

## **CITIZEN ENGAGEMENT IN DRIVING SUCCESS OF FREEDOM OF INFORMATION LAWS: WHY IT MATTERS? A BANGLADESH PERSPECTIVE**

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### **ABSTRACT**

This article addresses the topic of the "right to access information" and the implementation of Freedom of Information (FOI) laws. While the adoption of legislation on access to information has been widespread, there is a lack of conclusive research on the factors contributing to the success of FOI laws. The paper emphasizes that policies alone cannot guarantee success and examines various collective factors that influence implementation, such as policy objectives, resources, capacity of implementers, administrative culture, and inter-organizational coordination. It specifically focuses on the context of Bangladesh, where poor implementation is often attributed to factors like limited capacity, administrative culture characterized by poor governance, and lack of coordination. The paper highlights the importance of citizen engagement in effectively utilizing FOI laws, driving awareness, advocating for services, ensuring compliance, and holding public bodies accountable. The role of citizen involvement in the success of FOI laws in Bangladesh is emphasized throughout the paper.

**Key Words:** Freedom of Information, Policy Implementation, Citizen Engagement

### **Introduction**

In the last few decades 'right to access to information' has been widely discussed all over the world (Ackerman and Sandoval-Ballesteros, 2006; Relly and Sabharwal, 2009).<sup>1</sup> Many countries across the world has adopted legislation on people's right to obtain information held by public agencies (Ackerman & Sandoval-Ballesteros, 2006; Banisar, 2006; Cain, et.al., 2003). Even though right to access information as an independent field of research is growing, a significant number of these literature is about commentaries on the legal texts focusing on the literal interpretation of laws or deals with the question-what makes so many countries to introduce the law rather than contributes to a successful FOI regime (Darch and Underwood, 2009; Calland,

2007). What is an effective approach for the success of FOI law or what is most important for a FOI law to succeed, is a puzzle that is inconclusive and underemphasized in FOI literature (Mendel, 2008). Policies are made with particular objectives in mind which can be addressing some social issues or promote change to achieve desired outcomes (Hill and Hupe, 2008). However, a policy itself cannot guarantee success as its achievement largely depends on how it is translated into action (Calland, 2010). What can possibly lead to the successful implementation of a policy, is debated. Scholars like Pressman and Wildavsky, Bardach, Van Meter and Van Horn, Kaufman, King and Etzioni argued there is nothing as perfect implementation as often a success or failure depends on a set of collective factors and these can vary from one situation to another (Etzioni, 1964; Pressman and Wildavsky, 1984; Kaufman, 1976; Bardach, 1977; Horn and Meter, 1975; Kaufmann, 1971). These factors may include policy objectives and standards (Meter and Horn, 1975), resources (Grindle and Thomas, 1991; Hogwood and Gunn, 1985), capacity of policy implementers (Winter, 2003)<sup>2</sup>, disposition of implementers (meter and Horn, 1975), administrative culture and trust (Jamil, 2002), inter-organisational coordination and communication (Sabatier, 1979; Meter and Horn, 1975), implementation structure (Winter, 2003)<sup>2</sup>, socio-economic conditions (Sabatier and Mazmanian, 1983; Meter and Horn, 1975), disposition and capacity of implementers (Meter and Horn, 1975), target group behavior (Winter, 2003; Meter and Horn, 1975; Skodvin, 2010), and valid causal theory (Brynard, 2009). In the context of Bangladesh, the most frequent reasons that have led to poor implementation of policies are capacity and disposition of implementers, administrative culture characterized by poor governance, lack of transparency and accountability, inadequate resources, absence of coordination (Ahmad, 1991; Aminuzzaman, 2013; Chowdhury, 2002; Chowdhury, 2009; Chowdhury, 2005; Shahriar and Mahmud, 2015; Jamil and Panday, 2008; Jamil, and Panday, 2011; Panday, 2007; Zafarullah, 2007; Zafarullah and Banik, 2015).

For Freedom of Information (FOI) laws, how target groups are responding, directly affects the implementation, effectiveness, and impact of these laws (Calland, 2010). Understanding of how to effectively utilize FOI laws to obtain the information and their involvement in exercising their rights to access information and can drive the implementation and enforcement of FOI laws (Roberts, 2002). Better understanding of procedures and FOI submission process can accelerate the response and increase the likelihood of obtaining the desired information (Nueman and Calland, 2007). People's involvement can drive awareness, generate public demand, facilitate advocacy initiatives for services and entitlements, manage and monitor compliance and hold public bodies accountable (Roberts, 2002; Nueman and Calland, 2007). This particular paper unveils the crucial role of citizen engagement in driving the success for Freedom of Information (FOI) Laws in Bangladesh.

## **Methodology**

The paper uses a case-oriented qualitative approach. A case study research deals with what and why questions on contemporary issues (Yin, 2009)<sup>3</sup>. The introduction of the Right to Information Act, has been well anticipated with an objective to bring about transparency by making public information accessible to common people. It was an important and contemporary issue that needed in-depth and holistic understanding about the main areas of investigation. A case oriented qualitative research suited the investigation the most (Creswell, 2009).120 respondents of different groups were interviewed via an open-ended and semi- structured questionnaire. Alongside, 15 FGDs have been conducted where the researcher has neither had control over the respondents nor had any influence on their views over the issue. The paper also reviewed relevant documents and analysed. Data from both primary and secondary sources were analysed and triangulated to draw conclusion on findings.

