressive countries (see also Freyburg and Garbe 2018), as our findings show it is more prevalent in regimes typically restricting media freedom and less prevalent in regimes with strong legislative constraints on the executive.

By contrast, Article 1 suggests that strategies regarded more or less democratic may not be so easily separated. With regards to legal strategies of regulation we find mixed evidence especially concerning institutional constraints on the executive. While legal regulatory strategies to regulate online information are more likely to be discussed in regimes with strong independent courts, i.e. more democratic regimes, they are also more likely to be discussed in regimes lower legislative constraints on the executive, i.e. less democratic regimes. This contradiction suggests that we may need a better understanding of both the role of legislatures and courts in shaping legal regulation, and not least the content and consequences of different legal regulations, especially of online information.

This last finding provided the incentive to study how laws are written in Article 2. This article examines the legal texts of so-called right to information (RTI) laws. It compares the content of African RTI laws adopted to date. The entry-point is that these laws are intended as 'democratic laws', as established international standards for legal RTI frameworks are meant to ensure the public's right to access government-held information. The paradoxical adoption of RTI laws in Africa and their chequered track record emphasise how intended democratic laws are not adopted by democracies alone, as only 10 of the 25 countries adopting RTI laws were democratic. While the adoption of a RTI law can itself be strategic choice of governments, the argument of Article 2 is that seemingly similar legal frameworks, adopted with the same pretext and justification of providing access to information, can be manipulated by lawmakers in such a way that it undermines the democratic intentions of the law.

By comparing the content of all adopted Anglophone RTI laws, the study identifies alterations and additions to the laws that deviate from international standards and African model legislation on RTI. Because international standards and established legal frameworks exist, there are strong expectations of what make RTI laws 'good democratic

laws'. By comparing the laws to so-called 'model laws', the study identifies principles and content which serve as 'red flags', such as provisions concerning the sovereignty of the state, over-broad privacy protection and the control of the mass media. This is considered as non-democratic inclusions that undermine and invert the intended democratic laws, meant to serve repressive purposes rather than democratic ones.

Furthermore, by examining textual similarities across domestic RTI laws, Article 2 traces instances of autocratic learning. The paper draws on insights from recent developments in the diffusion literature on autocratic learning (see review in Article 2) and suggests that authoritarian diffusion and mechanisms of learning are taking place in the writing of African RTI laws. The main principle is that autocratic manipulation of intended democratic laws can change the law-making norms (i.e., autocratic diffusion), and provide later lawmakers in other countries with non-democratic examples to follow (i.e., autocratic learning). While Article 2 mostly finds that autocratic manipulations are included and repeated by autocratic regimes, there are also instances of (electoral) democracies learning from autocracies. This suggests that strategies for challenging and countering liberal rights can be applied by lawmakers in democracies as well and are not reserved for autocracies alone.

Linked to this, Article 3 shows how politicians even in democratic countries can display the same tenets of political pushback on liberal rights advocacy that we see in more closed regimes. This article studies the process of drafting the Right to Information Act (2019) in Ghana. It examines the strategic interactions between politicians (legislators) and civil society actors over nearly 10 years of deliberations in the Ghanaian parliament. By identifying the challenges civil society actors faced in advocating for RTI, the article investigates how politicians themselves explained the pushback and resistance to adopting the RTI law. Initial political reactions towards the RTI bill were uncertain and many expressed fears of what this law would entail and how it potentially may be used. Interviews with politicians revealed that the main resistance came from the politicians' perceptions of the RTI law as an elitist demand, mostly of interest to civil society and media actors, as well as a foreign demand, fuelled more by transnational links and foreign donors than by the Ghanaian public.

The politicians' critique of the RTI advocacy being fuelled by an international agenda more than a domestic agenda is a well-known explanation for political pushback against liberal rights, as illustrated above by the civil society clampdown literature. Transnational links and international agendas appear to face particular pushback, as it often appears in the justifications of political elites opposing the advancement of liberal rights.

More importantly, in the context of this dissertation, the Ghanaian politicians justified

their lack of political will to adopt the RTI by referencing lack of public support, claiming that the RTI advocacy was driven by a societal elite. The RTI bill was considered a potential political tool that could empower civil society actors and the media to 'scrutinize' and uncover political wrongdoings (see p. 9 Article 3). Indeed, one of the civil society actors who had been involved in the RTI advocacy since the late 1990s, and who had also been part of a political party during the transition to multiparty elections in 1992, stated that he did want to use the RTI law to address old grievances. These perceptions and political fears about the consequences of adopting the RTI law highlight how the politics of liberal rights, and political hesitance and pushback against legal frameworks to give power to such rights, should also be understood and explained in light of elite-level interactions in domestic politics.

Advocacy Strategies

The second focus of the dissertation relates to the strategies of advocating for liberal rights in African democracies. Two of the articles provide an in-depth case study of how domestic civil society actors in Ghana strategized to circumvent challenges they faced in advocating for the RTI law, seen as a case of liberal rights advocacy. Their strategies are primarily explained as strategic responses to challenges advocates face in relation to other actors, either by political pushback from politicians (Article 3) or a lacking interest and news coverage by media actors (Article 4). Importantly, both studies apply an agent-centric approach and highlight the interactive nature of strategies. By emphasising an interactive approach between civil society advocates and their 'targets', be this politicians or news media actors, the articles highlight agency on both sides. The overall argument – in line with the theoretical approach detailed in the sections above – is that strategies are best understood by examining how they are received and perceived of by their targets as well, as this can tell us more about *whether* they work, *how* and *why*.

Article 3 is based on in-depth interviews with both civil society actors and politicians, notably Members of Parliament under the last period of discussing and passing the RTI bill. A main concern of the study is to understand the processes of strategizing amongst the leading members of the civil society coalition advocating for the RTI law, as well as how this was perceived and received by the politicians with whom they were interacting in Parliament.

The main analysis is focused on how the civil society advocates sought to circumvent the challenges faced by, on the one hand, changing the 'narrative' and re-framing the image of the RTI law to being not just a law for the media or CSOs but also for citizens

and for members of the opposition, and on the other hand, how politicians received this re-framing. In the words of one interviewee: "What was important was for us to push an agenda that this is a citizen-based agenda, and not necessarily a CSO against the government sort of agenda" (see p. 11 in Article 3). This in-depth study shows how advocacy strategies may be understood as strategic responses to the challenges they face, and how strategies are changed and fine-tuned according to how they are perceived and received by a 'feedback effect' (i.e., political pushback). Article 3 also highlights how the strategies of advocates were informed by their (strategic) interactions and relations with politicians and how these developed and evolved over the years. Especially the leading advocates who were engaged in discussions with politicians over many years at some point saw a need to change the way they related to politicians and to make the advocacy campaign more demand-driven. This was a response to repeated disappointment and the feeling that they were 'played' by the politicians, despite their good working relations and inside knowledge of the process. As such, the analysis – focused on internal explanations of strategic choice – highlights how advocates themselves explained their strategies by the limitations they experienced in terms of how they relate and interact with politicians, suggesting that space for advocacy is highly relational and interactive. Article 4 provides deeper insights into one of the strategies that the RTI Coalition in Ghana pursued, namely the strategy to engage the media on the RTI issue. My interviewees in Accra described a moment of re-strategizing after what was called 'the great debacle of 2016', elaborated on in Article 3. From the perspective of the RTI Coalition, it was crucial to engage media actors as active partners in the advocacy work. This was prompted both by what the leading members in the RTI Coalition saw as a passiveness on behalf of news media actors, who did not take an interest in the RTI bill, and by the challenge politicians' perceptions of a 'lacking public demand' posed for their advocacy. Indeed, the lack of interest and coverage of the RTI issue in the general media reinforced politicians' perceptions that the law was only of interest to a select elite few.

The starting point for Article 4 is the media strategy of the RTI Coalition. Focusing on the re-strategizing process, the article examines the relationship between leading CSO members in the RTI Coalition and media practitioners when the former is pursuing media strategies. Based on interview data from 2012 and 2019, the study traces how the Coalition's media strategy changed from being a more conventional media strategy, seeking to use the media as a platform for their campaign message, to becoming a more engaging approach, seeking to include and activate news media actors as partners and agents in the RTI advocacy. Importantly, the study emphasises the significance of how both the RTI advocacy, as a civil-society-led campaign, and the media strategies pursued were perceived of by media actors.

The study identifies some key factors and mechanisms that were important for the media

in order to take a more active role in the campaign. The leading members of the RTI Coalition changed the manner in which they approached, related and communicated to media actors, and the media actors gained more awareness and ownership to both the RTI issue and their own contribution and role in the advocacy work. The 'platform' or 'partner' dichotomy exemplifies this shift in approach by the RTI Coalition, and the importance of media actors being equal partners with agency and ownership on their own. Findings from the interviews are complemented and supported with a text analysis of news media coverage, showing how the journalistic engagement with the RTI issue in news coverage both increased and improved, in terms of substantial engagement. Beyond the CSO actors merely getting access to and influencing media coverage, the media actors started to engage with the RTI issue and translate it to the citizens, acting as partners more than platforms.

Both Article 3 and 4 speak to the overall landscape of civil society advocacy and the relation between different actors in advocacy work. Article 3 highlights how different civil society actors have different possibilities but also different roles they are expected to play, where the leading members of the established CSOs in the RTI Coalition have different strategic repertoires than less established, less included, and younger CSO actors. This highlights the hierarchies within the civil society sector, and how some civil society actors should be regarded more elite than others. Article 4 highlight the interdependence of civil society and media actors, and how these actors also shape each other's space for strategic action. While the RTI Coalition saw the passiveness of the media as a real challenge for the advocacy work, the strong ownership of the RTI advocacy as a civil society-led campaign was highlighted as an initial reason for why the news media actors did not take an active role in the campaign, both in 2012 and 2019 – despite journalists and editors being key in calling for the RTI law in the 1990s.

This calls for a better understanding of strategic interactions and dynamics between various actors within the civil society landscape, which also includes media actors gathered in interest organisations or prominent journalists and editors engaging in rights advocacy. In particular, Article 4 demonstrates the important link between CSO freedom on the one hand and media freedom on the other in explaining and understanding advocacy strategies. Both articles (3 and 4) contribute to our understanding of the domestic dynamics of what challenges liberal rights advocacy, even in democracies, and how this affect advocacy strategies.

Lastly, both articles examine advocacy strategies for a liberal right in an African democracy. The article-based format of this dissertation allowed to emphasise different aspects of the political context in Ghana for different actors. While Article 3 emphasises how Ghana is one of Africa's most liberal democracies, Article 4 presents Ghana as a 'par-

tial democracy'. This differentiation serves the different aims of the studies; Article 3 seeks to examine 'what remains challenging' for rights advocacy in a context where we assume that the regime is open for both civil society advocacy and rights promotion. In contrast, Article 4 acknowledges that the media landscape in Ghana in particular suffers some liberal deficit, not being fully free and independent from political parties and facing a lingering political suspicion and hostility from political actors (see p. 74 in Article 4). This perspective therefore emphasises the paradoxical situation of doing rights advocacy in a political context where liberal rights are not fully secured and guaranteed, and how this in turn affect the relation between actors in advocacy work.

Consequences of Repression and Pushback

The third focus of the dissertation are the consequences of repression and political pushback against liberal rights. The above-mentioned studies suggest some consequences, such as the spread of illiberal norms and of strategies and arguments to repress and push back on liberal rights (Articles 1, 2, and 3). Regarding the consequences of political pushback against rights advocacy in an African democracy, Articles 3 and 4 highlight how political hesitancy and resistance of liberal rights affected the relationship between politicians and advocates on the one hand, and the relationship between advocates and other actors in society in Ghana on the other hand. While Article 3 speaks to consequences for CSO-government relations, Article 4 is more concerned with the consequences for the overall space for advocacy.

Article 5 most directly examines the consequences of political repression on public support for liberal rights, through its focus on associational and media freedom. Both Articles 3 and 4 highlight the importance of public support for advocacy demands. Lack of public support and awareness of the RTI bill in Ghana was used by politicians as an argument against adopting the bill (Article 3), while increased media engagement was seen as crucial to increase public awareness (Article 4). Article 5 builds on these insights, by underlining the assumption that public support is vital for both civil society and media actors to perform their intended democratic functions, especially affecting their legitimacy and credibility in their interactions with political actors (see p. 5 in Article 5).

How governments' repressive behaviour towards civil society and media actors are shaping public opinion of the rights and freedoms these actors enjoy has received little scholarly attention. In Article 5, my co-author and I argue that repressive government behaviour plays a significant role in influencing public attitudes as to how associational and media life should be regulated. We test this argument by examining the effect of gov-

ernment repression of civil society organisations and media actors on public support for association and media freedoms, measured by three rounds of the Afrobarometer survey covering the time period 2011–2018. Our findings suggest that more government repression of civil society and media actors is positively associated with higher public support for government control over these actors.

The article theorises the relationship between government repression and public support for civil society and media freedom, proposing three different mechanisms; *elite persuasion*, where political elites convince otherwise ambiguous or sceptical citizens of the legitimacy and necessity of repressive measures; *citizen deference*, where citizens may defer to the positions of political elites, regardless of their own privately held beliefs, according to 'signals' from political elites; and *familiarity*, where citizens' support of civil society and media actor is informed by the role these actors play in politics and society and their relations with governments and opposition. We argue that these mechanisms essentially are connected to information flows from elites to citizens and political rhetoric about actors and their role.

Acknowledging that public support will also influence politics and political behaviour, this article rather focuses on how government officials and political elites can and do influence the public with their actions and rhetoric. Further developing our argument, governments can build popular support for democratic backsliding and retrenchment of liberal rights. By proposing that the actions and discourse of government officials are important aspects of repressive behaviour, this study points to how this often accompany – or precede – repression.

Overall, Article 5 contributes with a new approach to the study of 'politics of liberal rights' in Africa by examining the effect of government repressive behaviour directed towards civil society and media actors also has consequences for the public's view of how these actors and their activities should be regulated. The article addresses the seemingly puzzling trend that African publics show continued support for democratic government, and that they view liberal components as key in their understanding of democracy (de Jager 2021), but at the same time show decreasing popular support for specific rights and freedoms relating to civil society and media actors (Conroy-Krutz and Sanny 2019; Logan and Penar 2019). This paradox underlines the main ambition of this thesis – the need to better understand the role of civil society and media actors in politics, and the consequences of adversarial relationships between political and civil society actors.

Discussion and Conclusion: Significance of Strategies

This last section discusses the overall contributions of this compilation dissertation to the study of 'politics of liberal rights' in African democracies. Below, I highlight the overall contributions from the articles seen as a whole and point out implications and avenues for further research.

This dissertation offers a comparative perspective on the politics of liberal rights in African democracies, both with regards to the political pushback against liberal rights and rights advocacy and with regards to the challenges faced by rights advocates and how they strategize to circumvent these. It contributes to the theoretical debate through its emphasis on the significance of strategies and strategic action and interaction between actors. Three main contributions and insights that can be drawn from this dissertation.

First, the dissertation contributes with an overall theoretical approach focused on agents and agency in strategic action. It argues that we should combine the study of government strategies on the one hand and civil society strategies on the other, to better understand the contention for liberal rights. While agency is often placed solely with the strategizing actor and not their target, this dissertation argues that it is necessary to also place emphasis on the agency of the targets of the strategy, their perceptions and choices, in order to fully understand whether and how the strategy actually works.

Second, by focusing on elite-level interactions notably between civil society actors and politicians, I argue we can uncover and better examine the dynamics at play in the 'politics of liberal rights' in African democracies. While the literature on civil society clampdown increasingly studies how civil society actors can respond and counter government clampdown and backsliding strategies, applying an elite-perspective to certain civil society actors is a way to analytically give more agency to civil society actors in shaping the relations with politicians. The increasing focus of political elites in resisting backsliding processes should be complemented with the inclusion of civil society actors, and with a differentiated view on civil society actors, which in some way also are part of the 'balance of power' framework (Waldner and Lust 2018).

Third, this dissertation suggests that both the backsliding and civil society clampdown literatures should more actively incorporate insights from diffusion studies in theories of government repression and strategies for pushing back on liberal rights. Diffusion mechanisms and 'learning' and 'sharing lessons' across borders are indirectly very present in both literatures. Yet mechanisms of diffusion remain under-theorised. Most prominently, Article 2 proposes to examine the mechanism of autocratic learning as an explanation of why some laws are countering democratic ideals, even in democracies. Other stud-

ies on the spread of illiberal norms finds the same for NGO laws (Glasius, Schalk, and De Lange 2020). I see this as an avenue for further research, in particular because it aligns with both literatures increased focus on agency on behalf of incumbent leaders and how leaders in democratic regimes can pursue authoritarian and repressive strategies.

This has several implications for the overall study of 'politics of liberal rights'. Beyond the mechanisms of diffusion, I want to highlight that the significance of how and which strategies travel are also important to understand. To return to the introductory quote by the lawyer and rights advocate concerned with Nigeria's draft CSO law, both repressive strategies, behaviour, and justifications are interpreted and assigned significance. In particular, advocates will interpret and read intentions out of strategies pursued by government actors. Especially when the strategies pursued by government actors are seen to be cases of autocratic learning, this will inform advocates and observers alike about the intentions and motivations behind certain measures and behaviour, be this to uphold democratic norms and values or to diminish them.

This is highly related to the narratives and justifications that accompany government repressive behaviour. I argue we need to better understand how repressive strategies and political pushback against liberal rights are being justified and legitimised, especially in democracies.[27] While the political pushback is generally portrayed as political elites' challenge to (or open resistance against) the international promotion of democracy and human rights, Wolff and Poppe (2015) notes how existing accounts largely ignore, or deliberately downplay, the normative dimensions of the problem at hand. With regards to foreign-funding, they write: "To the extent that the justifications offered in order to defend restrictions on foreign funding are considered at all, they are almost immediately dismissed as poorly veiled rationalizations for violations of international law uttered by some incumbent governments that solely want to remain in power" (Wolff and Poppe 2015, p. i). This is problematic if we truly want to understand the rationale behind governments' strategies and repressive behaviour.

We need to better understand the significance and consequences of what we understand to be repressive strategies. While we know increasingly more about how democratically elected leaders can pursue repressive strategies, it is important to know more about how this is being interpreted by opponents and targets of this strategy, and how their justifications and legitimations resonate in the wider political context. This dissertation addresses different facets of this in Articles 1, 2, and 5. The first article examines

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[27]While the legitimation of repression has received more attention in studies of authoritarianism (see Edel 2019; Edel and Josua 2018; Josua 2021), there is not – to my knowledge – any consistent research interest on this in the democratic backsliding and civil society clampdown literatures, apart from Rutzen (2015b)'s mapping based on a report by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association.

government responses to regulating online information in the context of fake news and hate speech, where some regulatory strategies are implicitly seen as more democratic than others. By examining what is considered 'democratic' or 'non-democratic' content in so-called right to information laws, Article 2 argue how the inclusion of provisions on exactly national sovereignty sends a signal that lawmakers are trying to subvert the democratic ideal of the law and can act as 'red flags'. Article 5 makes the argument that political rhetoric is an important legitimising strategy when restricting civil society and media freedom, which in turn will affect public support for these actors. We need more systematic and interpretive work the significance and consequences of strategies, however.

