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RTI: How do we compare with the rest of the world?



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With some 130 countries around the world having adopted Right to Information (RTI) laws, we now know a great deal about how citizens use this law in a variety of social, political and economic contexts—in as rich a variety of ways as there are cultures and peoples on this planet.

In the older democracies, where RTI and similar laws have been around for a while, studies show that the focus of the law has now shifted to online availability of most such information. In some countries, national, provincial, and local governments have begun to usher in “open government” mechanisms, making their information available proactively through online platforms. As a result, the requirement of submitting formal RTI requests to concerned public authorities is becoming redundant.

However, where the law is of more recent vintage and formal requests for most information are necessary, studies are focused more on understanding the balance between a citizen’s demand for

information and the ability or willingness of public bodies to supply them. These studies try to understand what motivates citizens to use the law and how public officials relate to them. Some studies try to measure if any change is taking place in the traditional secretive mind-set of public officials; others focus on whether the authorities treat people with greater deference and whether citizens are becoming more comfortable in applying the law.

A recent angle examines the effect of growing authoritarianism in many countries on the operation of RTI law. Are public authorities in such countries disregarding or downplaying the law? Are citizens becoming more wary about submitting sensitive RTI requests? Has the fear of retaliatory measures by the authorities increased? In short, how important is democracy for the success of RTI?

Knowing how RTI laws are used worldwide helps us in Bangladesh assess our own progress with the law. We know from the growing literature on the subject that RTI is globally viewed as a tool for citizens to hold public authorities accountable and keep government as transparent as feasible. It is premised upon the view that citizens are the owners of all powers of the state in a democracy and, therefore, public authorities must be accountable to them. Public officials have the responsibility to disclose any information, with few exceptions, that citizens may seek. Most research and advocacy work on RTI seek to answer two questions: what information do citizens seek, and how does this information link to the public interest?

The studies show that the law is used for more reasons than accountability-seeking purposes alone. Many information requests are focused primarily on private and, what some scholars have described as “micro-political goals”, as distinct from what we think of as public interest, or “macro-political” uses of the law.

Under the “public accountability model” citizens, particularly in more stable democratic societies, generally seek information that is useful for political mobilisation and oversight, linked to issues of importance to the larger public. In low-and-middle-income democracies where corruption and inefficiency are widespread, activists, journalists, and political workers use the law primarily to obtain evidence of government performance and decision making. There are case studies showing successful use of information, disclosed under RTI, in campaigns to demand better public services or denounce corruption.

The law is also used to seek non-exempted personal information available with public authorities on candidates seeking election, which may be used to incite the public against them. Demand for

publicly relevant information is feebler in newer or weaker democracies, where a greater share of citizens is not used to democratic politics.

Publicly-relevant information has been described by some to be only the “tip of the iceberg,” with the majority of applications being of a more mundane nature. Under this so-called “iceberg model”, citizens seek information mainly “for private, micro-political goals with little potential for publicity or demand-making on behalf of collective goals and unlinked from issues of public attention.” Such information is largely used to solve private problems, either in the business sector, such as navigating regulations, pursuing government contracts; or for individuals, such as accessing government benefits. While these uses are important, they also are the type of information normally available on government websites. A legitimate question that arises here is why should such information be obtained through the time-consuming RTI process. RTI enthusiasts everywhere must ponder on the question.

From the global perspective, demand for public accountability-generating information is the rule rather than the exception. It also seems that the main obstacle facing many RTI regimes is not demand but supply. There are deficiencies in most situations both in the response of public offices to people’s demand for information and in the instruments of dispute resolution between demand and supply sides, such as Information Commissions.

Unfortunately, no serious academic study on the operation of RTI in Bangladesh is known to have been undertaken yet. The law is yet to draw more in-depth attention from academia, the socially alert educated class and civil society in general. Whether it is general apathy towards governance issues, lack of faith in the commitment and preparedness of public authorities towards the law, fear of retaliatory measures by irate recipients of sensitive RTI requests, lack of awareness of the population generally, or a combination of all, the RTI regime in Bangladesh is yet to take off the ground in a meaningful way.

On basis of the models discussed above, we could perhaps say that the “iceberg model” applies to the situation of Bangladesh. Some use of the law has, of course, taken place here over the years. In the earlier years the users were largely from the lowest rungs of our society and rural communities who were motivated by NGOs to use the law to obtain benefits under government programmes. In more recent years, a small number of people from the middle class and some RTI activists have sought to use the law for limited public interest issues. At this rate, the law may continue to limp forward but the basic objective of the law, which is to establish people’s oversight on the performance of public bodies, cannot be achieved.

For RTI to succeed truly in Bangladesh, motivated and educated social and political advocates must pick up the baton. Equally importantly, the Information Commission must play the shepherding role provided to it under the law. Having gained the middle-income country status recently, Bangladesh should now be able to prove itself to be a country where citizens feel encouraged and motivated to use RTI to advance “public, macro-political goals”. The government has made a formal commitment to make that happen under Goal 16 of the UN sponsored SDGs, only citizens can provide the proof.

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