## **Concepts in Use**

### ***Information***

Information means any memo, book, design, map, contract, data, logbook, order, notification, document, sample, letter, report, accounts, project proposal, photograph, audio, video, drawing, painting, film, instrument s made electronically, machine readable record and documentary regardless of its physical form or characteristics in relation to the constitution, structure and official activities of any authority (The People's Republic of Bangladesh, 2009).

### ***Freedom of Information***

‘Access to information’ as a terminology is often interchangeably used as ‘Access to Information’, ‘Information Access’, and ‘Freedom of Information’ and ‘Right to Information’ (Blakemorea and Craglia, 2006; Burnett and Jaeger, 2008; Gary Burnett, 2008; Jaeger, 2007; Smith, 1995) . Broadly, the term ‘Freedom of Information’ refers to people’s right to seek public information, and holding public bodies responsible for responding back and providing with required information unless there is a legally compelling reason to refuse the request ( Mendel, 2008). Public information can be made accessible proactively or upon written or verbal request (Burnett and Jaeger, 2008).

### ***Public Policy***

Public policy involves a set of decisions, actions, guidelines and initiatives that governments and public authorities take to address a particular issue or problem that influence various different aspects of public life (Hawlett, et.al. 2012). A policy may encompass laws, regulations,

and programs to achieve that objective. A policy making a systematic process of identifying problems, formulating policies, implementing and evaluating measures taken to address the problem (Lester, 1978; Hawlett). One of the most widely used definition on public policy is of Thomas Dye, according to which 'Public policy is whatever governments chose to do or not to do (Dye, 1972). Many consider the definition narrow and simple to define a complex concept (Jenkins, 1978; Anderson, 1984). Jenkin introduced a broad definition where he considered public policy as a set of interrelated decisions undertaken by a political actor or group of actors to achieve a set of goals and the means of achieving those within a particular situation (Jenkins, 1978). In similar lines, Anderson considered public policy as actions taken by actors or a set of actors to address a particular problem (Anderson, 1984). By summarizing the above discussion it can be concluded saying that public policies are mandates to translate government decisions into action to achieve goals set to address issues that influence public life.

### ***Policy Implementation***

Policy implementation simply refers to a process to translate policies into an action for achieving a particular goal or objectives. Pressman and Wildavsky were among the early scholars to define policy implementation when they considered it as a process of interaction between set goals and actions in achieving those (Pressman and Wildavsky, 1973). Meter and Horn defined it as a set of actions taken by individuals of both public and private spheres to achieve policy objectives (Meter and Horn, 1975). Mazmanian & Sabatier considered it as an event(s) and activities to achieve policy objectives and directive issued in the form of executive orders or court decisions to address particular problem (Mazmanian & Sabatier, 1983).

Policy implementation is a critical determinant of policy success, as it bridges the gap between policy formulation and tangible outcomes (Hill and Hupe, 2008). The effectiveness of policy implementation is influenced by a myriad of internal and external factors that interact within the implementation process (Winter, 2003). Insufficient clarity and coherence pose significant obstacles, impeding the successful execution of policies (Meter and Horn, 1975). Moreover, policies characterized by unrealistic expectations and intricate complexities present formidable challenges, hindering their implementation and compromising their potential for success (Hogwood and Gunn, 1985). Political commitment emerges as a key driver for bolstering implementation efforts, as it sets the tone for prioritizing and resourcing policy execution (Sabatier and Mazmanian, 1983). The provision of adequate financial, human, and technological resources assumes paramount importance, underpinning the operational capacity required for successful policy implementation (Grindle and Thomas, 1989). Clear delineation of roles and responsibilities, along with effective coordination among diverse agencies and departments, serve as foundational elements for achieving implementation success (Meter and Horn, 1975). Within the realm of policy implementation, stakeholder engagement emerges as a

pivotal factor contributing to successful outcomes (Winter, 2003). By involving stakeholders, policy ownership, trust, and collaboration are nurtured (Winter, 2003; Meter and Horn, 1975). This is facilitated through the dissemination of comprehensive information and the cultivation of awareness regarding the policy's significance, provisions, and implications. Furthermore, a nuanced understanding and consideration of the behaviours exhibited by target groups are of utmost importance, as policy effectiveness hinges upon the extent to which the target population embraces, complies with, or rejects the policy (Winter, 2003; Meter and Horn, 1975). Engaging the target population fosters a sense of ownership and commitment within the group, heightening the prospects of successful policy implementation (Winter, 2003).

By summarizing Horn and Meter, Winter, Sabatier and Mazmanian, Grindle and Thomas, Hogwood and Gunn arguments what influences policy implementation outcomes, it can be said that recognizing the significance of policy implementation as a driver of policy success necessitates a comprehensive understanding of the multifaceted factors influencing its performance. By ensuring policy clarity and coherence, and resource allocation, and by fostering political commitment, stakeholder engagement, and an understanding of target group behaviour, successful policy implementation and translating policy intentions into tangible outcomes can be achieved.