In conclusion, the combination of backsliding and clampdown literature reveals that it is necessary to combine international and domestic aspects in understanding contention around liberal rights in African democracies – and arguably any democratic regime in the process of regulating and legislating liberal rights, be this established liberal democracies or more recent democratic projects. What the combined approach in this dissertation captures is the two-pronged phenomenon of contentious politics in an increasingly connected world, framed by Tilly and Tarrow (2015, p. 199) in that we see the internalization of international controversies manifesting as domestic contention on the one hand, while at the other also that diffusion of domestic controversy spreads into the politics of other countries. Both the contention for liberal rights and the strategies pursued by government and rights advocates alike will resonate in a larger context, with prevalent narratives of 'backlash against democracy' and 'shrinking civic space'. Because the challenges that face rights advocates in democracies bear semblance to political strategies and rhetoric in more repressive regimes, this can alienate civil society actors fuel uncertainties about their political space for advocacy.

While research is often outpaced by politics and political developments, we should not forget that ongoing normative discussions, concerns, and policy development, is often the starting point for scholarly investigation. This is the case for the democratic backsliding and civil society clampdown literatures. One of the main motivations of the backsliding literature is, arguably, to 'catch the onset' of backsliding processes and prevent them before it is too late. This means that the actors we are studying, especially rights advocates, are (already) operating within a strong and politicised discourse of 'shrinking space' and 'democratic backlash'.

A main underlying question in this thesis remains unanswered; Is the contention for liberal rights in Africa essentially a democratic process or not? We should neither assume that all democratic regimes are always and necessarily practicing 'democratic politics' but neither should we assume that all political pushback is the sign of democratic backsliding.

I acknowledge that by taking the backsliding and civil society clampdown literatures as points of departure for explaining and examining government strategies, this brings to the fore certain assumptions and normative expectations about what actions are considered democratic or not.

Both literatures are concerned with illiberal tendencies in all kinds of democracies, and highlight the importance of recognising autocratic-minded leaders working within democracies and the role of constraints, both intra- and extra-governmental, in halting democratic backsliding and clampdown. However, as emphasised in recent contributions on 'democratic resilience' (Merkel and Lührmann 2021), these two exercises reveals the difficulty of distinguishing the onset of backsliding with the regular 'push and pull' of democratic politics (Jee, Lueders, and Myrick 2021). Democracy is by its very essence contentious, with a struggle between claims and counterclaims. While this remains an academic problem for scholars, this is a real-life and high-stake game for rights advocates in most democracies.

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Appendix

Are you interested in taking part in the PhD research project

"Access Activism in Africa:
Understanding the process of drafting the RTI Bill in Ghana"?

This is an inquiry about participation in a doctoral research project where the main purpose is to understand activist campaigns for 'access to information' (ATI) in Africa, by studying cross-continental trends in civil society activism and examining the particular case of Ghana's drafting and adoption of the Right to Information Bill. In this letter we will give you information about the purpose of the project and what your participation will involve.

Purpose of the project: The project is concerned with processes of introducing legislation to control and regulate citizen's access to government-held information in hybrid regimes. It focuses on the role of civil society activists and their strategies in advocating for so-called 'right to information' (RTI) laws. It seeks to understand the notion of contention and struggle for information; governments seeking to retain or enlarge control and activists campaigning for access.

This PhD forms part of the larger research project 'Breaking Bad: Understanding Backlash Against Democracy in Africa' (2017–2021), funded by the Norwegian Research Council. This project aims to understand the democratic trajectories and perceptions of backlash against democratic rights and freedoms in Africa, where many countries are clamping down on democracy by adopting legal restrictions on key civil and political rights, including freedoms of association, speech, and information.

This project will result in a project book, while the PhD thesis will consist of several articles on political contention on information rights and activist responses.

Who is responsible for the research project? The Department of Comparative Politics at the University of Bergen in Norway is the institution responsible for the project.

Why are you being asked to participate? You are being asked to participate in this PhD study in the capacity of your position and on the basis of knowledge you possess about the process of drafting and adopting the Right to Information (RTI) Bill in Ghana.

What does participation involve for you? If you chose to take part in the project, this will mean a 30-45 minutes long semi-structured interview with the PhD candidate Lisa-Marie Selvik. The researcher will ask about your line of work, and your knowledge and opinions concerning the political process of adopting the RTI Bill in Ghana. The researcher will record the interview and/or take notes. In addition, the researcher will conduct observatory fieldwork on your area of expertise, and information about you and your work can therefore also be indirectly gathered. Any information about third parties obtained through observatory fieldwork or interviews will be used primarily for recruitment purposes and will be anonymised/deleted shortly.

Participation is voluntary. Participation in the project is voluntary. If you chose to participate, you can withdraw your consent at any time without giving a reason. All information about you will then be made anonymous. There will be no negative consequences for you if you chose not to participate or later decide to withdraw.

Your personal privacy – how we will store and use your personal data. We will only use your personal data for the purpose(s) specified in this information letter. The interview material gathered will only be available to the researcher you have met with, Lisa-Marie Selvik.

We will process your personal data confidentially and in accordance with data protection legislation (the General Data Protection Regulation and Personal Data Act). This study is reported to The Norwegian Centre for Research Data AS (NSD), a privacy ombudsman for research which provides advice on privacy policy in research, and is by all partners conducted according to common guidelines.

What will happen to your personal data at the end of the research project? The project is scheduled to end 30 November 2021. The recordings and notes from the interviews will be stored at an external hard disk, and will be stored safely for later use, new projects, follow-up studies emanating from the project, and the like, until 30 November 2026. The researcher who conducted the interview will be the only one with access to the stored information.

Your rights. So long as you can be identified in the collected data, you have the right to:
- access the personal data that is being processed about you
- request that your personal data is deleted
- request that incorrect personal data about you is corrected/rectified
- receive a copy of your personal data (data portability), and
- send a complaint to the Data Protection Officer or The Norwegian Data Protection Authority regarding the processing of your personal data

What gives us the right to process your personal data? We will process your personal data based on your consent. Based on an agreement with the Department of Comparative Politics at the University of Bergen, NSD has assessed that the processing of personal data in this project is in accordance with data protection legislation.

Where can I find out more? If you have questions about this study, or want to exercise your rights, contact:
- PhD Candidate Lisa-Marie Selvik, by email: Lisa.Selvik@uib.no or tel.: +233 201586453 / +47 41276077
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- Project website: https://www.democraticbacklash.com/

Yours sincerely,

Prof. Lise Rakner
Project Leader
Professor of Comparative Politics
University of Bergen, Norway

Consent form

I have received and understood information about the project 'Breaking BAD: Understanding the Backlash Against Democracy in Africa' and have been given the opportunity to ask questions. I give consent:

- ☐ to participate in an interview
- ☐ for information about me/myself to be published in a way that I can be recognised
- ☐ for my personal data to be stored after the end of the project for follow-up studies

I give consent for my personal data to be processed until the end date of the project, approx. 30 November 2021

(Signed by participant, date)

Interview guide for political actors

Basics (if not already covered):

- - Name, political party
- - Period(s) of being a MP? (Political career)
- - Current or previous member of Constitutional, Legal and Parliamentary Affairs Committee?
- - Profession and previous workplace?

II. The process of drafting the RTI bill

1. <u>In general terms, how would you describe the process of adopting the RTI law?</u>
   a. 20 in the committee
   b. 9 years in parliament
   c. How the process unfolded: what does this journey say about Ghanaian politics?

2. <u>Why did your party include the RTI bill in its electoral manifestos?</u>
   a. Why was that important?

3. <u>Did you always believe the bill would get passed?</u>
   a. Why/why not?

4. <u>What do you think this bill will mean for Ghana? What are the consequences?</u>
   a. In your opinion: what is the importance/significance of the RTI bill
   b. for civil society – for ordinary citizens – for the media
   c. for other state bodies? For CHRAJ? The courts? The MPs? Opposition?
   d. for other actors? Businesses? Academics, researchers?

5. <u>How did you find the political debate in parliament (and outside) of the RTI bill?</u>
   a. Arguments for or against?
   b. Environment of debate? Evolution of debate?

I. Perceptions of the RTI coalition and their campaign

6. <u>How did you see the RTI coalition as an advocate for the RTI law (actor)?</u>
   (i.e. how did you perceive of them?)
   a. A coalition consisting of various actors – any differences important to you?

7. <u>What do you think of the way the RTI coalition worked for the adoption of the bill?</u>
   b. Perceptions of the campaign
   c. And the different strategies employed over the time
   d. Any strategies that stand out to you? (as particular w.r. to perceptions?)
      i. The use of the media – the use of social media
      ii. Street protests – Campaigns in the regions – Trade union speeches
      iii. Electoral promises / manifestos
      iv. The use of the courts

III. Space for political participation in Ghana

8. <u>For you, what do you think about when I say '(civic) space for political participation'?</u>
   a. What is the situation for civil society in Ghana today?
   b. What is the situation for media in Ghana today?
   c. What is the situation for freedom of expression for Ghanaians (people) today?
   d. (The internet and online spaces for protest?)
   e. Seeing as many African countries (read governments) are facing "allegations" of a closing space for civil society or a closing space for citizen participation – how would you say Ghana compared to that?

9. <u>How would you describe the role of civil society actors in Ghana?</u>
   a. How is the interaction between civil society actors and politicians?
   b. Do you see any significant differences amongst CSOs?
      i. Old established CSOs vs new, young, upcoming and "unknown"?

10. <u>Cyber-crimes act – do you know what's going on?</u>

Interview guide for RTI Coalition members

Basics (if not already covered):

- Name
- Profession and work place/Organisation and position (for how long)
- Capacity in the RTI Coalition (representing organisation vs individual member, steering committee, implementation committee, etc.)
- Nature of organisation – local chapter of int. org, grassroot, etc.

Work before/outside the RTI Coalition

1. How long have your organisation/you as an individual member been working on the issue of RTI?

2. How was the idea of campaigning for the RTI bill born in your organisation?

- Always an area of priority?
- The RTI Bill was initiated in 1999, by The Institute of Economic Affairs in Ghana – when did your work start? And why, prompted by something?
- And how did you work on the issue initially?
    o Connected to another area of work?
    o Did you have allocated resources to work on it?
    o What was your emphasis, on the political process around the RTI Bill itself or on the issue of information, access to and availability of information?
    o If political campaigning and advocacy; how did you go about this?
- ***Verify***: Did you campaign for the RTI bill before joining the Coalition?

Joining the Coalition – when, why and how

3. When did you join the RTI Coalition?

4. Why did you join the RTI Coalition? (motivations)

5. How did you join the RTI Coalition?

- Did you contact Coalition members, or did they approach you?
- Did you collaborate before you officially joined?

The RTI Coalition – strategies

6. What were your strategies in the RTI Coalition for advancing the adoption of the RTI Bill?

- Political advocacy, legal strategies, mass mobilisation, international mobilisation, etc…)
- What were the most useful strategies and arenas?

7. Were there differences in the use of strategies within the RTI coalition?

- How did this affect your collaboration?
- How did it affect your possibility to influence the political process/advance the cause?

8. Who are your allies outside the RTI Coalition?

- Domestic actors, regional, and/or international?
- From where do you get support (financial, strategic, political/moral)?
- Has this changed over the course of the 20 years?

9. Who do you see as your main opponents and what are their strategies and allies?

- Domestic, regional, and/or international?

Experience as a member of the RTI Coalition – navigating political space

10. Did the way you worked with 'RTI' change after joining the Coalition, and if so, in what way?

- How did being a member of the RTI Coalition affect your possibilities for influencing the political process around the RTI Bill?
  o Did it create opportunities?
  o Did it constrain you in any way?

11. How was the RTI Coalition perceived of by the politicians?

- Different groups of political actors; government vs parliament, party in power vs the opposition, other agencies, judges in different courts…?
- Did you have collaborators amongst political actors?

12. Did you always believe you would get the RTI Bill passed? Why/Why not?

- Perception of possible success
- Any critical moments?

13. In your view, did you achieve your aim/goal with the adoption of the RTI Bill?

- The legal text itself – good enough?
- The process – what does that say about Ghanaian democracy/political space?

The importance of the issue **(an open question to end with)**

14. In your opinion, why was, and is, the issue of RTI important for Ghanaian civil society and media?

- Why the mobilisation for a law?
- The RTI coalition gathered an extensive number of very different organisations and individuals. In your view, why is that?

Articles

Article I

How African countries respond to fake news and hate speech

Lisa Garbe, Lisa-Marie Selvik & Pauline Lemaire.

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How African countries respond to fake news and hate speech

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ABSTRACT

While scholars have already identified and discussed some of the most urgent problems in content moderation in the Global North, fewer scholars have paid attention to content regulation in the Global South, and notably Africa. In the absence of content moderation by Western tech giants themselves, African countries appear to have shifted their focus towards state-centric approaches to regulating content. We argue that those approaches are largely informed by a regime's motivation to repress media freedom as well as institutional constraints on the executive. We use structural topic modelling on a corpus of news articles worldwide ($N = 7'787$) mentioning hate speech and fake news in 47 African countries to estimate the salience of discussions of legal and technological approaches to content regulation. We find that, in particular, discussions of technological strategies are more salient in regimes with little respect for media freedom and fewer legislative constraints. Overall, our findings suggest that the state is the dominant actor in shaping content regulation across African countries and point to the need for a better understanding of how regime-specific characteristics shape regulatory decisions.

1. Introduction

Online platforms gained enormous traction in political and social discourse, with platforms like Facebook evolving into transnational companies that are 'unmatched in their global reach and wealth' (Gorwa, 2019, p. 860). Social media platforms in particular have been blamed for poor efforts to moderate content in many instances around the world, failing to protect users from foreign influence during elections in the USA and France (Walker et al., 2019, p. 1532) or to adequately moderate hate speech in Ethiopia inciting violent ethnic protest (Gilbert, 2020). 'We take misinformation seriously,' Facebook CEO Mark Zuckerberg (2016) wrote just weeks after the 2016 elections in the USA. In the years since, the question of how to counteract the damage done by 'fake news' has become a pressing issue both for technology companies and governments across the

globe. Indeed, there is a growing debate about how to adequately regulate online content predominantly taking place in Europe and North America (Iosifidis & Andrews, 2020).

Yet, how are fake news and hate speech regulated across African countries? In this paper, we use news coverage of fake news and hate speech in Africa to analyse how regulatory strategies are framed, and how these frames are predicted by different regime characteristics. In essence, our analysis of 7′787 news articles covering 47 African countries suggests that in the absence of proactive content moderation by the platforms, discussions regarding the regulation of fake news and hate speech mostly centre on state-centric strategies.

Figure 1 underlines the salience of 'fake news', 'hate speech', 'misinformation', and 'disinformation' in news coverage of African countries. The trend over the last five years suggests that these issues have gained increasing importance in public discourse. The enormous spread of misinformation related to the COVID-19 pandemic on Facebook in South Africa and Nigeria (Africa Check, 2020; Ahinkorah et al., 2020, p. 2) further underlines this trend. The fact that both humans and bots are used in several African countries to spread government-propaganda and discredit public dissent online (Bradshaw & Howard, 2019) highlights the challenges related to limiting hate speech and fake news in African contexts. Indeed, in more authoritarian contexts, domestic governments themselves seek to manipulate both information and discourse to ensure their regime's survival.

How African countries respond to fake news and hate speech is a highly relevant question, especially in the absence of content moderation by Western tech giants. While platforms have started to engage in content moderation around the world, they appear comparatively inactive on the African continent. In 2019, upon request from governments, courts, civil society organizations, and 'members of the Facebook community' (Facebook, n.d.), Facebook removed content from its platform in several thousands of instances in countries like Pakistan ($N = 7′960$), Mexico ($N = 6′946$), Russia ($N =$
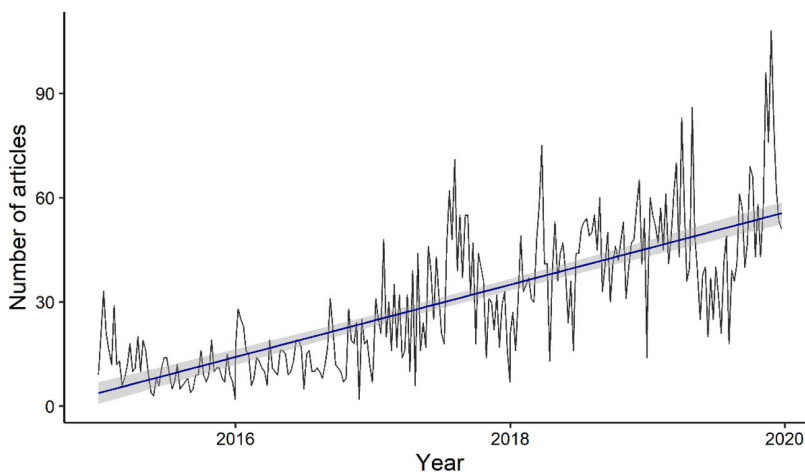

Figure 1. Number of articles including the search terms, 2015-2019.

Note: Total number of news articles including the terms "fake news", "hate speech", "misinformation", or "disinformation", per week between 01.01.2015 and 31.12.2019 ($N = 7′787$).

2′958), or Germany ($N = 2′182$), but it hardly removed any content in Africa. In fact, Morocco had the highest number of content removals, with $N = 6$ (Facebook, n.d.). Twitter's transparency reports suggest similar figures for African countries (Twitter, n.d.). The lack of content moderation in African countries seems particularly counterintuitive given the vast use of social media platforms, such as Facebook, on the African continent (e.g., Bosch et al., 2020; Nothias, 2020).

Theoretically, we build on Lessig (1999) and Boas (2006) framework of the regulation of code as well as recent scholarship on regime survival to explain how regime-specific characteristics shape the prevalence of legal and technological discussions about online content regulation. Empirically, our results underline the importance of regime characteristics to understand debates about online content regulation. Technological approaches to content regulation such as blocking or censoring online content are more commonly discussed in regimes that rely on the repression of media and in which the executive's actions are less constrained by legislatures. Legal approaches to content regulation, such as legislation passed by parliament, in particular the criminalization of hate speech, are more commonly discussed in countries respecting media and press freedom, yet not necessarily in countries with higher institutional constraints on the executive. Overall, our findings suggest that regime-specific characteristics pave the way for different strategies to regulate content, some of which may have profound consequences for the freedom of expression online.

We proceed with a theoretical section in which we combine insights from internet governance and comparative politics to formulate expectations about the prevalence of technological and legal regulation in public discourse. Subsequently, we present our data and explain how we employ structural topic modelling to identify regulatory frames in our body of collected texts. We then present results from regression analyses and discuss these findings in light of recent regulatory trends in Africa.

