

The Daily Star
May 12, 2021

RTI in Bangladesh: Narrowing the perception gap between citizens and public authorities



Photo: Collected

Shamsul Bari and Ruhi Naz

The Bangladesh Right to Information (RTI) Act 2009 is a unique piece of legislation. Most laws are largely founded on the concept of government responsibility to regulate citizen behaviour, but the RTI law establishes government accountability to its citizens. It seeks to ensure the primacy of citizens over the government. The RTI law is not only unique, but revolutionary.

Such a revolutionary concept takes time to turn into practice and to mature. Both sides—the public and their officials—need a fundamental mindset shift. Public officials, long used to exercising unbridled state power, must give up their instinctive response to resist and learn to accept the new reality. Citizens, the main beneficiaries of the law and as such its best custodians, are unprepared to play the role. There is thus little pressure from them for change.

Like many countries, Bangladesh is going through its RTI teething problems. The law is neither popular with the majority of citizens—the demand side—nor with the majority of public authorities, the supply side. Since citizens were not sufficiently sensitised before adoption of the law, they tend to be skeptical that the necessary changes in official culture will take place. They are at best tepid and at worst indifferent, and unlikely to fight for the law. The few who believe

in its potential, doubt whether the system can protect them from the wrath of irate officials who may find their RTI requests bothersome.

The public authorities, on the other hand, see no reason to change their stance. Since the Act was adopted, they have received occasional exhortations from the higher authorities to respect the law but no serious warnings—far less, penalties—for failure to apply it.

Twelve years since the enactment of the RTI law, some public officials are still unaware about the law, though their numbers are dwindling; and many more feel little compulsion to obey it. Caught in such a tenuous situation between both the public and its officials, the Information Commission seems to have taken the position of letting the law find its own course rather than guiding it more purposefully.

A nation with a long tradition of citizen activism for change cannot remain oblivious to the power of this law, though; and glimmers of light give us hope.

Our optimism is based on a few positive albeit faint developments. The number of RTI requests in the country has risen slightly, and more than 90 percent of the 12,000 plus annual RTI applications reportedly receive positive responses.

We have seen how over the years, the RTI has been used to promote transparent disbursement of funds under the government's SafetyNet programmes for vulnerable populations. Government scholarship programmes for students have also benefitted. More recently, there is a noticeable trend to use the law for seeking information on tendering processes, pension disbursements, police work, sanitation work, construction projects and the like. The largest users of such requests are still limited to the more disadvantaged, lower-income, and semi-urban population groups, who are being helped by a number of dedicated NGOs. Fortunately for the nation, the latter have continued to promote use of the law under their respective mandates including poverty alleviation, environment and climate change, land rights, gender issues etc.

Hopefully, the use of the law will grow to requests which go beyond personal needs and transparency—requests for easily available open-source information—to actually improve governance by holding officials accountable.

Topping it all are some positive developments on the supply side. In our last column, we referred to government efforts to track implementation of the RTI Act through several committees set up

at different levels of the administration. Although not much is known about their outcome, they appear to indicate a trend, however feeble, in the supply side to nudge the law forward.

Similar trends are also reflected in NGO reports. One such report on a meeting in Dinajpur last month, which brought a large number of RTI users and public officials together, is particularly reassuring. A senior official of the district lamented that while government officials were trained and prepared to respond to citizens' RTI requests, the latter appeared unprepared to utilise them fully. He underlined many shortcomings in the applications, including unclear identification of the information sought and procedural mistakes in their submissions, resulting in the rejection of many requests.

Another senior official promised a quick update to his office's outdated website and provided assurances that the names and particulars of Designated Officials, often very difficult to obtain, would be properly displayed at prominent spots in his office. An Assistant Judge confessed that though many government officers had received training, "they hardly understood the true spirit of the RTI law (and) always looked for opportunity to evade compliance." The district Fisheries' Officer opined that effective implementation of the law required the demand and supply sides to work together and help each other.

Such positive sentiments reveal some light at the end of the tunnel. They also indicate the growing maturity of both the demand and supply sides of the law. This has been possible largely due to increased interaction between them, aided by the efforts of many individual RTI workers and persistent efforts of many NGOs, both to spread awareness about the law and assist users to apply it more efficiently.

The narrowing of the perception gap between citizens and public authorities on RTI is cause for rejoicing. It is time that other citizen groups, particularly those from the more educated and socially aware sections, recognise that the RTI Act has opened a new opportunity for them to play a constructive role in making public offices accountable to citizens. By not playing that role they are, in effect, reneging on their obligations as responsible citizens.

In economic theory, the market price of a product is determined at a point where the forces of supply and demand meet, which is called equilibrium. For the RTI Act to reach such equilibrium, there must be constant and regular interaction between information-providing supply side and information-seeking demand side. This is indeed the ultimate goal of all RTI laws.

Shamsul Bari and Ruhi Naz are Chairman and RTI Coordinator respectively of Research Initiatives, Bangladesh (RIB). Email: rib@citech-bd.com