

**Daily Star, 15 May 2016**

## **A good law gone to waste?**

### ***Right to Information Act 2009: The role of media***

[Dr. Shamsul Bari](#)

Media's power to shape public opinion is succinctly captured in a story from Peru, dating back to the 1990s. Alberto Fujimori was the president of Peru then, but the country was actually run by his Secret Police Chief, Vladimiro Montesinos Torres. Montesinos did so primarily through bribery and corruption. His vast experience had helped him know exactly who among the opposition parties, judiciary and media were the most influential people, and who could be bought with what amount of money. He managed to control them for several years in this manner before his government fell. After the fall, the meticulously-kept diary of Montesinos revealed that he had paid the owner of the most powerful TV station of Peru five times more money in bribes than he had paid to all the opposition politicians together. Such is the power of the media over the state.

I shared this story at a seminar in Dhaka in early May on World Press Freedom Day. The story appeared to be well-received by the audience, most of whom were journalists or budding journalists. But I am not sure if my exhortation for greater engagement of the media with the Right to Information regime had cut much ice with them. I had made two key points. One, the RTI Act is one of the most important laws of the land and deserved support from all citizens, including journalists. And two, the latter would find the law of great value to their job.

On the first point, people will know about a law if the media talk about it. Unfortunately, uptake of the law is still slow. All available records indicate that there is hardly any increase in the number of RTI users over the years: simply because not enough people know about the law. Here is where the media need to be more systematically engaged in promoting RTI. By publicising positive outcomes of RTI interventions in the country, media can nurture the feeble RTI flame.

In many countries, wide publicity of successful RTI stories has helped its growth. A news story or feature showing marginalised communities using RTI to access social safety net programmes would motivate others to use the law. It also shines a spotlight on public officials who dispense the benefits, encouraging them to be more careful in exercising their authority. Fear of public opprobrium is key to changing a corrupt mindset.

Successful RTI interventions follow a pattern that looks like this: RTI application ? disclosure of information ? publicity of information? transparency in the work of public officials? accountability to people. Obtaining information from government offices through RTI cannot be the main goal of the law. To be useful, information must lead to change in the behaviour of public officials. It is important to understand this basic philosophy of the law.

In the pattern above, the key piece is 'publicity of information'. In countries where RTI has been effective, as in neighbouring India, media has played a key role in spreading its value. That media stories have encouraged more Indian citizens to use the law is evidenced by the fact that more than 5.5 million RTI applications were made by them to different public authorities at the centre and in the states last year alone. Compared to this, the Bangladesh average over the years is around 15,000. This is very discouraging indeed for a nation of 160 million people.

The least that the media can, therefore, do is simply to publicise the results of outstanding RTI interventions gathered from all over the country. Their local correspondents, based in different parts of the country, could be asked to collect and report on them on a regular basis. In some countries, best reports are recognised and rewarded appropriately. This can be done here as well.

On my second point, RTI is a valuable tool for a free and fair press that holds its government accountable. Media can use the law for investigative journalism, as is done in many countries. Investigative reports have brought to light many corrupt and abusive practices of public offices throughout the world, leading to important corrective measures. They have also helped to dig up information that governments normally wish to hide from the public.

Examples from different countries were cited in my paper to show the type of subjects that are normally of interest to the public for investigative journalism. It has been found that well-documented investigative reports, based on information obtained through RTI, are extremely popular with readers/viewers since, among other things, their authenticity is normally beyond reproach.

Topics for investigative journalism depend largely on public interest and national perspectives. In many countries, a compilation of popular RTI-based investigative reports is released annually. Following are a few topics culled from a UK and Scotland compilation:

- \* Treatment of soldiers affected by Gulf-War Syndrome and arrangement for their treatment.
- \* Number of patients affected by mistreatment in public hospitals and measures taken for their compensation.
- \* Efforts made to bring down waiting periods for patients in different government hospitals.
- \* Government measures to help public universities overcome financial crisis.
- \* Involvement of police forces in crimes and measures taken over the years.
- \* [For more topics/stories see: [www.cfoi.org.uk/pdf/FOIStories2005.pdf](http://www.cfoi.org.uk/pdf/FOIStories2005.pdf) ]

RTI-based investigative stories from India are closer to our realities in Bangladesh. One Indian journalist, who is now well-known to the RTI world, is Mr. Syamlal Yadav, Associate Editor of the weekly news magazine India Today. He and his colleagues made one RTI intervention a day to different offices in India. One popular intervention related to his application to 60 ministries over a period of six months. The responses he received had revealed that in three and a half years, 71 ministers of the Central Government had made foreign trips, covering a total distance which was 256 times the distance to go around the world. The report created such a stir that the then government had to issue letters to all the ministries to stringently follow official rules for foreign and local travels. It led to significant savings in travel costs for the country.

Another outstanding piece of investigative journalism by Mr. Yadav revealed that over 59 million life insurance policies under LIC of India had been permanently closed over a period of seven years because of non-payment of premiums by policy-holders. He then asked to know whether the huge amount of money remaining in their accounts was returned to policy holders. LIC refused to disclose the information claiming secrecy. The Central Information Commission agreed with LIC. This prompted Mr. Yadav to make the information public. Less than a month later, LIC put an advertisement in local newspapers, informing policy holders whose accounts were thus permanently closed that they could revive their policies. This is unique in insurance history.

Such inspiring stories show the immense power of the media in making RTI a nation-wide reality - and the power of RTI to serve the media in the pursuit of truth. Our lawmakers have made an excellent law. But we need our media to help ensure that people know their rights.

**The writer is Chairman of Research Initiatives, Bangladesh (RIB). His paper Access to Information by Journalists: The Right to Information Act 2009, written in Bengali, can be downloaded from: [www.rib-rtibangladesh.org](http://www.rib-rtibangladesh.org).  
Email: [rib@citech-bd.com](mailto:rib@citech-bd.com)**