2. Theory

Recent scholarly efforts seek to understand determinants and effects of governments' attempts to control online spaces using censorship (Hellmeier, 2016), internet shutdowns (Hassanpour, 2014; Freyburg & Garbe, 2018; Rydzak et al., 2020) or online surveillance (Michaelsen, 2018). However, these studies do not take into account the legitimate need for governments to address, prevent and punish the spread of hate speech and fake news. Crucially, the aim and motivation of such regulation can be legitimate as long as it addresses citizens' needs (Helm & Nasu, 2021). By connecting insights from scholarship on internet governance and regime survival, our aim is to explain how variation in (1) regimes' motivations to control Information and Communication Technologies (ICT) and in (2) institutional constraints on the adoption of regulation result in differences in the framing of regulatory strategies addressing fake news and hate speech.

We assume that regulation of hate speech and fake news covered in news reports can be seen as regulatory frames (Gilardi et al., 2021, p. 23) that represent different perspectives on regulation. Following DiMaggio et al. (2013), we consider that news reports offer a useful mirror of societal debates, both because they report on issues when these are under consideration by political institutions, and because they reflect debates among the informed public. Furthermore, by considering not only African but also global

news reports, we overcome potential biases in the way regulation is framed in more illiberal countries. We assess how well news reports reflect actual regulatory strategies using information from *Freedom on the Net* reports, annually released by Freedom House (2015, 2016, 2017, 2018, 2019, 2020) that cover legal and technological aspects of internet regulation in 16 African countries (see Methods section; Appendix D).

2.1. Legal versus technological approaches controlling online content

Lessig (1999) distinguishes, broadly speaking, between institutional and architectural means (or *legal* and *technological* means as we will call them during the remainder of this paper) to regulate online space (cf. Boas, 2006, p. 4f.). According to Lessig (2006, pp. 124–125), states can control the technological architecture of the internet through executive decisions, thus influencing or restricting the production of and access to specific content. He (2006, pp. 136–37) argues that technological approaches enable states to regulate online content without having to suffer any political consequence. Legal approaches to content regulation are the predominant institutional strategy to shape access to and production of online content (Lessig, 2006, p. 130), including both the formulation of legislation in the form of bills, laws, and acts as well as the judicial review of existing legislation by courts.

Applying this distinction to how governments seek to regulate online content, we argue that the main difference between technological and legal regulation is that technological strategies are an *ex-ante* approach to prevent the production of online content in the first place, while legal strategies are mostly *ex-post*, removing and/or punishing harmful content after it was produced or shared (Frieden, 2015). These two approaches are not mutually exclusive and are, in fact, often employed in combination with one another.

2.2. Motivations for controlling online content

We acknowledge that a differentiated understanding of regime type is needed when studying politics in Africa. One important and useful distinction with regards to a government's motivations for controlling the flow of information and communication, is the degree to which a political regime is relying on people's informed vote and a viable opposition as sources of its legitimacy. Most African regimes qualify as 'electoral regimes' (Schedler, 2002, p. 36), meaning they hold elections and tolerate some competition but also violate minimal democratic norms so severely and systematically that they cannot be classified as full-fledged democracies. In countries in which the ruler is not (re-)determined by means of free and fair elections, the government usually relies on a whole 'menu of manipulation' to stay in power (Schedler, 2002). This includes the control of media and civil society actors because a strong and well-informed civil society 'can hold governments accountable beyond elections' (Mechkova et al., 2019, p. 42). Traditionally, in order to control information and communication, authoritarian rulers rely on manipulation of public discourse through the control of media outlets (Kellam & Stein, 2016) or heavy restrictions on civil society (Christensen & Weinstein, 2013).

In the digital age, internet and social media provide both civil society and media actors with new means to access and share information (Breuer et al., 2015; Eltantawy & Wiest, 2011). Authoritarian rulers might therefore require new regulatory strategies to also

control the flow of internet-based information and communication. In particular, they need to overcome the challenge posed by some of the decentralized and low-cost features of the internet that facilitate the organization of collective action without formal organization (Bennett & Segerberg, 2012). From a regulatory perspective, authoritarian regimes should hence be inclined to use preventive measures to keep civil society and media actors from putting pressure on the incumbent by using ICT for mobilization purposes (Dresden & Howard, 2015; Goetz & Jenkins, 2005, p. 20). We therefore expect that those regimes that traditionally rely on the repression of media and press freedom are more likely to employ technological ex-ante strategies that prevent the production and sharing of content in the first place. This is likely to affect how regulating online hate speech and fake news is framed in media reports:

> **H1a**: With increasing levels of press and media freedom, the salience of <u>technological</u> regulatory frames <u>decreases</u>.

> **H1b**: With increasing levels of press and media freedom, the salience of <u>legal</u> regulatory frames <u>increases</u>.

2.3. Institutional constraints to controlling online content

The extent to which authoritarian regimes can impose means of regulation that prevent the creation of digital content should not only depend on their tendency to repress press and media freedom in general but also on institutional constraints. We argue that authoritarian regimes can apply more preventive measures of regulation without facing the need for approval by the legislature or the review by the judiciary. They should therefore be more inclined to use technological means of regulation. In turn, in regimes in which the executive faces more constraints by other branches of power, discussions about legal approaches to content regulation should be more prominent.

The separation of powers aims to prevent a government's abuse of power (Rose-Ackerman, 1996). In many authoritarian regimes, institutions such as legislatures or courts serve as a way to co-opt the opposition rather than provide de facto oversight (Gandhi, 2008; Rakner & van de Walle, 2009; Shen-Bayh, 2018). It is therefore important to focus on the *de facto* capacity of such institutions to constrain executive decisions and hence the government's capacity to regulate online content. Legislatures can challenge a government through non-confidence votes for example (Mechkova et al., 2019). This capacity might be even stronger when opposition actors are represented in the legislature (Herron & Boyko, 2015). Some African legislatures have become powerful institutions 'in terms of checking the executive, contributing to the processes of policy-making, and indeed as a monitor of policy implementation' (Bolarinwa, 2015, p. 20). Independent legislatures are important actors in Africa 'assessing proposed legislation, drafting amendments, […] asking questions, attending committee and plenary meetings, participating in debates or voting' (Nijzink et al., 2006, p. 315), all of which should be reflected in broader societal debates about different steps in the process of legislation. High courts have the possibility to sanction government actions. Examples from Africa highlight their capacity to challenge even fundamental government decisions such as amendments to the constitution to overcome presidential term limits (Vondoepp, 2005).

In a country with independent legislatures and high courts, which effectively constrain the government, the executive is thus more limited in its ability to regulate fake news and hate speech. Ad hoc technological regulation to prevent the circulation of fake news and hate speech appears to be more challenging in such an environment compared to contexts without institutional constraints, as highlighted by an example from Ethiopia. In response to violent protest and the circulation of fake news, the Ethiopian government repeatedly shut down internet access in part of the country. As outlined by Abraha (2017, p. 302) this strategy 'usually take[s] place in the absence of any specific legislative framework'. We hence argue that discussions about legal strategies to regulate content are more prevalent in regimes where the government is de facto constrained by legislatures and high courts:

H2a: With increasing levels of constraint by legislatures and courts, the salience of legal regulatory frames increases.

H2b: With increasing levels of constraint by legislatures and courts the salience of technological regulatory frames decreases.

3. Methods

We assess legal and technological regulatory frames by analysing how regulation of hate speech and fake news are reported and discussed in news coverage of Africa. Importantly, news items come from both African and non-African publishers. We include news items from non-African publishers as reporting on politically contested issues like misinformation and hate speech might be scarce or biased in more authoritarian countries where news outlets are often owned by government authorities (Stier, 2015).

Still, domestic African media outlets are prominent in our sample (like Nigerian Vanguard, The Punch, and The Sun, with 17% of the news stories combined) or African reproduction of media content (like AllAfrica with 13% of the news stories). In contrast to analysing actual regulatory advances, news reporting can provide a sense of debates surrounding regulatory strategies pursued by governments and may provide an indication of regulation even before a law has been formally adopted (DiMaggio et al., 2013).

3.1. Corpus

Our data consists of 7'787 English-language news articles from a wide range of news outlets ($N = 380$), covering both digital and digitalized printed press, in 47 African countries. These articles are sourced from Factiva, containing the terms 'hate speech', 'fake news', 'misinformation' and/or 'disinformation' as well as terms related to online activity in the title or article published between 2015 and 2019. The Dow Jones Factiva database is a digital archive of global news content which is frequently used by scholars analysing media reporting on African countries (e.g., Bunce, 2016; Obijiofor & MacKinnon, 2016). Appendix A provides details of the full Factiva search query, which in total produced 22'457 news stories. To ensure that our corpus only consists of news stories discussing fake news and hate speech in online contexts, we subset the full corpus of news stories, only including articles that mention pre-defined words for online aspects. For each article in the final corpus, we only keep those paragraphs in which our key online terms are mentioned.[1] Table 1 provides an overview of the final corpus of 7'787 news stories.

3.2. Structural topic model

In order to analyse how regulatory strategies are framed, and to test our hypotheses about how these frames are predicted by different regime characteristics, we apply structural topic modelling (STM) (Roberts et al., 2019). We first estimate topic models ranging from 10 to 50 topics per model using the *stm* package in R (Roberts et al., 2019). We choose the 35-topic model as the most meaningful in terms of topic quality, based on quantitative measures for exclusivity and semantic coherence, and qualitative evaluation of the topics' interpretability (see Appendix B). Because the STM analysis relies on the probabilistic topic model technique Latent Dirichlet Allocation (see Blei, 2012), a technique which uses word counts and not the order of words, it is up to the researcher to infer meaning from the words and topics that appear, rather than assert it (Grimmer & Stewart, 2013, p. 272).

Based on the words in each topic and a close reading of the twenty most representative articles, we identify two topics as indicators for the framing of technological and legal approaches to content regulation. Representative articles can be found using the *findThoughts* function of the *stm* package, which provides documents highly associated with particular topics (Roberts et al., 2019, p. 14). To validate our interpretation and labelling of the selected topics, four human coders read and manually coded a sample of the most representative texts for each topic. The coders' agreement with the assignment of the structural topic model is around 70–75 percent (see Appendix C).

We further assess how well the identified topics for 'legal' and 'technological' approaches to content regulation in news coverage capture actual regulatory steps undertaken by African governments (see Appendix F). Specifically, we compare our country-year mean topic proportions with data from the *Freedom on the Net* reports (Freedom House, 2015, 2016, 2017, 2018, 2019, 2020), first through a t-test and then by investigating four cases more qualitatively. According to the results, news reports provide a fair indication of different legal and technological regulations by African governments For the remainder of this study, we use the expected proportion of each topic as dependent variable.

Table 1. Description of the textual corpus.

Pre-defined words for online aspects	'online', 'digital', 'Internet', 'web', 'social media', 'Facebook', 'Twitter', 'Google', 'YouTube', 'WhatsApp', 'Instagram'	
Number of news stories	7'787	
Countries in sample	47	
Texts per regime type	0: autocracy	339
	1: electoral autocracy	2'011
	2: electoral democracy	5'293
	3: democracy	144
Texts per year	2019	2'632
of publication	2018	2'157
	2017	1'645
	2016	762
	2015	591

Note. The corpus consisting of news stories on 'hate speech', 'fake news', 'misinformation' and/or 'disinformation' is subset to English news stories in which one or more paragraphs mention the pre-defined words for online aspects listed above. Regime type is coded by V-Dem's categorical regimes of the world measure (v2x_regime) following Lührmann et al. (2017).

3.3. Covariates

To predict the expected proportion of each topic, we use three different indicators from the Varieties of Democracy (V-Dem) project, version 10 (Coppedge et al., 2020). First, we use an aggregated index to assess media and press freedom (*v2x_freexp_altinf*) that ranges from 0 to 1 assessing the extent to which citizens are able to 'make an informed choice based on at least some minimal possibilities for collective deliberation' (Teorell et al., 2019). Second, following Mechkova et al. (2019), we use two different indicators to assess *de facto* rather than *de jure* accountability mechanisms through legislatures (*v2xlg_legcon*) and high courts (*v2x_jucon*) both of which range from 0 to 1. For both indicators, higher values indicate more freedom and more constraints on governments, respectively. In addition, we include a variable on state ownership of the telecom sector per country and year to control for a government's capacity to block internet access (Freyburg & Garbe, 2018). Specifically, the variable indicates the proportion of the telecom sector that is majority state-owned. Here, data comes from the Telecommunications Ownership and Control Dataset (Freyburg et al., 2021).

3.4. Methods

To estimate the effects of press and media freedom and institutional constraints on the proportion of the three selected topics, we use Linear Mixed Models (LMM; Baayen, 2008) and include country as random intercepts to acknowledge that the articles are nested in countries and time fixed effects. We use the logarithm of the proportion of topics as the distribution of these variables is right-skewed. All predictors are standardized. After fitting the model, we check whether the assumptions of normally distributed and homogeneous residuals are fulfilled. Appropriate tests indicate no substantial deviations from these assumptions. Finally, collinearity determined for a standard linear model without random effects, appeared to be no major issue (maximum Variance Inflation Factor: 5; Field, 2009).

4. Results

We identify two topics that reflect the two dominant state-centric regulatory strategies technological and legal approaches: Topic 31, which we label 'technological approaches', represents regulatory frames of governments using technological means to block, manipulate, or censor specific online content; and Topic 5, which we label 'legal approaches', reflects legislative strategies to regulate the production of fake news and hate speech. We illustrate how each of those topics reflects different types of regulatory strategies with excerpts from representative news articles from the corpus Table 2.

4.1. Technological approaches

Topic 31 appears to be related to more technological approaches to content regulation, with terms including 'shutdown', 'access', 'blackout', and 'block'. Both representative articles below point to the problem that fake news and hate speech might often be used as a pretence to prevent opposition actors from accessing specific content or sharing

Table 2. Topics related to state-centric online regulation in news coverage

Topic	Interpretation	Keywords
31	Technological approaches	Ethiopian, ethiopia, sudan, zimbabw, shutdown, addi, shut, mugab, protest, zimbabwean, ababa, burundi, mnangagwa, access, sudanes, uganda, prime, abiy, cut, blackout, unrest, block, mobil, diaspora, reform, harar, restrict, cpj, moyo, colour, activist, burundian, amid, fuel, congo, countri, govern, ahm, tax, disrupt
5	Legal approaches	Legisl, cyber, law, cybercrim, bill, draft, blogger, provis, protect, fine, regul, crimin, tanzania, bulli, amend, offenc, crime, act, kenya, propos, enforc, penalti, onlin, fraud, pornographi, kenyan, requir, comput, pass, provid, communic, appli, board, prohibit, legal, film, fee, enact, illeg, applic

Note: The selected topics presented by the 40 most frequent and exclusive words (*frex* terms). Appendix C provides an overview of all 35 topics and their labels.

information. One article exemplifies how a government, here the Ethiopian government, uses the blocking of specific websites as a means to prevent the spread of 'rumours':

> 'Amid reports of violent clashes that have led to at least 15 deaths, the Ethiopian government has partially blocked internet access […]. The government has justified such action in the past as a response to unverified reports and rumors, noting that social media become flooded with unconfirmed claims and misinformation when violence erupts.' (Solomon, 2017)

Another representative article focusing on government blocking in Cameroon underlines the preventive character of such measures:

> '[Cameroon] endured at least two Internet cuts since January last year with government saying the blackouts were among ways of preventing the spread of hate speech and fake news as the regime tried to control misinformation by separatists groups in the Northwest and Southwest.' (The Citizen, 2018)

4.2. Legal approaches

Topic 5 seems to be concerned mostly with legal processes, as shown by the combination of terms like 'legisl[ation]', 'bill', 'regul[ation]', 'fine' or 'prosecut[ion]'. A closer look at a representative article exemplifies that this topic embraces news coverage of specific legislation such as in Kenya:

> Kenyan President Uhuru Kenyatta signed a lengthy new Bill into law, criminalising cybercrimes including fake news […] The clause says if a person 'intentionally publishes false, misleading or fictitious data or misinforms with intent that the data shall be considered or acted upon as authentic,' they can be fined up to 5 000 000 shilling (nearly R620 000 [43′865 USD]) or imprisoned for up to two years. (Mail & Guardian, 2018)

Before Kenyatta signed the Bill, there were demands to have Parliament review the law to make sure that it does not violate the right to media freedom and expression. Similar laws or proposed laws are discussed in news articles covering Nigeria (Adegbo, 2019), Botswana (The Botswana Gazette, 2017), or Ethiopia (Ethiopian News Agency, 2019), all of which focus on criminalizing the publication of fake news or hate speech and holding to account the individual. In few cases, articles also point to legal approaches that would make it possible to hold internet service providers (ISPs) liable who fail to moderate content appropriately as indicated by a bill discussed in South Africa (Eloff, 2019).

4.3. The influence of media freedom and institutional constraints on regulation

We use our topics 'technological approaches' and 'legal approaches' as dependent variables and estimate the effect of a country's press and media freedom as well as institutional constraints on the expected proportion of each of these topics. Figure 2 depicts the results; more detailed results from the linear mixed models can be found in Appendix D.

First, results from the linear mixed models reveal a differential impact of a country's level of press and media freedom on the expected reporting of technological and legal approaches to regulation. Increasing levels of press and media freedom are associated with decreasing levels of technological regulatory frames (B = −0.55, SE = 0.09). This supports Hypothesis 1a that countries traditionally relying on the repression of press and media are more likely to appear in frames related to technological strategies of content regulation. Furthermore, press and media freedom is positively associated with legal frames (B = 0.17, SE = 0.09), supporting Hypothesis 1b that countries respecting press and media freedom are more likely to be associated with legal strategies of content regulation.

Second, institutional constraints vary in their effects on the expected proportion of technological and legal frames. Legislative constraints are associated negatively with the expected proportion of technological frames (B = −0.44, SE = 0.08) whereas judicial

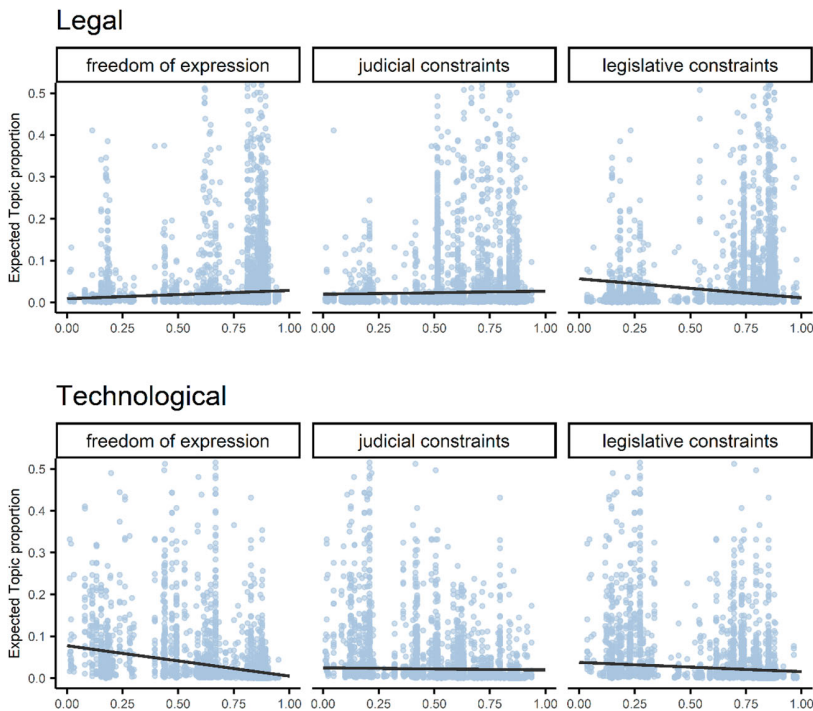**Figure 2.** Marginal effects of covariates on expected topic proportions.

