

BOOK REVIEW/ COMPTE RENDU

Worthy, Ben. *The Politics of Freedom of Information: How and Why Governments Pass Laws that Threaten their Power.* Manchester: Manchester University Press, 2017. £75.00, 227 pp., hardcover (9780719097676)

Ben Worthy has written some of the most interesting and innovative papers on freedom of information (FOI) law published in the last decade. In *The Politics of Freedom of Information*, he once again delivers. Worthy's main interest is why governments pass laws that undermine their authority by allowing access to state records. There are a number of possibilities, including the fact that governments feel public pressure after corruption and conflict of interest scandals. The central argument Worthy pursues is that FOI law is "laden with symbolic value" (2) and that it is the symbolic message that FOI law sends which governments seek to benefit from. Secrecy is a problem across government systems throughout the world, and some states pass FOI laws because of the symbolic promise that they provide. FOI law undermines the pervasiveness of state secrecy, and boosts the perception of transparency.

Worthy argues that the window of opportunity for governments to pass FOI laws is brief, and is mitigated by internal and external factors. Internally, for example, politicians and bureaucrats have contested the establishment of FOI laws. Externally, social movements, academics and lawyers are perennial thorns in the side of the state as they advocate for more open government and true transparency. Worthy uses the case of FOI in Britain to test these claims. The case of Britain is particularly interesting because of the "inherent secrecy of the British government" (17) and the Westminster system. To aid in this inquiry, Worthy used FOI requests with the Home Office and the Ministry of Justice, interviews with government officials, and archival records such as draft bills.

Chapter Two examines "the road to FOI in Britain" (22). Worthy shows that there were a number of stops and starts during the 1960s and early 1970s with national-level FOI as internal and external forces diverged. During the late 1970s, "FOI was proving hard to stop as the multiple groups now pressing for changes began to press harder" (29), thus FOI emerged on the legislative agenda. The issue disappeared during Thatcher's conservative reign since "the power of secrecy out-

weighed the persuasive symbolism of openness” (38). However, Worthy carefully notes that throughout this period, different initiatives concerning access to local government records were continually pushed forward.

Chapter Three explores how New Labour engaged with FOI law. It was not the full embrace that perhaps FOI advocates would expect from a centre-left government. Though it seemed to be at the centre of the party’s platform, some in Labour leadership had doubts about FOI and related transparency initiatives. It was not until the December 1997 publication of the White Paper *Your Right to Know*, that the idea of FOI became a political reality. The White Paper is the subject of Chapter Four, with many politicians and bureaucrats immediately responding with hesitation (67). There was a “counter-mobilization” (76) questioning the feasibility and necessity of FOI. This counter-mobilization is the subject of Chapter Five. Key government figures such as Jack Straw and Tony Blair were forced to address these countervailing tensions and claims, including their own doubts that grew during the debates. The subsequent bill was weakened, subjected to mounting criticism from both proponents and opponents.

Chapter Six reviews committee debates and parliamentary discussions about the bill, the impact on the letter of the law, and implementation. Worthy reflects on why the FOI law was not dropped. Chapter Seven continues this analysis, exploring the power of FOI law’s symbolism in the face of criticism. The chapter also assesses evaluation data of FOI performance from 2005 to 2015, who is using FOI in Britain, and why. This is truly Worthy’s bailiwick. Worthy then questions whether FOI actually increases transparency, accountability, trust and democratic governance (119-123), suggesting it has not led to the radical change toward openness that proponents touted (134). In this way, FOI law has “disappointed both sides” (134), those fighting for more transparency, and those who discourage efforts toward open government.

Chapter Eight provides a short assessment of the making of FOI law in the United States, Australia, and India. Worthy applies his earlier argument to these cases. He writes, while “... symbolism drives the issue onto the agenda, it is rarely powerful enough to drive it onto the statute book” (150). Worthy continues: “symbolism does, however, start a process that governments find hard to stop”. Chapter Nine compares the experience with FOI in Ireland and New Zealand. In Chapter Ten, Worthy argues that FOI laws are more than mere symbolism—they can change politics in any given country or jurisdiction. For this reason, FOI laws are being dismantled or undermined in some areas

(179). The conclusion revisits the claim about FOI law and symbolism, and claims about where FOI laws are headed in the future given their capacity to destabilize state power and secrecy.

This book must be seen as the definitive source on why governments pass FOI laws, and on the making of FOI law in Britain. To its benefit, *The Politics of Freedom of Information* is devoid of near obligatory citations to social and political science terms that others would likely use to theorize the phenomenon, such as “institutional isomorphism” and path dependency (DiMaggio and Powell 1983). Worthy gets the idea across without relying too much on jargon. That said, I wondered why Worthy did not use literature on policy learning (Benz and Fürst 2002), policy transfer (Mossberger and Wolman 2003), and policy mobilities (McCann 2008) to try to explain where FOI as an idea comes from. Surely, there is some international transfer of FOI law and policy that influenced the development of FOI in Britain. Also, focusing on why governments pass FOI laws is not the same as theorizing how FOI law works in action, which would require a different level of analysis and set of theoretical tools. The latter is still a contribution yet to be made in literature on FOI law and policy. Nevertheless, I cannot recommend *The Politics of Freedom of Information* highly enough for scholars and graduate students interested in FOI, transparency, accountability, information rights, and open government.

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REFERENCES

- Benz, A. and D. Fürst. 2002. ‘Policy Learning in Regional Networks’. *European Urban and Regional Studies* 9/1: 21-35.
- DiMaggio, Paul, and Walter Powell. 1983. ‘The Iron Cage Revisited: Collective Rationality and Institutional Isomorphism in Organizational Fields’. *American Sociological Review* 48/2: 147-160.
- McCann, E. 2008. ‘Expertise, Truth, and Urban Policy Mobilities: Global Circuits of Knowledge in the Development of Vancouver, Canada’s ‘four pillar’ Drug Strategy’. *Environment and Planning A* 40/8: 885-904.
- Mossberger, K. and H. Wolman. 2003. ‘Policy Transfer as a Form of Prospective Policy Evaluation: Challenges and Recommendations’. *Public Administration Review* 63/4: 428-440.

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