Note: Marginal effects are calculated using the ggpredict() function (Lüdecke, 2021); points indicate the expected topic proportion per text; in contrast to the statistical models (see Appendix D), the marginal effects are calculated using models in which the variables are not logarithmized and/or standardized to facilitate interpretation.

constraints are positively associated with the expected proportion of technological frames (B = 0.27, SE = 0.08). Overall, this suggests that only legislative but not judicial constraints are negatively associated with frames of technological regulation and lends mixed support for Hypothesis 2b. Furthermore, legislative constraints are negatively associated with legal frames (B = −0.37, SE = 0.09), whereas judicial constraints are positively associated with legal frames (B = 0.17, SE = 0.08). Overall, this provides mixed support for Hypothesis 2a, suggesting that in contrast to judicial constraints, legislative constraints are not necessarily associated with the reporting of legal strategies.

4.4. Discussion & limitations

Our investigation suggests that both traditional restrictions on press and media freedom as well as institutional constraints influence the salience of different regulatory strategies as reported in news outlets. Given that our indicators for different regulatory strategies are informed by computer-assisted text analysis rather than in-depth analysis of all articles in the corpus, we discuss our findings in light of country-specific examples.

The salience of regulatory frames of technological approaches to address fake news and hate speech appears to be higher in countries that traditionally restrict press and media freedom and that are less constrained by legislative institutions. This is also reflected by the growing trend across authoritarian African rulers to block internet access during elections (Freyburg & Garbe, 2018; Garbe, 2020). Indeed, our findings suggest that those rulers who have strong incentives to prevent the production and spread of content – often because it is considered potentially harmful to the regime – are more likely to use technological means to restrict access to and production of online content. Our findings further suggest that strong legislative constraints on the executive might prevent governments from using technological means of blocking. On the other hand, our findings indicate that regimes with strong(er) judicial constraints on the executive may still revert to technological strategies of content regulation. This is exemplified by the shutdown of social media in Zimbabwe amid protests in 2019 which was later challenged by Zimbabwe's high court (Asiedu, 2020). Given that governments who seek to fundamentally restrict access to and production of content online often do so in response to pressing political issues, *ex-post* judicial review of such measures might not deter governments from doing so. While some observers recognize the legitimate aim to contain the spread of fake news (Madebo, 2020), there is also widespread concern about the potential harm of such preventive measures in over-censoring potentially important information such as news related to Covid-19 (Nanfuka, 2019).

Our findings further indicate that legal approaches to regulating fake news or hate speech, i.e., media coverage of the introduction of bills, laws, and acts, are not more prevalent in those regimes with strong legislative constraints. This may reflect the increasing importance of law-making as a political tool of power consolidation and illiberal practices, also known as 'autocratic legalism' (Scheppele, 2018, p. 548). In fact, many African rulers started introducing legislation on the production and spread of content online. Kenya's Computer Misuse and Cybercrime Act, for instance, criminalizes the 'publication of false information in print, broadcast, data or over a computer system' (2018, Art 22, 23) and also explicitly refers to the publication of 'hate speech'. Digital human rights defenders have observed many of the changes in the

legal landscape in both authoritarian and democratic countries with worry. Regulations specifically criminalizing online content that is regarded as misinformation or hate speech are often 'inherently vague, and […] create a space for abuse of the law to censor speech' (Taye, 2020). While Helm and Nasu (2021) argue that criminal sanctions can be an effective way to counter hate speech, they underline that it is necessary to find an appropriate balance between censoring information and respecting freedom of expression. In addition to bills criminalizing the publication or spread of fake news, authoritarian regimes also seem to develop more indirect means of legislation that can be described as *ex ante* measures to prevent the production of fake news and hate speech. For instance, Tanzania, Lesotho, and Uganda, all introduced laws that indirectly prevent people from sharing content online either through fees on social media use itself or fees that are required from online bloggers (Karombo, 2020). Overall, our STM approach is limited in grasping more nuanced types of legislation and further qualitative work is needed to better understand how regimes differ in their legislative approach to regulating fake news and hate speech and to what extent legislatures affect this process. In addition, the increasing use of bots by African governments can also be seen as regulatory strategy in itself requiring more fine-grained approaches to investigate differences across countries (Nanfuka, 2019).

We acknowledge that there might be non-state solutions to regulation as, for instance, reflected in Topic 14 (see Appendix C). While governments appear to be the most prevalent actors emerging from our analysis of media coverage on hate speech and fake news in Africa, news reporting also points to other approaches, such as bottom-up initiatives to improve fact-checking skills, to regulate fake news and hate speech. This might reflect the fact that, facing increasing pressure on fundamental rights, civil society in Africa is advocating for online platforms to meaningfully invest in content moderation in Africa and collaborate with local civil society (Owono, 2020; Dube et al., 2020).

Finally, we want to highlight three limitations of our study. First, our approach using news coverage of African countries enabled us to assess the public discourse surrounding the regulation of fake news and hate speech. This has the advantage that we also include discussions about the regulation of fake news and hate speech, often before they translate into actual legislation. However, it is unclear to what extent news reports reflect actual regulation across African countries. As our validation highlights, news reports provide a good indication of technological approaches to regulate fake news (see Appendix D). Yet, it is less clear how well news reports reflect legal approaches to content regulation. The fact that most data sources on African legislation do not directly assess the extent to which legislation regulating the digital space is meant to address fake news, makes it difficult to validate the fit of news reports. Empirical studies comparing actual laws explicitly addressing fake news as well as technological manipulation of online activity beyond shutdowns are hence encouraged. Second, our sample is biased towards large African countries and countries with a high degree of digitalized press, like South Africa and Nigeria, which represent up to 20 and 40 percent in our sample respectively. As both are prominent and dominant countries on the continent, however, we can assume that they are important actors in both driving and shaping discussions on how online content should be regulated. Third, the salience of the two strategies is subject to variation over time (see Appendix F) and highlights that especially legal frames have only recently gained importance in the African context.

5. Conclusion

Our study contributes to the growing discussion on content regulation in two ways. Theoretically, we add to the understanding of online regulation by showing that regime-specific characteristics can alter a government's choice of different regulatory strategies. Empirically, we find that public discourse on online content regulation in Africa points to the relevance of technological and legal strategies pursued by governments. Discourse on technological approaches to content regulation is more prominent in coverage of countries with lower levels of media and press freedom and legislative constraints. Our analysis further suggests that legal frames are more dominant in coverage of countries with judicial constraints, but not in coverage of countries with more legislative constraints. More qualitative insights suggest that criminalization is among the dominant legal strategies. While criminal regulation can be an effective strategy to counter hate speech and fake news, Helm and Nasu (2021, p. 327) also warn about the potential for abuse of laws to supress dissent in more authoritarian regimes.

Overall, our analysis points to the central actors when it comes to content regulation in Africa: African governments. While theory has so far tended to either follow Lessig (1999, 2006) and focus on content regulation in democracies, or to focus on censorship in authoritarian regimes (Stoycheff et al., 2020; Keremoğlu & Weidmann, 2020), our analysis demonstrates that these issues cannot always be easily separated. News reporting on African countries underlines that all regimes face issues of fake news and hate speech and seek to find solutions to manage them. While technological strategies to address fake news and hate speech (including shutting down internet and blocking specific content) appear to be more prominent in regimes with low respect for media and press freedom and fewer institutional constraints, our results indicate that the same regimes may also revert to more legal means to regulate content. Not only technological but also legal strategies of content regulation may have severe implications for freedom of speech (Helm & Nasu, 2021), especially, but not only, in countries facing weak institutional constraints. Overall, our paper highlights that the regulation of fake news and hate speech are also pressing issues beyond the Western world. In turn, the current prevalence of state regulation addressing problems of fake news and hate speech points to a need to strive for multi-stakeholder approaches across continents.

Note

1. In preparing for the textual analysis, the body of textual data was properly pre-processed, white space, punctuation, and so-called 'stopwords' (the, is, are, etc.) were removed, as well as the search terms we used to delimit our body of texts (Benoit et al., 2018). Our full script for importing, preprocessing and analysing the corpus is available on GitHub: https://github.com/lisagarbe/ContentRegulationAfrica.

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Author contributions

All authors contributed equally to the design and implementation of the research, to the analysis of the results and to the writing of the manuscript.

Data availability statement

The data that support the findings of this study are available from the Factiva Global News Monitoring & Search. Restrictions apply to the availability of these data, which were used under license for this study. R scripts for data preparation and analysis are available from the authors in the Github repository https://github.com/lisagarbe/ContentRegulationAfrica

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Appendices

Appendix A. Sampling of news stories and resulting text corpus

Table A1 provides an overview of the search query made in Factiva.

Table A1. Factiva search query

Category	Search settings
Text	("misinformation" OR "disinformation" OR "fake news" OR "hate speech")
Date	01/01/2015 to 25/10/2020
Source	All Publications
Author	All Authors
Company	All Companies
Subject	Economic News Or Political/General News
Industry	All Industries
Region	Africa
Language	English Or French
Results Found	22'457
Timestamp	17 November 2020

The collected data was subset to 7'787 English-language news stories, published between 2015 and 2019, and containing one or more paragraphs including the words 'online', 'digital', 'Internet', 'web', 'social media', 'Facebook', 'Twitter', 'Google', 'YouTube', 'WhatsApp', and/or 'Instagram'. The final text corpus consists of news stories from 380 news outlets. Table A2 provides an overview of the 50 most prominent news outlets.

Table A2. Prominent news outlets

	Publisher	Number of news stories (N)
1	AllAfrica, Inc.	667
2	Vanguard Media Limited	623
3	Independent Online	568
4	Times Media (Pty) Ltd	377
5	All Africa Global Media	366
6	Punch Nigeria Limited	343
7	The Sun Publishing Ltd.	334
8	Leaders & Company Limited	192

| 9	CQ-Roll Call, Inc.	187
10	The British Broadcasting Corporation	182
11	African Newspapers of Nigeria Limited	175
12	Independent Newspapers Ltd. (Nigeria)	160
13	Guardian Newspapers Limited	156
14	Radio Africa Group	146
15	Media Trust Limited	142
16	Premium Times Services Limited	134
17	On the Shelf Trading 44 (Pty) Limited, trading as Daily Mail and Guardian	109
18	Multimedia Investments Ltd	91
19	Nation Media Group Limited	91
20	Alpha Media Holdings Pvt. Ltd.	84
21	Ghana News Agency	84
22	Vintage Press Limited	83
23	Al Jazeera International	80
24	TNA Media (Pty) Ltd.	71
25	Business Day Media Ltd.	68
26	Independent Communications Network Limited	66
27	Agence France-Presse	57
28	Frontpage Africa	54
29	News Agency of Nigeria	52
30	The New York Times Company	52
31	Herald House	51
32	The Associated Press	46
33	Cynomedia Africa SARL	45
34	Normans Media Ltd	43
35	Morocco World News	41
36	Washington Post	37
37	Thomson Reuters (Markets) LLC	33
38	The Will News Media	32
39	Dow Jones & Company, Inc.	30
40	Cable News Network LP.	28
41	New Times Corporation	28
42	U.S. Government	27
43	Agence de Presse Africaine	25
44	Bendel Newspapers Company Limited (BNCL)	24
45	New Vision Printing & Publishing Company Limited	24
46	News UK & Ireland Limited	24
47	Ventures Africa	24
48	Business news co.	23
49	The Standard Group Limited	23
50	Peoples Media Ltd	22

Appendix B. Model tests and topic quality

The Structural Topic Modelling (STM) method assumes a fixed user-specified number of topics. In order to choose an appropriate number of topics for a given corpus, we ran several model evaluations and topic quality tests. First, the function *searchK* in the *stm* package (Roberts et al., 2019) offers a data-driven approach to selecting the number of topics (K). The function calculates a range of quantities of interest, such as semantic coherence, held-out log-likelihood, residuals and lower bound (Roberts et al., 2019, p. 12). We compare the results of several STMs, including 10, 15, 20, 25, 30, 35, 40, 45, and 50 topics, to inform the final number of topics chosen for the analysis. According to the model estimations, 30 to 40 topics appear to be a good number of topics, due to an increase in semantic coherence and the slow-down of the decrease of held-out likelihood, that even slightly reverses when passing 40 topics. In other words, the gain in topic interpretability and the model's predictive performance becomes smaller when increasing the number of topics beyond 40.[1]

Second, we manually examine different topic models (K = 30–40), analysing the most probable (*prob terms*) and frequent and exclusive words (*frex terms*) (Lucas et al., 2015, p. 19), as well as representative texts (texts with the highest proportions for each topic).

Finally, we validate our selection of the 35-topic model using a topic quality check for the 35 topics, with regard to how interpretable the topics are. There are two ways of measuring topic 'interpretability', namely exclusivity and semantic coherence (Roberts et al. 2019, p. 11–12). *Exclusivity* measures how distinctive the top words are

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[1] The held-out likelihood is an estimation of the probability of words appearing within a document when those words have been removed from the document in the estimation step and helps assess the model's prediction performance (Roberts et al., 2019, p. 34).

to a particular topic; i.e. how much each topic has its own vocabulary not used by other topics. A certain amount of exclusivity to the topics is preferable. For measures of exclusivity, larger or smaller values indicate whether the topic is unique (high value) or broad (low value). *Semantic coherence* measures the consistency of the words used within a particular topic. If a topic is semantically coherent, we expect that the words making up a topic often co-occur in the same document. Larger values indicate that a topic is more consistent, whereas low values can imply that the topic may be composed of sub-topics.
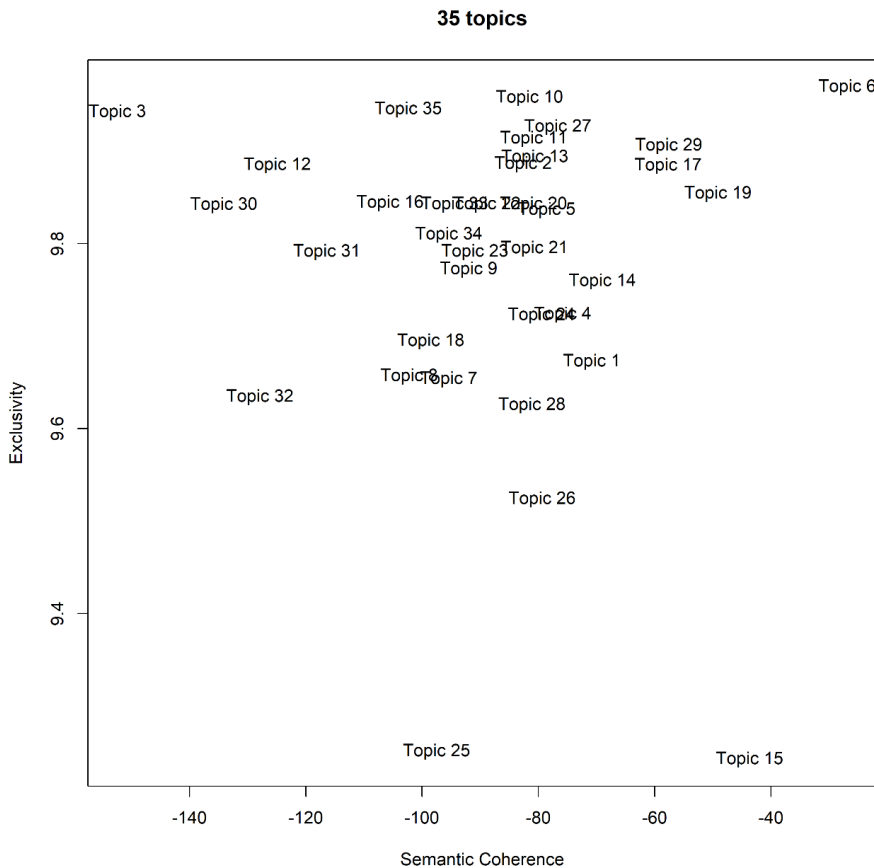
35 topics

Appendix C. Full topic model and interpretation of selected topics

Table C1 provides an overview of the 35 topics presented by the 40 most frequent and exclusive words (*frex* terms) as well as a label designated by the authors.

Table C1. Topics based on the structural topic model

Topic	Interpretation	Keywords
1	Training and awareness	train, particip, ensur, profession, challeng, ethic, develop, programm, literaci, improv, communic, opportun, practition, build, stakehold, engag, skill, workshop, initi, organis, collabor, practic, ict, journal, theme, manag, polici, organ, inclus, sustain, societi, strengthen, safeti, import, enabl, impact, empow, educ, key, partner
2	Counter-terrorism	polic, armi, militari, soldier, command, forc, attack, arrest, arm, offic, suspect, ministri, spokesman, troop, oper, defenc, center, mp, mose, kill, ukrain, vehicl, kuria, situat, foreign, terrorist, weapon, personnel, wrote, recruit, director, tuesday, terror, friday, secur, russian, statement, enemi, alleg, shell
3	Celebrity attention	kogi, bayelsa, genocid, famili, music, rwanda, hail, celebr, visit, song, deport, withdraw, measl, columnist, rwandan, behind, blast, follow, concert, peter, fan, musician, ignor, john, appear, princ, save, scare, travel, park, canada, period, anniversari, businessman, seeker, dare, st, ceremoni, usa, column
4	Video and photo sharing	video, pictur, imag, youtub, photo, clip, viral, show, photograph, footag, star, encount, shock, scene, film, shot, caught, death, stori, dead, aliv, woman, viewer, upload, graphic, singer, incid, version, accid, claim, hospit, taken, caption, share, driver, angri, watch, dress, shop, tweet
5	**Legal approaches**	legisl, cyber, law, cybercrim, bill, draft, blogger, provis, protect, fine, regul, crimin, tanzania, bulli, amend, offenc, crime, act, kenya, propos, enforc, penalti, onlin, fraud, pornographi, kenyan, requir, comput, pass, provid, communic, appli, board, prohibit, legal, film, fee, enact, illeg, applic
6	-	>, <, data-ad-cli, data-ad-slot, adsbygoogl, ca-pub-7167863529667065, ca-pub-7532470883667401, data-ad-format, =, display:block, display:inline-block, figcapt, in, 280px, 336px, class, ca-pub-4899651957500650, data-ad-layout, in-articl, ca-pub-7429385817508822, wp-caption,

		aligncent, width, wp-caption-text, auto, style, alignnon, height, 300px, figur, fluid, autorelax, id, 412px, 250px, ca-pub-7124364482977810, gna, fayos, pension, clear
7	Economic aspects	per, market, $, cent, billion, oil, invest, debt, sector, bank, price, infrastructur, trade, dollar, industri, project, gas, india, payment, plant, electr, european, economi, chemic, product, rate, transport, contract, budget, fund, ltd, growth, cash, investor, energi, eu, china, job, august, loan
8	Gendered aspects	women, insid, girl, femal, men, counsel, hotel, gap, babi, male, safe, vulner, risk, termin, miss, ngo, insur, dark, model, explain, audit, engin, touch, islamist, percentag, gender, airport, mask, hacker, intellig, routin, woman, flight, beat, organis, mother, room, lure, approach, isol
9	Nigeria 1	buhari, muhammadu, osinbajo, jonathan, presid, vice, mr, obasanjo, lai, resign, mrs, moham, saraki, adesina, goodluck, wed, femi, yemi, aisha, aid, former, handl, prof, tom, villa, wife, alhaji, dr, advis, lie, minist, specul, return, sack, certif, vacat, assur, london, rumour, presidenti
10	Elections	elect, elector, candid, inec, poll, vote, campaign, voter, parti, ahead, kenyatta, politician, presidenti, kenya, result, odinga, uhuru, raila, ballot, observ, contest, opposit, kenyan, polit, win, process, disinform, victori, rig, rice, conduct, commiss, fair, outcom, jubile, deploy, forthcom, smear, influenc, general
11	Industry and innovation	ghana, futur, global, consum, world, new, chang, technolog, age, busi, advertis, industri, transform, emerg, contin, revenu, becom, generat, smart, tradit, speed, growth, shift, player, model, ghanaian, cost, innov, rapid, ai, grow, evolv, profit, advanc, fast, competit, advent, virtual, revolut, digit
12	Religious violence	pastor, church, boko, haram, herdsmen, mosqu, igbo, fulani, northern, christian, youth, kaduna, god, religi, faith, bishop, islam, preach, cathol, muslim, insurg, jesus, prayer, food, cleric, kill, killer, southern, pray, anderson, religion, pope, massacr, yoruba, christ, leader, ethnic, laud, apostl, south-east
13	Freedom of speech	hate, speech, incit, track, hatr, violenc, monitor, propag, warn, ethnic, express, ncic, danger, tribal, inflammatori, constitut, threaten, perpetr, freedom, peac, tackl, cohes, divis, right, particular, free, undermin, notabl, instig,

		societi, tension, prevent, citad, intoler, kaparo, enench, condemn, civil, action, franci
14	Web security and risks	googl, fact-check, site, app, search, help, identifi, tool, click, check, network, share, survey, chat, updat, smartphon, phone, map, can, messag, applic, filter, +, spot, interact, user, platform, algorithm, devic, reduc, tip, use, detect, third-parti, contact, pleas, research, addit, connect, download
15	Political disinformation	propaganda, often, bot, disinform, role, amplifi, narrat, troll, discours, strategi, influenc, tend, conflict, extrem, sectarian, convers, mainstream, polit, extremist, audienc, popul, play, engag, exampl, landscap, democraci, debat, becom, middl, crucial, opinion, spring, thus, increas, factor, level, impact, larg, voic, emot
16	Health	student, vaccin, school, health, parent, univers, ebola, children, diseas, medic, teach, scienc, hiv, patient, colleg, educ, mental, lectur, care, teacher, sex, cancer, virus, kid, sexual, child, young, cure, campus, librari, learn, doctor, studi, curriculum, professor, pupil, research, hospit, academ, treatment
17	Fact-checking	fake, news, fals, spread, verifi, circul, mislead, mainstream, hoax, stori, credibl, sourc, rumour, reader, fabric, authent, truth, misinform, check, item, panic, bbc, dissemin, deliber, inform, true, unverifi, media, fact, journal, fiction, malici, lie, rumor, vigil, phenomenon, prolifer, sensat, confus, factual
18	Cameroon	anglophon, cameroon, soyinka, hide, cameroonian, separatist, biya, crisi, octob, region, diplomat, radicalis, secessionist, violent, movement, strike, paul, nobel, english-speak, demand, uniti, measur, lt, west, februari, teacher, wole, demonstr, la, extrem, le, decemb, march, interview, de, januari, audio, stage, popul, malaysia
19	Nigeria 2	social, media, regul, bill, falsehood, platform, curb, space, use, moham, abus, gag, irrespons, especi, manipul, dissemin, sponsor, propos, govern, musa, nuj, menac, urg, activ, pass, anti-soci, usag, therefor, lai, misus, control, curtail, media.th, caution, guild, promot, attempt, must, inform, nigerian
20	Qatar-Gulf crisis	qatar, saudi, qatari, arabia, emir, uae, hack, gargash, gulf, arab, anwar, qatar-gulf, blockad, reuter, offici, stoke, quot, afp, agenc, affair, bahrain, foreign, washington, doha, interior, dissent, diplomat, link, crisi, thursday,

		account, unblock, cairo, state-run, recognit, qatar-bas, egypt, visa, unit, minist
21	USA	trump, `, cnn, et, clinton, u., obama, russia, donald, russian, hillari, american, korea, republican, isi, air, putin, s, conspiraci, fbi, correspond, meddl, fox, york, mueller, syria, realli, conserv, washington, theori, newshour, thank, troll, barack, tonight, gun, north, tweet, iran, korean
22	Egypt	egyptian, egypt, freedom, journalist, activist, jail, press, prison, block, sentenc, harass, sisi, detain, critic, arrest, human, right, outlet, defend, al, jazeera, censorship, silenc, charg, express, abba, intimid, imprison, dissent, cairo, criticis, crackdown, author, abdel, resolut, restrict, detent, repress, council, fathi
23	Cambridge Analytica scandal	cambridg, analytica, zuckerberg, compani, data, firm, ceo, privaci, tech, giant, advertis, user, mark, scandal, ad, breach, app, remov, british, million, target, hire, founder, delet, germani, largest, scrutini, wyli, mine, approxim, india, execut, lawmak, contract, harvest, influenc, moder, regul, softwar, algorithm
24	Personal accounts	ago, money, man, friend, father, saw, got, king, start, son, came, never, realiz, went, rememb, daughter, lost, soon, die, day, life, happi, year, back, last, brother, laugh, becam, surpris, ask, name, pay, send, beauti, met, marri, wonder, dream, rage, comedian
25	Religion and artistic expression	book, charli, cartoon, writer, concept, scholar, prophet, pattern, muslim, e, art, sentiment, word, l, mass, enjoy, hurt, definit, resist, histor, vicious, religion, contemporari, franc, t, novel, radic, centuri, dictionari, muhammad, french, cultur, ideal, android, idea, o, inspir, solidar, america, histori
26	Political opposition	wine, kanu, poverti, ugandan, biafra, museveni, bobi, leadership, democraci, corrupt, uganda, ipob, unemploy, power, elit, nnamdi, bail, rule, histori, oppress, democrat, elder, indigen, insecur, yoruba, opposit, beyond, poor, principl, feder, militari, intervent, hang, agit, tribe, leader, war, manifest, pollut, yoweri
27	National broadcasting	ht, permiss, premium, liberia, liberian, publish, nbc, content, frontpag, servic, morocco, broadcast, digit, moroccan, weah, prior, migrat, malawi, lesotho, rewritten, punch, redistribut, written, analogu, time, info, reserv, reproduc, licens, materi, counti, corpor, age, el, switch,

		whole, signal, oct, boycott, without
28	Workplace issues	court, comment, employe, apolog, complaint, gay, employ, apologis, case, page, equal, defam, judgment, judg, post, sahrc, remark, bridg, charg, flag, guilti, lawyer, chines, file, justic, remov, derogatori, defamatori, insult, unfair, constitut, offend, legal, homosexu, disciplinari, retract, hear, kuria, dismiss, src
29	-	thing, know, go, think, lot, get, someth, happen, just, hope, kind, see, much, want, alway, talk, realli, us, everi, sure, way, like, put, believ, can, let, good, anyth, even, bad, actual, tell, peopl, done, someon, look, come, hard, whatev, everyth
30	Humanitarian aspects	pic.twitter.com, libya, cape, town, septemb, migrant, citi, libyan, water, resid, refuge, somali, un, committe, de, da, provinc, april, eastern, tripoli, humanitarian, municip, mayor, document, deleg, eskom, western, ms, rescu, brief, mps, rain, aid, worker, somalia, arriv, die, strike, europ, jame
31	**Technological approaches**	ethiopian, ethiopia, sudan, zimbabw, shutdown, addi, shut, mugab, protest, zimbabwean, ababa, burundi, mnangagwa, access, sudanes, uganda, prime, abiy, cut, blackout, unrest, block, mobil, diaspora, reform, harar, restrict, cpj, moyo, color, activist, burundian, amid, fuel, congo, countri, govern, ahm, tax, disrupt
32	South Africa 1	mkhweban, gupta, eff, gordhan, zuma, malema, anc, protector, potting, ramaphosa, bell, sar, captur, magashul, rogu, cyril, busisiw, jacob, inquiri, investig, monopoli, julius, evid, pravin, alleg, zondo, affidavit, deputi, find, corrupt, financ, premier, capit, cabinet, fighter, rand, maverick, intellig, former, mail
33	South Africa 2	sparrow, racism, black, south, penni, monkey, racist, african, jew, xenophob, racial, sa, xenophobia, white, johannesburg, apartheid, beach, africa, estat, durban, khumalo, |, jewish, race, cliff, rant, hitler, mandela, kwazulu-nat, gauteng, outrag, agent, rhode, pretoria, beachgoer, indian, incid, spark, holocaust, discrimin
34	Nigeria 3	apc, pdp, https://www.sunnewsonline.com, governor, efcc, sun, amaechi, http://sunnewsonline.com, nigeria, lago, ekiti, river, fg, delta, dss, atiku, kano, abuja, edo, gov, tinubu, oshiomhol, ogun, senat, http://thenationonlineng.net, niger, nan, wike, nigerian, governorship, anambra, chairman, assembl, plateau, bello,

		el-rufai, abia, abdullahi, chieftain, ebonyi
35	Traditional media	radio, newspap, station, tv, televis, daili, english, channel, report, text, sierra, privately-own, print, leon, comtex, decemb, editor, air, articl, magazin, palestinian, fm, tunisia, list, standard, interview, nairobi, editori, deni, local, gmt, paper, entitl, isra, zambia, coverag, jan, via, broadcast, onlin

Note. Topic 5 and Topic 31 are the topics selected as dependent variables for the analyses

Validity of topic labelling

The topics estimated by the STMs are exclusively based on word counts and therefore require human interpretation to infer meaning (Grimmer & Stewart, 2013, p. 272). Following suggestions by Debortoli et al. (2016; see also Fischer-Pressler et al., 2019), we use the most frequent terms and the 20 texts with the highest topic proportion per topic, to assign a label to each topic. Based on this qualitative inspection of the topics, we chose Topic 5 and Topic 31 as suitable indicators for 'legal' and 'technological' approaches to regulate fake news.

To validate our procedure, four human coders received a short description of the two selected topics, Topic 5 on 'legal approaches' and Topic 31 on 'technological approaches', plus a randomly chosen topic (Topic 17 on 'fact-checking'). The coders were tasked to read 30 news articles with a high topic proportion, 10 for each topic, without knowing to which topic they belonged, and assign them to the topics based on the topic description. Two of the authors coded blind to the selection of texts, prepared by the third author. In addition, two further coders, fully blind to the study's theoretical expectations and results, coded the texts as well. The results are reported in Table C2 below.

Topic descriptions:

Topic A: Topic 5 labelled 'legal approaches'

The topic A covers legislation, including drafting, enacting, or enforcing bills, laws, and regulations, that seek to address fake news and hate speech. Different government bodies, such as telecommunications regulators, can be involved in the legislative process and different legal entities and different criminal acts can be addressed by the laws.

Topic B: Topic 17 labelled 'fact-checking'

The topic B describes the falsehood of fake news and ways of countering misinformation and disinformation by fact-checking. This could be either by good journalistic practice or by raising awareness and encourage readers to be critical of information and sources presented to them.

Topic C Topic 31 labelled 'technological approaches'

The topic C describes technological forms of countering hate speech and fake news such as blocking, censoring, or throttling access to specific websites or entire networks, often during politically contentious periods. In such cases, governments often justify their decision to block internet access by referring to hate speech or fake news whereas civil society actors condemn such actions as unproportionate and repressive.

Table C2 provides an overview of the coders' agreement with the topics based on the structural topic model.

Table C2. Results from the coding

	Topic A: Legal approaches	Topic B: Fact-checking	Topic C: Technological approaches
Coder 1	60 %	100 %	70 %
Coder 2	60 %	100 %	70 %
Author 1	70 %	90 %	80 %
Author 2	100 %	100 %	70 %
Coder agreement	72,5 %	97,5 %	72,5 %

Appendix D. Validation of Topic 5 and Topic 31

To validate our assumption that news reports provide an indication of legal and technological approaches to regulating fake news, we use data from the *Freedom on the Net* reports (2015, 2016a, 2017, 2018a, 2019a, 2020). Reports are released every year by Freedom House, and include 16 African countries over our period of interest (2015 – 2019). Many aspects of internet freedom are covered by the reports, including internet shutdowns or censorship, and whether legislation regulating online space is being drafted, discussed in parliament, or passed. Each report covers the 12-month period from 1 June of a year to 31 May of the following year.

Reading through each report, we coded each country-year according to the following rules:

- For each year (1 January – 31 December),
- If *Freedom on the Net* reports the blocking of internet, social media, or circumvention tools (e.g. Virtual Private Networks - VPN) on at least one occasion for political reasons, we code the country-year with 1 for 'Technological approaches'; else the country-year is coded with 0.
- If *Freedom on the Net* reports new legislation or regulation as being planned, drafted, discussed in parliament, passed, implemented, or repealed by the courts, we code the country-year with 1 for 'Legal approaches'; else the country-year is coded with 0.

We then triangulate the data from the *Freedom on the Net* reports with data from Topic 31 ('technological approaches') and Topic 5 ('legal approaches') from our STM.

Specifically, we take the logged mean topic proportion for Topic 5 and Topic 31 for each country-year covered by our corpus and then group the means based on data from *Freedom on the Net*. For the mean topic proportion of Topic 31 ('Technological approaches'), the difference in means is significant for the two groups coded based on *Freedom on the Net* reports ($t(70) = -4.08$, $p<0.01$), and hence, appears to reflect the technological regulation used by states as reported by *Freedom on the Net* well. For the mean topic proportion of Topic 5 ('Legal approaches'), the difference in means is only moderate for the two groups coded based on *Freedom on the Net* reports ($t(70) = -1.28$, $p = 0.2$). This may, in part, be explained by the fact that *Freedom on the Net* reports cover any regulation related to internet use, whereas our data only covers news reports that relate to fake news and hate speech.

To better understand how well data from the STM reflect specific regulatory strategies, we triangulate data based on *Freedom on the Net* with data from the two topics more qualitatively. We select two cases with the highest mean topic proportion for technological (Sudan 2019) and legal approaches (Zambia 2018) to regulation, and two cases with lowest mean topic proportion for technological (Tunisia 2016) and legal approaches (Angola 2016).[2] Table D1 provides an overview of the cases. Overall, the qualitative inspection suggests that the news reports provide a fair indication of regulatory steps undertaken by African governments.

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[2] For some country-year cases with a lower or higher topic proportion score, no *Freedom on the Net* report were available. Hence, we took the cases with the lowest/highest topic proportion score, for which *Freedom on the Net* reports were available.

Table D1. Overview of cases

Case	Mean topic proportion	*Freedom on the Net* report	News items based on STM
Zambia 2018	Topic 5: high (27 %)	Cybercrimes Bill Social media tax	1. Mumbere, 2018 2. Telecompaper, 2018a 3. Chawe, 2018 4. Telecompaper, 2018b
Sudan 2019	Topic 31: high (20%)	Blocking of social media and internet platforms	1. Zhang, 2019 2. Feldstein, 2019 3. Bior, 2019 4. Salih & Beaumont, 2019 5. AllAfrica, 2019 6. Asian News International, 2019
Angola 2018	Topic 5: low (< 1 %)	Coded with 0	none
Tunisia 2016	Topic 31: low (< 1%)	Coded with 0	none

Zambia 2018

Following Zambia's 2018 *Freedom on the Net* report, the Zambian government introduced a Cybersecurity and Cybercrimes bill in April 2018 which was approved for review in August 2018. The bill criminalizes "any electronic communication, with the intent to coerce, intimidate, harass, or cause substantial emotional distress to a person" (Freedom House, 2018b) with critics afraid of its use to crackdown on legitimate expression online (ibid.). The introduction of this law is reflected in two of the five news items with the highest topic proportion of Topic 5. Both news items reflect the government discourse surrounding the Cybercrimes bill. That is, the government claims the bill aims to "promote responsible use of digital platforms and safeguard users of electronic platforms" (Mumbere, 2018) as "cyber bulling, fake news and fraud were becoming common in Zambia" (Telecompaper, 2018a). In addition to the Cybersecurity and Cybercrimes bill, the *Freedom on Net* report highlights the government's announcement to introduce a new tax on web-based communications platforms such as

Twitter or Facebook (Freedom House, 2018b). This announcement is critically discussed in two of the five news items with the highest topic proportion of Topic 5, both of which underline its negative impact on freedom of speech (Chawe, 2018; Telecompaper, 2018b).

Sudan 2019

According to the *Freedom of the Net* report for Sudan in 2019, the government implemented both the blocking of social media platforms and full internet shutdowns in parts of the country in relation to protests and political upheaval, termed the Sudanese revolution (2018–2019). Blocking was recurrent throughout 2019, "starting with internet service providers (ISPs) blocking WhatsApp, Facebook, Twitter, Periscope, and Instagram from December 21, 2018 through February 26, 2019", resuming again in April "a day after hundreds of thousands of protesters marched to the army headquarters in Khartoum" (Freedom House, 2019b). These events are also covered in the news reports in our corpus, in which Sudan-2019 is ranking high on Topic 31. Many news items with a high topic proportion of Topic 31 come from foreign news sources reporting on the political events and highlighting the problem of physical violence and online censorship by the government (Zhang, 2019; Feldstein, 2019), but also how activists were "circumventing the restrictions and rally others to protest peacefully" (AllAfrica, 2019; Bior, 2019).

Angola 2018

Following the *Freedom on the Net* Report for Angola in 2018, the government did not introduce any new regulations in 2018 (Freedom House, 2018c). While the government

had introduced a set of new media laws in 2017 that could be "invoked to restrict free speech [until the end of 2018] they do not appear to have been abused" (ibid.). The absence of new regulation is mirrored by the low proportion of Topic 5 in news articles covering Angola in 2018. Neither of the only two news items covering Angola in 2018 are mentioning legal regulation tackling fake news or hate speech.

Tunisia 2016

The *Freedom on the Net* report for Tunisia in 2016 reports no "instances of politically motivated blocking" (Freedom House, 2016) in 2016 and no "incidents of cyberattacks perpetrated by the government to silence ICT users" (ibid.). This is also reflected in the news items covering Tunisia in 2016, none of which refers to the blocking or censorship of digital media.

Appendix E. Results from Linear Mixed Models

	Legal approaches	Technological approaches
media & press freedom	0.17 (0.09)*	-0.55 (0.09)***
Legislative constraints	-0.37 (0.09)***	-0.44 (0.08)***
Judicial constraints	0.17 (0.08)*	0.27 (0.08)***
Share of state-owned ISPs	0.02 (0.06)	0.06 (0.08)
(Intercept)	-5.51 (0.15)***	-4.69 (0.07)***
Num. obs.	7787	7787
Num. obs. (country)	47	47

Note. ***p < 0.001; **p < 0.01; *p < 0.05; all models include random country intercepts and time-fixed effects

Appendix F. Expected topic proportions over time
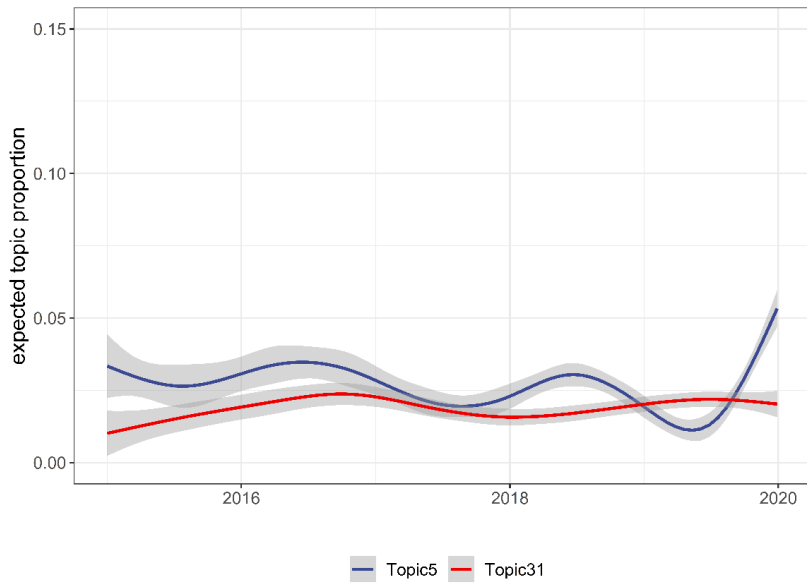
Note. Expected proportion of technological (Topic 31) and legal (Topic 5) approaches between 01.01.2015 and 31.12.2019; values on the y-axis are only displayed from 0 to 0.15.

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Article II

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A Platform or Partner: Engaging the Media in Advocacy

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A Platform or Partner: Engaging the Media in Advocacy

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Abstract

What are the roles of media actors in relation to civil society actors in advocacy campaigns, and what factors shape these roles? Interested in media strategies of civil society actors, the paper examines the advocacy for a 'right to information' law in Ghana. While journalists are obvious partners in pushing for the right to information, the civil society-led advocacy encountered a passive media. Focused on mechanisms of engaging media actors as advocates in civil society-led advocacy, this study relies on interviews with key actors in the advocacy campaign and textual analysis of news coverage, spanning 2010–2019. The paper posits that mainly two factors contributed to the media taking a more active role in the campaign; the Civil Society Organisations changed their approach and how they communicated and related to media actors, and media actors developed more awareness and understanding of the advocacy issue. Two important main mechanisms are uncovered in this study. First, it matters how civil society actors perceive of media actors in their media strategy, and how this in turn is received by media actors. Second, when CSOs seek to engage media as partners, it is necessary to also give room for their ownership and advocacy as independent partners.

Policy implications

- Advocacy strategies to 'use the media' should be better developed to include journalists' own agency. CSO strategies should see activist journalists and other influential figures in news content creation as potential partners and seek to harness the agency of journalists in their media strategies rather than merely using the media as a megaphone for their message.
- Media strategies should seek to empower journalists and media practitioners. Training and communication to media actors should not solely focus on the campaign issue, but also on probing awareness of journalists and media practitioners' power in shaping media attention.
- CSO advocates seeking to engage media actors in advocacy should apply a holistic approach in their strategies. They should combine media outreach with outreach to communities concerned by the campaign issue, and they should appeal to media actors' legal and civic responsibility to their respective communities.
- Because CSOs and media actors can experience different kinds of political space for engaging in advocacy, and can affect each other's space for manoeuvre, advocates should consider the media-civil society relationship when making strategies for achieving political change.

1. What role for the media in advocacy?

Advocacy campaigns often employ media strategies; they strategically use mass media to advance a policy initiative in order to leverage the power of the media. In conventional media strategies, civil society advocates seek to use media platforms to spread their campaign message and increase public and political awareness of their demand. Key in these strategies is to influence media *coverage*. By contrast, this paper is concerned with a different media strategy, namely approaching media actors, journalists and other practitioners, as potential partners in advocacy work. The key here is to influence media *actors* and engage them as advocates. How do civil society actors engage journalists and other media practitioners as agents in advocacy campaigns? The paper explores this in the case of a civil society campaign for the 'right to information' in Ghana.

Advocacy for the Right to Information Law (2019) in Ghana is puzzling with regards to the role of media actors. Journalists and media practitioners are regarded as natural advocates for so-called right to information (RTI) laws, as these laws provide all interested parties the right to seek, receive and access government-held documents (Darch and Underwood, 2010). In the 'business of information', journalists and the news media are obvious partners in advocacy campaigns on RTI. Indeed, news media support has been decisive in adopting strong laws that protect the right to information in most advanced democracies (Michener, 2010). Likewise, demands for a RTI law usually rally supporters from the media sector in the Global South (Adu, 2018; Asogwa and Ezema, 2017; Darch and Underwood, 2010). In a study of RTI advocacy in Latin America, Michener (2010) found that voluminous news reporting by leading newspapers greatly improves the likelihood that politicians will commit to enact sweeping, protective RTI laws.

In the case of RTI advocacy in Ghana, however, the media was for a long time a partner missing in action. The civil society campaign on RTI continuously called for the media to take a more active role in the campaign. Finally, a few years before the RTI law was adopted, journalists rallied and the Media Coalition on RTI was set up. This was considered a game-changer and turning point in the advocacy for RTI (CHRI, 2019). The media had moved from being a passive onlooker to taking an active role as partners in the campaign.

This paper investigates the following question: what are the roles of media actors in relation to civil society actors in advocacy campaigns, and what factors shape the roles of media actors in these campaigns? Theorising on different types of media-civil society relationships in advocacy strategies, the paper posits that journalists and media practitioners can play two roles in relation to civil society in advocacy campaigns: as platforms or as partners. Conducting a case study of the RTI advocacy in Ghana, this paper examines the mechanism of engaging media actors in advocacy. Or, in the case of the puzzlingly passive media in the Ghanaian RTI advocacy: what does it take to turn passive media actors into active advocacy agents? There are two sides to this study: the first looks at what role the civil society actors want media actors to take, and how they thereby approach them in their strategies, and the second looks at what role media actors take.

Based on interviews with key members of the civil society coalition and media actors in the media coalition, the study finds that it was essential that the civil society coalition changed their approach to journalists and media practitioners in order for them to engage in the RTI advocacy. For the journalists, the sense of ownership and agency in the advocacy was highlighted as crucial for them to take an active role as a partner and advocate in the campaign. The findings are supplemented with a text analysis of 348 news stories on RTI spanning nearly 10 years, from 2010 to 2019. The analysis of media coverage shows how the journalistic engagement with the RTI issue in the news media increased and improved as the civil society coalition changed its approach to media actors and the media-led coalition on RTI was set up.

This paper contributes with a more agent-centric approach to news media actors in civil society strategies. Importantly, the paper makes a distinction between media actors that are considered part of civil society, and media actors that are part of the mass media and news production. Media actors that take part in civil society are the professional associations and interest groups: broadly speaking, non-governmental organisations supportive of media rights and independence (VonDoepp and Young, 2016). In contrast, standing apart from civil society is the mass news media, which is typically understood to be any of the various means that can reach people en masse, either through print, broadcasting or online channels, consisting of media practitioners ranging from owners of media houses and newspaper editors to journalists, presenters and reporters (Eizlini, 2004).

Furthermore, this study of a partial democracy in Africa highlights how the overall political context will affect the relation between civil society and media actors. The civil society and media sectors in post-colonial societies are especially closely interlinked as young societal institutions emerging under similar circumstances and with much the same mandate: to develop, uphold and advance democracy by promoting a political culture of civicness, accountability and transparency (Anheier and Toepler, 2010).

The paper first presents theoretical considerations on the distinction between conventional media strategies to use the media as a platform and this paper's proposition to engage the media as a partner in advocacy. Next, the study's methodological approach is detailed, before the case of advocating for RTI in Ghana is presented. Findings from the interviews are analysed and complimented with results from text analysis of the news media coverage. The conclusion summarises findings and contributions and suggests some policy implications and avenues for further research.

2. Media strategies and media as partner

Media strategy has become an important element of political strategy across the board the last half-decade (Thrall, 2006). Consequently, there is ample research on how civil society and the media respectively can influence politicians, politics and policy-making. While the media is recognised as a powerful advocacy tool for pressure groups and advocates in the literature on social and political mobilisation (see for instance Keck and Sikkink, 1998; Norris, 2002; Tarrow, 2011), writings in political communication generally inform about the effects of media coverage on both political decision-makers, public opinion and political participation (Fawzi, 2018; Thrall, 2006; Wallack, 1994). There is consensus about the importance of news coverage to advocacy campaigns. However, the focus is often on the effect of media attention or the consequences of 'good or bad' news coverage for advocacy and protest (Tarrow, 2011).

By contrast, this paper seeks to shed light on the relationship and dynamic between civil society organisations (CSOs) and media practitioners when the former is pursuing media strategies. The point of interest is how civil society organisations can engage media actors in advocacy. Key here is the mechanism of *engaging* media actors as active partners in advocacy work, and not merely getting access to and influence media coverage.

This section presents a main distinction in how civil society actors conceive of media in their strategies: from conventional media strategies and using media as platform, to carrying out media advocacy and engaging the media as a partner. In the literature on strategic action, a core assumption is that civil society actors are the impetus of advocacy work (Clark, 2010). While this is also the departure of this paper, wherein CSOs are seen as the strategising actors, the paper proposes to expand the theoretical perception of media actors and what role they can take in advocacy to a more agent-centric approach.

In conventional media strategies, news media largely feature as a platform from which CSOs can communicate their campaign message. Media strategies are defined as 'the

strategic use of mass media to advance a social or public policy initiative' by using 'a range of media and advocacy strategies to define the problem and stimulate broad-based coverage' (Wallack, 1994, p. 242). Common media strategies include news releases, opinion pieces in newspapers, meetings with newspaper editorial boards, interviews, media events, (social) media campaigns, public speaking (Botchway, 2018; Leurer, 2013), but also attempts at attracting media attention by provocation and protest (Tarrow, 2011; Thrall, 2006). Ultimately, in conventional media strategies, the goal for advocates and CSOs is to get media attention and influence media coverage in order to increase public attention, which in turn is expected to lead to greater political attention (Fawzi, 2018).

In examining how CSOs can engage media actors in advocacy, especially in contexts where media actors also become advocates for advancing rights and freedoms, this paper proposes another approach to media actors: namely, the mechanism of engaging them as partners in advocacy. While we know something about how to get favourable coverage or how to counter negative media coverage, and not least the significance of either positive or negative media coverage of advocacy campaigns and protest movements (Kilgo and Harlow, 2019), we know less about the mechanism of actually getting access to the media actors, and how media actors take an active part in promoting a campaign issue. Beyond influencing the media *coverage*, this paper engages with the notion of 'media advocacy' by approaching and influencing media *actors* (Wallack, 1994).

This is a fundamentally different strategic approach to conventional strategies of 'using of media'. Beyond merely capturing media attention, Wallack's (1994) understanding of media advocacy allows for a more dynamic actor-centric understanding of what mechanisms are at play. Media advocacy invokes more emphasis on the agency of media actors, and stresses the significance of the agency of individuals. Importantly, it treats the individual or group as potential advocates, who can use their energy, skills, and other resources to further influence what issue is addressed and how within the overall cause (Wallack, 1994). This means that media actors are potential partners and agents in the advocacy and as such can take ownership of the issue themselves, rather than being merely a platform or a megaphone for advocates to use.

This mechanism leverages on new forms of activism in journalism appearing in all forms of semi-open political regimes. While not a new concept, the idea of journalists as 'champions for change' is increasingly (re-)gaining traction (El-Issawi, 2016). Especially in political contexts and situations where press freedoms are under pressure, new forms of 'journalism activism' can appear, where journalists become advocates for a political issue (Voltmer et al., 2021), whether during political openings and transitions (Chuma, 2020; El-Issawi, 2016; Sözeri, 2016), or in the case of more closed political contexts, seeking to influence politics from abroad (O'Loughlin and Schafraad, 2016). While there is a tension between traditional journalism and these new forms of more activist journalism (El-Issawi, 2016), this paper

proposes that CSOs do seek to harness this agency of journalists in their media strategies rather than merely using the media as a megaphone for their message, especially in contexts where the space for democratic rights and freedoms are not guaranteed, like partial democracies.

This paper proposes that in order to fully understand how a civil society strategy to engage the media works, we need to introduce agency on both sides of the equation, both with the strategising actor and the target of the strategy. The overall argument is that how the civil society actors conceive of the media in their strategy matters for which role media actors will take in the advocacy campaign. This paper posits that the role of the media in advocacy have two main modalities in relation to civil society organisations: the media as a platform and the media as a partner. Which of these roles the media will take depends on two things; first, how civil society advocates approach the media, and second the extent to which media actors feel ownership and agency in the advocacy campaign.

3. The study

This paper presents a case study of the Ghanaian civil society advocacy campaign for a right to information (RTI) law, in order to explore the mechanisms of engaging the media and examine what factors shape the roles that media actors have in advocacy.

The study is based on 32 interviews with civil society and media actors in Accra, conducted at two points during the RTI advocacy campaign, in 2012 and 2019. The primary interview material was collected by the author during a research stay with the Ghana Centre for Democratic Development, CDD-Ghana, in the fall of 2019. As CDD-Ghana was one of the leading civil society actors in the RTI Coalition, this affiliation facilitated contact with nearly all the civil society and media actors in the RTI advocacy work. The interviewees are mainly members of the RTI Coalition, civil society and media members alike, including the leading figures in the Media Coalition on the RTI (see Appendix A for list of interviews). In-depth interviews with key members of the RTI Coalition who were involved over a longer period of time provided insights into the Coalition's strategy processes. Additionally, being in Accra at a time when the RTI Coalition was reflecting on its campaign provided the possibility to observe seminars and training sessions on 'lessons learned' and strategic advocacy work, and to be present when the coalition launched its report on the process of advocating for the RTI bill (see CHRI, 2019).

There are a high number of intersecting roles in the civil society sector among the interviewees, and much of the media perspective in the primary interview material comes from individuals with a variety of experiences within the media sector. A key asset for this study is the secondary source of interview material, conducted during the summer of 2012 by another researcher on developments in the Ghanaian media scene. In addition to contributing a temporal dimension to the interview material, these interviews with mainly media actors in Accra offer contemporary

reflections on the ongoing process of advocating the RTI bill. This valuable insight into another researchers' interview notes provides a long-term perspective on the advocacy work and the role of the media, and some reliability as two leading individual members of the Coalition interviewed in 2012 were re-interviewed in 2019.

The interview material is complemented by a computer-assisted text analysis of the RTI Coalition's press statements and online news coverage on the RTI law in Ghana, spanning from 2010 to 2019. Press statements were obtained from CHRI's head office in Accra, but also by systematic searches on the main member organisations' websites and the Coalition's social media pages. Ranging from February 2010 to April 2019, only 18 press statements are included in the analysis as one statement was issued two days in a row and one is missing an exact date. There are likely some gaps in the coverage (see full list in Appendix B). News coverage on RTI was collected by scraping news stories from the accumulation news site GhanaWeb.com.[1] The search criteria was the string 'RTI + bill' per June 2020. Focusing on news stories published after the first collected press statement, 348 news stories from 15 February 2010 to 31 December 2019 were included in the analysis. Figure 1 visualises the textual data collected for this study, plotted as the spread of news stories in time after the publication of a press statement.

The objective of the text analysis is to examine how textually similar news stories on RTI issues are to the preceding press statement issued by the RTI Coalition. In other words, it measures to what extent journalists rely on and re-use (i.e., copy) text from press statements in writing their news stories. The analysis uses the R package *RNewsflow* (Welbers and van Atteveldt, 2018) to calculate cosine similarities between the news stories and the Coalition's press statements. This approach leverages on well-established methods for analysing textual re-use in news content (Welbers et al., 2018). By analysing online news coverage in relation to the Coalitions' press outreach by press statements, the analysis

examines media engagement with the RTI issue over time, where a higher textual similarity is seen as a higher dependence on the Coalition's communication and less journalistic engagement with the issue, and vice versa.

This media analysis corroborates the media perspective on the role media actors took in the RTI advocacy. The advantages of complementing the in-depth interview material with a more quantitative media analysis are manifold. Most centrally, it offers a high degree of reliability as this part of the analysis fully reproducible.[2] The textual data collected has limitations. Ideally, the analysis should include news coverage from several news outlets, both printed and online. However, as GhanaWeb.com is an aggregation site for news this concern is somewhat accommodated. Even though Ghana has a diverse media landscape online, most of the relevant websites for online news were either not well-suited for scraping large bodies of texts or did not provide a satisfactory online archive for the period of analysis. Despite its shortcomings and supplementary character, however, this analysis contributes to the study of African online news content (Madrid-Morales, 2020).

4. Advocating for the 'right to information' in Ghana

Advocacy for a right to information (RTI) law in Ghana started in the late 1990s (Gyimah-Boadi, 2000). A broad civil society-led coalition was formally established in 2003. When the long-awaited law was passed by the Ghanaian Parliament in March 2019, this was the result of over 20 years of advocacy work. Especially the last 2 years of the advocacy campaign — the 'final push' as described by interviews in this study — saw a broad mobilisation on the issue of RTI. A renewed engagement of journalists and media practitioners was key for the vibrant mobilisation during the last period of the advocacy campaign.

From the RTI campaign's inception, the passive role of media actors is particularly puzzling as the RTI Coalition

Figure 1. Spread of news stories in time following a press statement, measured by days. The plot visualises the publication of RTI related news stories on GhanaWeb.com the 365 days following a press statement by the RTI Coalition. 'Amount' indicates the number of news stories on a given date. Press statements are dated and numbered chronological. Not all collected news stories appear in the plot as some press statements are far apart, like 15 and 16, and some news stories therefore were published more than a year after the corresponding press statement. Furthermore, press statements 5 and 13 do not have corresponding news stories. (See full description of groups by press statements in Appendix C).
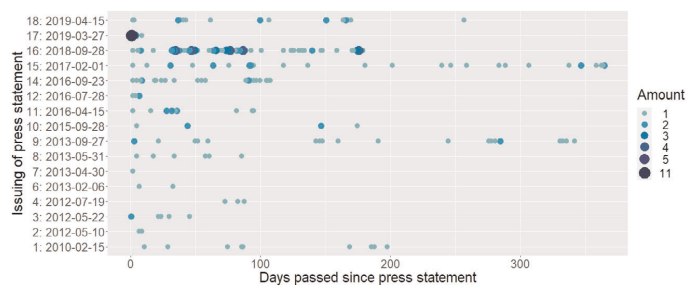
included media interest organisations and professional associations in its Steering Committee. This consisted mostly of media actors that were part of civil society, such as the media associations Ghana Journalist Association, Media Foundation for West Africa and Ghana Independent Broadcasters Association. However, the coalition also included the official news agency, Ghana News Agency (for an overview of key members, see CHRI, 2019). Actors in the media-civil society repeatedly pointed out the need for journalists and media practitioners to 'become more proactive, escaping the backseat role, to laud the RTI as a duty and not only a right' (President of the Ghana Journalist Association, 2007, cited in CHRI, 2019, p. 29). For a long time, however the media merely reported on activities of civil society and Parliament around the draft bill or participated in workshops to build capacity on how to effectively report on RTI.

To situate this case study of RTI advocacy in Ghana, it is necessary to understand the overall political context in which the advocacy unfolded. This initial lack of media engagement is puzzling with regards to both RTI advocacy elsewhere and the relatively open, lively and free plethora of media outlets (Gyimah-Boadi, 2018). Ghana is often described as a 'beacon of democracy' in Africa (Whitfield, 2009). Since the transition to multiparty politics in the 1990s, there has been a vast expansion in the space for citizen participation in political life and public affairs (Gyimah-Boadi, 2018). While Ghana's democracy has been institutionalised through several 'steps in the right direction' (Gyimah-Boadi and Yakah, 2013), this paper view Ghana as a partial democracy.

The political context of partial democracies arguably poses a particularly paradoxical challenge for media and civil society actors advocating to promote and advance democratic rights, because these are 'regimes where civil and political rights are recognised in the constitution, but where the liberties are not fully guaranteed or respected in practice' (van der Borgh and Terwindt, 2014, p. 14). In these regimes, there is in theory some space to influence politics and – as the notion of 'partial' implies – still some missing attributes (Collier and Levitsky, 1996) and thus room for improvement with regards to citizen's rights and freedoms. At the same time, there are no guarantees that there is political will and favourable conditions to advance the democratic system further.

In Ghana, civil society and the media have been key actors in advancing democratic rights and governance processes (Arthur, 2010; Gyimah-Boadi and Yakah, 2013). Importantly, media advocates were central to denouncing and repealing criminal libel and seditious laws, thus opening up the media space in the early 2000s (VonDoepp and Young, 2016). Still, the media face significant challenges to being fully free and independent, such as being party-dominated and highly partisan (Conroy-Krutz, 2020), a lingering culture of suspicion of, and even hostility to, media among many Ghanaian officials and politicians (Gyimah-Boadi and Yakah, 2013), and low levels of professionalism and integrity (Arthur, 2010; Whitfield, 2009). As a criticism on the overall passiveness of the media, Gyimah-Boadi and Yakah (2013) critique Ghanaian journalism for being chronically reactive

and event-driven; according to them, limited attention is paid to particular subjects and media coverage tend to move from issue to issue.

The RTI advocacy in Ghana is such a typical case of civil society advocacy to enhance democratic systems in partial democracies. Despite a fairly open space for civil society and media, largely guaranteed by formal rules, it is nonetheless proving difficult to advance democratic rights in Ghana. Gyimah-Boadi and Yakah (2013, p. 277) notes how efforts at further democratic deepening in general face a reluctant and bipartisan political elite in Ghana – something which the drawn-out process of adopting the RTI law demonstrates. As such, RTI advocacy in Ghana is also a typical African example of advocacy for RTI laws that encounter unwilling or hesitant politicians (Adu, 2018; Darch and Underwood, 2010).

This case study of the RTI Coalition's media strategies and the media's different roles in the RTI advocacy in Ghana provides a fruitful case to explore how civil society actors engage the media in advocacy and can shed light on the paradoxical challenge CSOs and media activists face when seeking to promote democratic rights in partial democracies.

5. The strategy and mechanism of engaging media actors in advocacy

The analysis presented below is focused on the strategy of the CSO actors, and how the RTI Coalition's efforts to engage media actors in the advocacy campaign worked. The entry point of this inquiry is how the RTI Coalition perceived of and approached media actors in their media strategy, and how this in turn was received by the media actors and in what ways this affected their engagement with the advocacy campaign.

Interviews with leading members of the RTI Coalition describe a clear moment of re-strategising after what was referred to as 'the debacle of 2016' (CHRI, 2019) followed by a turning point in the campaign when the media took a more active role in the advocacy. Especially the establishment of the Media Coalition on RTI in 2018 was significant for the changed role of media actors. Contrary to the civil society coalition, the Media Coalition was formed as a loose network of around 500 journalists who joined on an individual basis. It started as a WhatsApp thread with 30 media practitioners, but quickly grew to comprise 230 members in addition to nine regional threads with hundreds of other journalists by the end of 2018 (CHRI, 2019). Overcoming the initial passive role of the media during most of the RTI advocacy, the RTI Coalition reported in 2018 that '[a]fter many years of trying to get the media to play a front-line role in the advocacy, the media finally identified with the campaign' (CHRI, 2019, p. 29).

The analysis is structured to reflect the two roles that media played in the advocacy campaign, first as a platform and then as a partner, and how this relates to the media strategies of the RTI Coalition and approach to media actors. What changed for media actors to take an active part in the

RTI advocacy in Ghana? And what light does this shed on the mechanism of engaging media actors in advocacy?

Using the media as a platform

From the very beginning of the RTI advocacy campaign, the RTI Coalition pursued more conventional media strategies of using the media to communicate and spread the demand for a RTI law. This was part of a broader strategy of awareness-raising, with the conventional logic that increased media attention would increase public attention and therefore political attention. The Coalition therefore sought to use the media as a means both to inform and raise public attention and create the sensation of a 'pressing issue' for politicians to respond to (Interviews K.A.; R.A.; E.A.; U.U. 2019). The Coalition disseminated press releases and statements, invitations to press conferences and RTI related events, and organised trainings and seminars for journalists and other media practitioners.

The organisational inclusion of media organisations and news agencies in the RTI Coalition from its beginning in 2003 was also highlighted by several of the founding members of the Coalition as part of an overall strategy in order to gather a broad coalition of civil society actors and stakeholders in demanding a RTI law (Interviews E.A; G.H. 2019). Some of the interviewees also pointed out how the membership of the associations Ghana Journalist Association and Ghana Independent Broadcasters Association, as well as Ghana News Agency, would facilitate access to and collaboration with media actors. Through its network of members, the Coalition targeted specific journalists who would keep the issue on the agenda (Interview 1 2012), and broadly mobilised individual members and other experts to partake in and contribute to public debate on RTI (Interview K.A. 2019).

Despite these efforts, however, the advocacy campaign encountered a passive media. Interviews with both the RTI Coalition and media practitioners describe the challenge of lacking reporting on and low journalistic engagement with the issue of RTI in the news media. Two interrelated factors were highlighted to explain this, both in 2012 and 2019, namely a flawed understanding of the RTI issue, and the way media actors saw their own role in demanding and advocating for a RTI law.

The fundamental factor was little awareness and understanding of what a RTI law could mean for both the media and for ordinary citizens. Journalists did not understand how RTI could help with deeper journalistic analysis and investigation (Interview 3 2012). In essence, there was a perception among media practitioners that their business could easily go on without a RTI law (Interview 6 2012). Even more fundamentally, the general perception was that it was not a law of interest to the ordinary Ghanaian citizen, and therefore not something that journalists needed to report on. According to one of the initiators of the Media Coalition on RTI, the journalists struggled to understand what the RTI bill was really about and why it was important. This further affected the media coverage of the advocacy campaign and the RTI bill:

Every time the Coalition used the media, the media just sent the raw information out to the people. The media does not sometimes understand the information, so they just sent out what the [RTI Coalition] are saying to the citizens, and the citizens still cannot relate. So, it feels like no one actually cares about what is happening. It is just another law. (Interview G.B. 2019)

Indeed, the visualisation of the spread of news stories in relation to press statements in Figure 1 shows a pattern of how news stories largely follow a press statement in time. This indicates that coverage was mainly driven by the RTI Coalition's outreach to the media and that there was little journalistic engagement in driving the RTI issue in the news media, at least in the early years of the advocacy campaign.

The second explanation for the media's passiveness is the way media actors saw their own role in demanding and advocating for a RTI law. This is highly intertwined with the misunderstanding of the RTI issue, as it concerns the perception of media's self-interest. Many of the interviewees in both the civil society coalition and the media explained how the RTI was not seen as a 'media issue', and thus, because media practitioners and journalists themselves did not see the RTI as relevant for them, they were consequently less vocal and involved in advocating for the law. This was despite the fact that the first demands for a RTI law in the 1990s also came from Ghanaian journalists (Boadu-Ayeboafoh, 1995, cited in CHRI, 2019).

Speaking directly to the relationship between the civil society coalition and media practitioners in advocacy, the media's low interest in RTI was arguably also about 'who owned' the campaign issue. An editor of a newspaper with a history from GJA noted how he and his colleagues were interested, but that the 'civil society was in the lead' and therefore media houses did not publish news stories on the RTI (Interview 4 2012). Another perspective was also that the media already were 'insiders' with regards to information about government business as the press had gotten access to the government on a wider basis after the opening up of the media landscape by the 2001 repeal of the criminal libel laws (Interview 5 2012). In other words, while the Ghanaian media actors are no strangers in taking action to demand rights and acting as advocates, the media did not see the need to engage in the advocacy for RTI.

In sum, interviews with both media interest organisations and media practitioners held the view that there was little awareness of the RTI bill – and therefore little interest and advocacy in the media coverage (Interview 1 2012). The RTI Coalition on its side observed that they needed to do more to counter what they saw as a media 'laxity' on the RTI issue (Interviews 3; 7 2012, K.A. 2019). What needed to change for the media to take an active part in the RTI advocacy in Ghana?

Engaging the media as a partner

In early 2017, key members of the RTI Coalition describe a moment of re-strategising. After the great debacle of 2016,

or the 'last drop' as expressed by one interviewee (Interview B.N. 2019), a fatigue and resignation crept over the Coalition (Interview G.H. 2019). There was a strong feeling that the campaign needed new energy, new voices, and new faces (Interviews K.A.; E.A. 2019). The key objective of their shift in strategies was the need for partners and push in the advocacy campaign, and the media was the obvious missing partner in the campaign so far.

The RTI Coalition changed its media strategy and reinvigorated its efforts to engage the media in the RTI advocacy campaign. While some of the key members of the RTI Coalition felt they radically changed tactics, others emphasised that the overall strategy remained the same. The Coalition continued to invite media practitioners to workshops and training on the issue of RTI, it continued to release press statements, and it continued efforts to use media attention as a pressure tool against politicians. However, the Coalition did change the manner in which they approached, related and communicated to media actors. The Coalition wanted the media to take a more active part in the advocacy for the RTI law.

The overall idea was to give the RTI campaign new faces and new voices, and to more effectively spread and popularise the campaign message to a broader public, as well as to media actors and politicians (Interview G.H.; A.G 2019). The Coalition therefore renewed the tactic to engage individual media practitioners and approached prominent individuals on the media scene in Ghana, especially popular radio and TV hosts, for them to act as champions for the RTI bill. One such prominent figure was a renowned TV morning host at one of Ghana's largest media houses, Joy FM. This interviewee pointed out how his attitude towards the advocacy on RTI changed drastically when he was approached personally by the RTI Coalition, with the request to be 'the new face' of the advocacy campaign (Interview S.L. 2019).

More generally, the RTI Coalition was now in search for partners (Interview R.A. 2019). This was reflected in how they approached and communicated with media practitioners. The watershed moment for this new approach to media practitioners was when the Media Coalition on the RTI was established at a Press Soiree in September 2018. The meeting was organised by the RTI Coalition to mark the International Day for Universal Access to Information (IDUAI), and the agenda was to discuss how media practitioners could use their platforms to support the RTI advocacy in Ghana (CHRI, 2019). Leading figures in both the RTI Coalition and the Media Coalition on RTI describe how the former threw a challenge to the latter to 'take up the mantle' and 'join the fight'.

The establishment of the Media Coalition on RTI highlights some key factors for why the media actors engaged in the advocacy for RTI, and how this was in response to the changed approach by the RTI Coalition. First, there was a realisation of the powerful role media practitioners could play in advocacy and how they could contribute to pushing for the RTI bill. One of the initiators of the Media Coalition on RTI said: 'You realise that there is so much we can do as media, you know, not just put information out there, but being part of the change' (Interview G.B. 2019). The

discussions at the IDUAI-meeting in 2018 was highlighted as a key moment for setting up a media-run coalition on RTI:

> I have reported several times on RTI related stuff, but I have never really took the time to, you know, sit down to think that 'Okay, what can I also do to you know help'. (...) I will put a lot of emphasis on how the message on that day was given to the media. A challenge was thrown to the media, that 'Look, if you guys are actively involved in this campaign, it could change things. And this A and B and C, D, can be achieved.' (...) I think it was an awakening call for the media, at that particular moment, so when the people were awakened, then we took up the challenge that 'Okay, let's rally our colleagues (...) to let them understand that this is what we could achieve with the various platforms that we have, the power that we have as the media. So actually, that was a turning point. (Interview G.B. 2019)

Second, several media actors became more interested in the issue and realised the importance of RTI, both for themselves as media practitioners but also for the general public. It was essential that the journalists in the Media Coalition on RTI developed their own understanding the relevance of the RTI law, both for themselves as media practitioners and for all Ghanaian citizens. As highlighted in the interview quote in the first part of the analysis (see page 12), the campaign message would not communicate well to citizens if the journalist him or herself did not fully understand the issue at hand. By understanding it, the journalists could translate the RTI issue into the 'bread and butter' issues relevant for all citizens, thereby countering the elitist image and narrow relevance of the law (Interview S.L. 2019). One expressed tactic the journalists in the Media Coalition pursued was to always make a link to RTI, no matter what story they were reporting on, explaining how increased access to information could prevent or ease a problem (Interview S.O. 2019).

When the media got involved in the RTI advocacy work, they decided to change the narrative in the news coverage. 'I think the involvement of the media also helped in shaping the information now', concluded the interviewee above his observation (Interview G.B. 2019). This consequently affected the news coverage of the RTI issue, as the journalists did not merely send out the 'raw information', as alluded to above, but sought to shape the content and communicate their own message. This is reflected in the results of the text analysis of news stories in relation to press statements in Figure 2.

Overall, the figure displays the sheer increase in news coverage after the 2018 meeting. Concerning media's substantial engagement on the RTI issue in the news coverage, there is a change in textual reliance on the RTI Coalition's press statements after 2016. Especially for the first plots, for press statements issued in 2010, 2012, 2013 and 2016, the news stories following closely after a press statement have a very high similarity measure. This can be a measurable observation of what the Media Coalition interviewees described as journalists sending the 'raw information' out to citizens, by using text and formulations from the press

Figure 2. Textual similarity of news stories measured to preceding press statement by the RTI Coalition. The measure calculated is cosine similarity, produced by the RNewsflow package (Welbers and van Atteveldt, 2018), and ranges from 0 to 1 where a higher number signifies a higher similarity. The line is a smooth line fitted by the loess method.
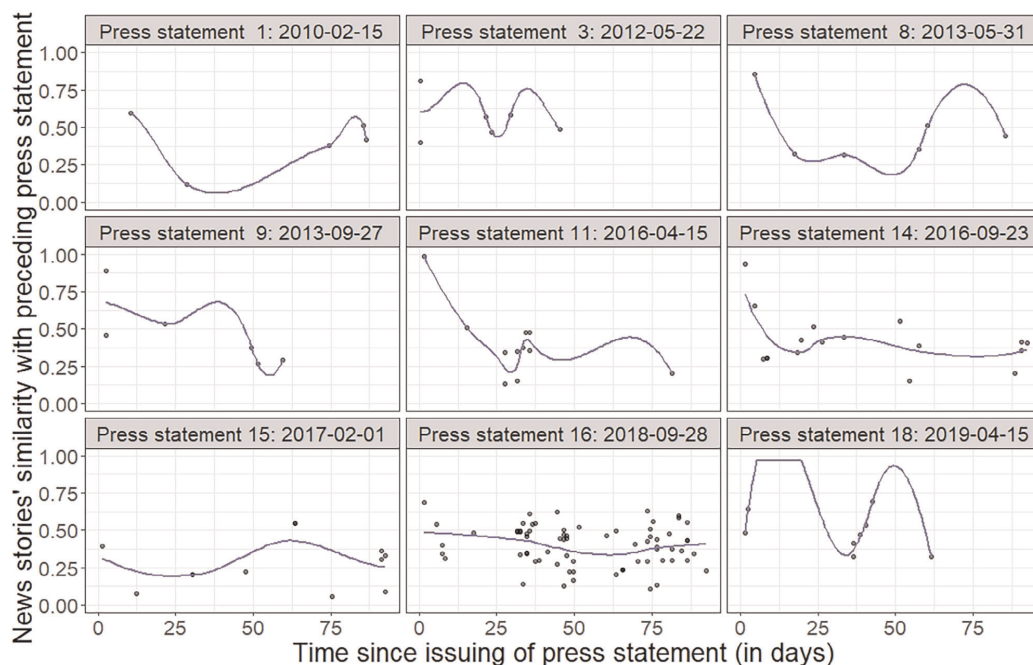
Source: News stories from GhanaWeb.com and collected press statements from the RTI Coalition.

statements. While news stories later in time re-use and copy less text from the press statements, there is often between 0.25 and 0.50 measured similarity with the preceding press statement. After 2016, however, there are fewer examples of news stories with a very high (i.e. over 0.50) similarity with the press statements, which could support the narrative of journalists engaging more substantially with the RTI issue in their reporting. Figure 2 therefore indicates that the increased news coverage was also more diversified and media-produced content than previously.

5.3. Ownership, agency and 'letting go'

So far, the analysis shows how increased awareness and understanding of the RTI issue and of the role the media could play in the advocacy were important factors influencing the media actors to take a more active role in the advocacy campaign. This was in large part due to how the RTI Coalition approached the media practitioners it met and engaged with, challenging them to become partners in the advocacy work and using the power they have as journalists. Key for these factors is the underlying factor that media practitioners' ownership to the demand of a RTI law increases, both with regards to the RTI issue and to the advocacy work.

Beyond the issue of RTI, it is also significant that media actors took more ownership in their own agency and started to act as independent agents in the RTI advocacy work. And it was indeed the independence of the Media Coalition that was emphasised by its coordinators. While retaining a close partnership and coordination with the RTI Coalition, it was important for the Media Coalition to 'keep the fact that this was a media-run, media-led, media-focused' initiative (Interview S.O. 2019). It was therefore agreed from the very beginning that the Media Coalition was going to work as a distinct entity from the RTI coalition (Interview R.A. 2019). Not only was this independence an advantage as the media scene requires faster decisions and an easy and non-hierarchical information flow from coordinators to the journalist members (Interview G.B. 2019), this need for independence was also partly fuelled by previous experiences of how the RTI Coalition used to approach media actors in their conventional media strategies. The journalists present at the 20 18-meeting pointed to this experience, as recounted by the coordinator of the Media Coalition:

> So, we thought: 'Okay, how could we be more in the front row?' And [the journalists present] suggested that, look, maybe what has happened in the past is

that the Coalition sees the media as a 'Okay, come, come and report the event, use your platforms to talk about it', and the media was almost never heavily included at the level of planning strategy and all of that. So, can media be moved from the megaphone to an integral part of it? So, we said: 'Okay, let's form a media coalition.' (Interview S.O. 2019)

This underscores the importance of the relation between civil society and media in advocacy strategies. This paper posits how CSO actors perceive of and approach media as a potential partner in their strategies, and subsequently how media actors receive this invitation, matters for what role the media can play in relation to CSOs in advocacy work. Another central mechanism appears when examining the ownership and agency actors have in their advocacy, namely how it was necessary for the RTI Coalition to not only engage media actors but also give room for their engagement to take the form that they wanted it to.

Indeed, when explaining how the RTI Coalition was in search for partners, leading figures in the Coalition described how they wanted – and needed – the media to take more ownership of the cause. There was a realisation that the Coalition could not do it all on their own (Interview R.A. 2019). The feeling – especially after the 2016 disappointment – was that the continued advocacy work was at a 'make it or break it point'. If the bill would not get passed within a year, it would never happen, and the more actors and voices, the better (Interview B.N. 2019). This was an important shift in how the key members in the RTI Coalition saw – and released some of – their own ownership of the RTI campaign. Some of the leading figures in the campaign had worked and advocated for the RTI bill for nearly 20 years. Key members of the Media Coalition noted how it was hard for some of the leading figures in the RTI Coalition to release control of the advocacy, but that it was necessary for the media to act as they saw fit, without control of the RTI Coalition. Some of the RTI Coalition members noted how, while it was hard to 'let go' and relinquish control, it was also important for the RTI advocacy to take new forms. As a consequence of the Coalition's successful efforts to engage the media in the RTI advocacy, the civil society actors also needed to take a step to the side and allow space for the more dynamic, and more unruly, advocacy of around 500 individual journalists. In the end, as expressed by one of them, a matter of 'letting go at the right time'.

Conclusions

This paper sought to examine how civil society actors engage media actors in advocacy campaigns, and what factors shape the different roles that media actors have in these campaigns. The paper posits that media actors have mainly two modalities in relation to CSO actors, as platforms and as partners, exploring this in the case of the RTI advocacy in Ghana.

The analysis above shows how the RTI Coalition pursued various media strategies throughout the nearly 20-year long advocacy process. Initially, their advocacy campaign

encountered a passive media and low journalistic engagement in the RTI issue. As the advocacy campaign met several hurdles, the RTI Coalition changed their approach to media actors because they wanted the media to take a more active role in the advocacy – and more ownership of the RTI demand. In other words, the Coalition sought to change the role of the media from being a passive platform for their campaign message, to becoming active partners and agents in the advocacy for RTI in Ghana.

Interested in media strategies of CSO actors, this paper focused on *what made it work* and the mechanisms of engaging media actors as partners and advocates in a civil society-led advocacy campaign. The paper posits that mainly two factors contributed to the media taking a more active role in the RTI advocacy in Ghana; the CSO changed their approach and how they communicated and related to media actors, and media actors developed more awareness and understanding of the RTI issue. Two important main mechanisms are uncovered in this study. First, it matters how the RTI Coalition perceive of and approach media actors in their media strategy, and how this in turn is received by the media actors. This will affect their engagement with and ownership of the advocacy campaign and the RTI demand. Second, when CSOs seek to engage media as partners, it is necessary to also give room for their engagement and advocacy as independent partners.

The paper offers some concrete insights and contributions to both theory and practice on media's role in advocacy campaigns. First, it contributes to increased understanding on the relation between civil society and media in advocacy. Civil society is often regarded the impetus of advocacy work and strategies. While this is also the departure of this paper, in examining how CSOs can engage media actors, it nonetheless shows how – for media to be a powerful partner in advocacy work – there needs to be agency on both sides of the equation. As long as the focus lies solely on the strategy of civil society actors, this cannot inform about how it affects the target of the strategy, namely the media practitioners, and neither how it actually leads to heightened media attention and advocacy. This study of the Ghanaian RTI campaign highlights the importance of understanding how media strategies work from the perspectives of the media actors as well as the civil society actors.

Advocacy strategies to 'use the media' should be better developed to include this agency on behalf of journalists. This study proposes that CSOs should leverage on journalist activism. CSO strategies should see activist journalists and other influential figures in news content creation as potential partners and seek to harness the agency of journalists in their media strategies rather than merely using the media as a megaphone for their message, especially in contexts where the space for democratic rights and freedoms are not yet fully guaranteed, like partial democracies.

Moreover, CSO advocates seeking to engage media actors in advocacy should apply a holistic approach in their strategies. Early writings on the strategy of 'media advocacy' (Wallack, 1994) emphasised that the successful use of media in advocacy is linked to how well the advocacy, and the

demand, is rooted in the communities concerned. In the case of the RTI Coalition in Ghana, engaging the media was only one of several strategic fronts, in order to raise public awareness. However, the RTI issue is particular in the respect that media actors are also considered as stakeholders in demanding a RTI law. In approaching the media, the Coalition therefore emphasised both the relevance of RTI for them as citizens and as media practitioners. However, in recounting why they engaged in the RTI advocacy, journalists mostly referred to the benefits for RTI for all citizens. As Wallack (1994) argued, the journalists' engagement was driven by a legal and civic responsibility to their communities.

Second, the paper recommends a more actor-centric approach to the media in CSO's media strategies. Journalists and media practitioners interviewed in this study explain how the change in CSO actors' approach to them, and especially how the CSO actors 'threw a challenge', was important not just for their realisation of the importance of RTI, but just as much for realising the role they could play in the RTI advocacy. Media advocacy is essentially a strategy to empower people (Wallack, 1994). As such, this study highlights how training and communication to media practitioners should not solely focus on the campaign issue, but also on probing awareness of journalists and media practitioners' power in shaping media attention. This realisation of the role media actors could play was highlighted as crucial in gaining agency and ownership in the RTI advocacy.

Lastly, the paper contributes to our understanding of the space for civil society and media actors in doing advocacy work. In light of recent scholarly work on the space for civil society advocacy (van der Borgh and Terwindt, 2014; Toepler et al., 2020), and which the special issue this paper forms part of contributes to, we know that CSOs and media actors can experience different kinds of space for engaging in advocacy. While this space can vary across campaign issue and types of actors, and even within types of actors, this study also show how actors can influence and shape each other's space. In the case of RTI advocacy in Ghana, while the media's initial passiveness constituted a challenge for the civil society advocacy, the civil society strong ownership to the RTI campaign was described as one reason for the media's passiveness. When the media was engaged and assumed agency and ownership to the RTI issue by setting up their own media-run coalition, it was important that CSO actors ceded some control over the advocacy the campaign, and 'allowed' the Media Coalition to unfold their engagement.

Data availability statement

The data that support the findings of this study are available on request from the corresponding author.

Notes

1. See 'About GhanaWeb' here: https://www.ghanaweb.com/Ghana HomePage/aboutus.php. See Madrid-Morales (2020) for more on web scraping African news outlets, and Appendix C or GitHub repository for more on the textual data.

2. The raw data and script for creating and pre-processing the textual corpus and conducting the analysis are available in the GitHub repository 'Ghana_RTI_media_advocacy'.

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Appendix A

List of interviewees

Table A1. Overview of both primary and secondary interview material.

ID	Interviewee	Representing organisation
Interviews conducted July and August of 2012		
2012-1		Lawyer/Ind. member of RTI Coalition
2012-2		Officer, media advocacy NGO
2012-3		Officer, media advocacy NGO
2012-4		Editor, major daily newspaper
2012-5		Media specialist, University of Legon
2012-6		Head, governance NGO
2012-7		Former officer, media advocacy NGO
2012-8		Officer, media advocacy NGO
Interviews conducted August–November 2019		
2019	K.A.	CDD-Ghana, Director of Advocacy & Policy Engagement
2019	R.A.	CDD-Ghana, Program Officer
2019	R.O.	CDD-Ghana, Corruption Watch
2019	J.O.	POS Foundation
2019	J.S.	PenplusBbtes, Programmes Director
2019	A.A.	Eanfoworld for Sustainable Development
2019	B.N.	Ghana Anti-Corruption Coalition (GACC), Executive Secretary
2019	G.H.	Ghana Independent Broadcasters Association (GIBA), Executive Secretary
2019	S.L.	Joy 99.7 FM/Lawyer
2019	A.G.	Ghana Integrity Initiative (GII), Project Coordinator ADISS
2019	E.A.	Commonwealth Human Rights Initiative (CHRI), Access to Information
2019	S.A.	Ind. member of RTI Coalition, Former Chairman
2019	S.B.	Media Foundation West Africa
2019	K.K.	Ind. member of RTI Coalition, Former Chairman/Media Foundation West Africa, Former General Secretary
2019	S.O.	Parliamentary Network Africa/Head of the Media Coalition on RTI
2019	M.O.	LeadAfrique Int. and SIG-Ghana
2019	A.A.	Lawyer/Member of Occupy Ghana

Table A1. (continued)

ID	Interviewee	Representing organisation
2019	S.S.	Trade Union Congress (TUC)
2019	U.U.	Ghana CSOs Platform on SDGs, Former Coordinator
2019	D.N.	Legal Resources Center
2019	G.B.	Parliamentary Network Africa/Media Coalition on RTI
2019	A.M.	Ghana Journalist Association (GJA), President
2019	K.G.	National Media Commission (NMC)
2019	A.A.	Lawyer/Ind. member of RTI Coalition

Note: The interview notes from the other researcher are anonymised, while the interviewees interviewed by the author consented to information about them to be published in a way that they can be recognised.

Appendix B

RTI coalition's press statements

Table A2. Overview of the RTI Coalition's press statements collected for this study

No	ID	Date	Title
1	1	2010-02-15	Press statement by the Ghana national coalition on the right to information on the introduction of the RTI Bill into parliament
2	2	2012-05-10	Commonwealth human rights initiative calls on government to make the passage of the right of information bill a priority
3	3	2012-05-22	Press Statement by Right to Information (RTI) Coalition on the State of the RTI Bill in Parliament of Ghana
4	4	2012-07-19	Press statement from the coalition on the rightRight to Information (RTI) Ghana on the status of the RTI bill
5		2012-07-20	Press statement from the coalition on the rightRight to Information (RTI) Ghana on the status of the RTI bill
6	5	2012-10-22	Press release: parliament, good people of Ghana, what kind of right to Information (RTI) law will we get?
7	6	2013-02-06	The Coalition on the Right to Information, Ghana would like to congratulate Hon. Nana Oye Lithur on her appointment as Minister for Gender, Children and Social Protection
8	7	2013-04-30	Press release on May Day celebrations rensions: It is yourright and responsibility
9	8	2013-05-31	Press statement: RTI Coalition calls on Presodent Mahama to act on the RTI bill
10		2013	Africa Freedom of Information Centre and Ghana Coalition joint sdtatement on Ghana's Right to Information Bill
11	9	2013-09-27	Ghanaians have a right to know: the Commonwealth human rights initiative calls on government and parliament to walk RTI bill the talk
12	10	2015-09-28	Press statement to mark the right to know day ask it: It's your right to know
13	11	2016-04-15	Press statement: the relevance of the Right to Information law in the wake of the bus branding judgement by the Human RIGHTSights Court
14	12	2016-07-28	Press statement: accounting to the people: a real commitment or another political rheoteric
15	13	2016-08-18	Press statement: coalition on the rightRight to Information, Ghana petitions His Excellence President John Mahama
16	14	2016-09-23	Press statement President Mahama to deliver a key note address at a UNESCO event to mark the right to know day – really!!!
17	15	2017-02-01	Press release: the coalition on the rightRight to Information, Ghana congratulated Hon. Gloria Akuffo on her appointment as the att…
18	16	2018-09-28	'Rights to Know Day' – Ghana is Still Waiting for a Credible RTI Law
19	17	2019-03-27	Congratulations to parliament on the passage of Right to Information Bill
20	18	2019-04-15	Press statement on the Right to Information Bill passed by parliament

Notes: The 20 press statements collected range from February 2010 to April 2019. This is likely not a complete count, however, as there are some gaps in the coverage. Note that statement number 4 and 5 are the same text published two days in a row, and that statement number 10 is missing an exact date. Of the 20 press statements collected, therefore, only 18 are included in the analysis.

Appendix C

Overview of text material for analysis

**Table A3.** Overview of the textual material included for analysis

Press statements ID	News stories by press statement				News stories by year	
	Date	Number (*N*)	Range (days)	Last date	Year	Number (*N*)
1	2010-02-15	16	10.5–806.5	2012-05-01	2010	9
					2011	6
2	2012-05-10	2	6.5–8.5	2012-05-18	2012	12
3	2012-05-22	6	0.5–45.5	2012-07-06		
4	2012-07-20	3	72.5–87.5	2012-10-14		
5	2012-10-22	0	–	–		
6	2013-02-06	2	6.5–32.5	2013-03-10	2013	15
7	2013-04-30	1	1.5–	2013-05-01		
8	2013-05-31	6	4.5–85.5	2013-08-24		
9	2013-09-27	28	2.5–701.5	2015-08-29		
					2014	19
10	2015-09-28	6	4.5–174.5	2016-03-20	2015	6
11	2016-04-15	13	1.5–94.5	2016-07-18	2016	40
12	2016-07-28	4	1.5–6.5	2016-08-03		
13	2016-08-18	0	–	–		
14	2016-09-23	23	1.5–107.5	2017-01-08		
15	2017-02-01	102	1.5–454.5	2018-07-31	2017	26
16	2018-09-28	97	1.5–178.5	2019-03-25	2018	150
17	2019-03-27	20	0.5–8.5	2019-04-04	2019	65
18	2019-04-15	19	1.5–256.5	2019-12-27		
					Total	348

Notes: The RTI Coalition's press statements are ranging from February 2010 to April 2019. The news stories were collected from GhanaWeb.com and are organised in relation to the 18 press statements with an exact date and by year. After identifying 544 relevant news stories on the RTI bill published between 2008 and 2020, only 373 news texts were available for web scraping from the site. Finally, only news stories between 15 February 2010 and 31 December 2019 were included in the analysis, with the total count of 348 texts. 'Range' is an expression of how many days the first and last news stories are from the preceding press statement.

Appendix D

Full results from media analysis

Figure A1. Full plotting of the results of the similarity analysis, on which Figure 2 is based. Press statements with ID 5 and 13 are not included, as these did not have any following news stories.
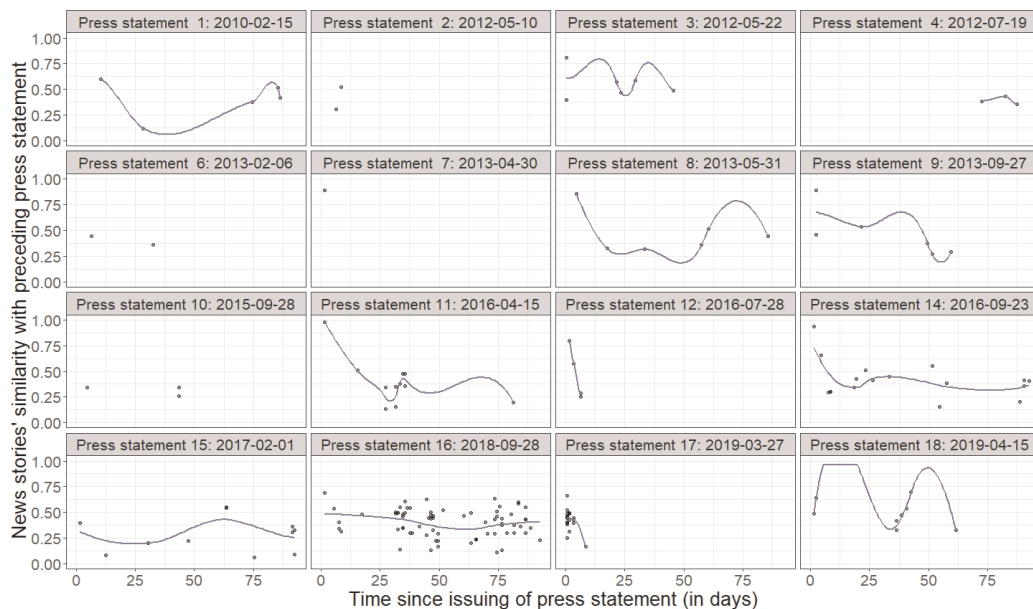
Author Information

Lisa-Marie Selvik is a PhD Candidate at the Department of Comparative Politics at the University of Bergen. Her research interests cover civil society advocacy and democratic rights, and she is part of the research project 'Breaking BAD: Understanding the Backlash Against Democracy in Africa'. Lisa-Marie's PhD project analyses how civil society actors attempt to advance democratic rights in African democracies, by focusing on the policy-issue of 'citizen's right to information'.

Corrigendum

In Lisa-Marie (2021), the acknowledgement section has been included and it should read as given below:

ACKNOWLEDGEMENTS

REFERENCE

Lisa-Marie, S. (2021) A platform or partner: engaging the media in advocacy. *Global Policy*, 12(S5), 70–83. Available from: https://doi.org/10.1111/1758-5899.12980

CORRIGENDUM

Article V

Government Repression and Citizen Support for Democratic Rights in Africa

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