### **FOI Law in Bangladesh: Background**

The journey towards a FOI Law began in 1983, when the Bangladesh Press Council first asked the government to government information accessible to the public (Anam, 2012). But, it was turned down and the demand did not get the momentum to flourish (MRDI, 2013). However, in the mid-90s, some discussions were started to take place at different corners in various forums on public accountability and transparency (Anam, 2012). It was a phase when there were a lot of criticisms on country's incapability to control deep rooted corruption in the late 1990s to early 2000s. Bangladesh had become the most corrupt country in the world for five consecutive years from 2001 to 2005 (Halim, 2011). Various organizations started to raise their voice in favour of a FOI law (Anam, 2012). The Bangladesh Law Commission drafted a right to information act in 2002 (Anam, 2012). Unfortunately, it was never enacted. Later on, in the year 2006, as a result of a strong advocacy movement led by the civil society actors, the Caretaker Government took initiative to draft a FOI law through an ordinance named the Right to Information Ordinance was enacted in 2008 (Iqbal and Dey, 2012; MRDI, 2012). 'The Right to Information Act-2009' newly was finally introduced by the newly elected government as a mandate to bring in government transparency and reduce corruption (Panday and Rabbani, 2010). It was a milestone for Bangladesh towards bringing in a system to ensure public transparency by making public information accessible to common public.

## **State of Implementation of FOI Law in Bangladesh**

Proactive disclosure is a key principle of a FOI law where whoever needs information can have access to information regardless of their social, economic or political identities, without having to ask the respective public authorities or private authorities<sup>4</sup>. According to Section 6 of the RTI Act ‘every authority shall publish and publicise all information relating to any decision taken, proceeding or activity executed or proposed by indexing them in such a manner as may easily be accessible to the citizens. No authority shall conceal any information or limit its easy access.’<sup>5</sup> Also, the costs of publication shall be made available at no or reasonable cost to the people and all the publications shall be made available through multiple means of communication.<sup>6</sup>

The study looks into the websites, noticeboards, billboards, annual reports, training manuals, circulars and forms, reviewed and analysed to what extent information related to organisational structure and services are disclosed and published on a regular basis. Also, the study gathered information about public meetings and how these events have been taken place. The study finds that at the local level, information are not regularly published and updated. Apart from some basic information about local government structure such as information about members and committees, and contact numbers of government officers, not much of information is available at the local level. Information about various government projects, allocation of funds, selection criteria for various social safety net schemes, special projects and services were often remained unavailable.

For instance, Embarking on a mission to tackle climate change adaptation in the Godagari Upazila, a recent project encountered an unexpected hurdle—insufficient access to information. Bangladesh, recognized as the world's second most vulnerable country to the impacts of climate change, has taken decisive action by establishing the Bangladesh Climate Change Trust Fund (BCCTF), a substantial initiative valued at USD 345 million. Within the Barind Tract Region of the Rajshahi district lies Godagari, a sub-district grappling with the harsh repercussions of climate change. Escalating temperatures and erratic, unpredictable rainfall patterns have become the new norm, with the mercury soaring to a scorching 41°C and rainfall dwindling to a mere 672 mm over the past decade. This hostile environment has transformed Godagari into one of the driest regions in the vicinity, plagued by severe droughts. Rising to the challenge, the Barendra Multidimensional Development Authority launched an ambitious irrigation and environmental development project with a budget of BDT 15 million. The project aimed to excavate new canals and rehabilitate existing ones, utilizing surface water for irrigation to alleviate the strain on underground water resources. Remarkably, the project achieved this objective, successfully mitigating the demand on dwindling groundwater reserves. However, a survey conducted by the Sachetan Nagarik Committee (SANAC) and Transparency International Bangladesh (TIB) among local farmers in Godagari uncovered disconcerting revelations. Astonishingly, 52 percent

of respondents were unaware of the project's existence, while a staggering 95 percent remained oblivious to the benefits it promised to bring. Additionally, there was a glaring absence of a designated officer available to address public inquiries regarding the project. This oversight runs contrary to the stipulations outlined in subsection 3(2) of the Right to Information (Publication and Publicity) Regulation 2010, which mandates that any project involving government funding must prominently display relevant information in a publicly accessible location.

Regrettably, the survey further revealed a dearth of project-related information provided to the public, apart from a mere mention of the project's name near the canal. No open discussions were held with the public prior to the project's planning or implementation phase. This lack of transparency and the reluctance of the relevant authority to disseminate information contributed to a lacklustre participation rate among the target population and, ultimately, the project's unfortunate failure.

The episode serves as a poignant reminder of the indispensable role that transparent and comprehensive information plays in fostering public engagement and ensuring the success of critical endeavours. Moving forward, it is imperative that lessons are learned, and measures are implemented to prioritize the flow of information, empowering communities to actively participate and contribute to projects that hold the potential to bring about transformative change. Only through inclusive and informed decision-making can we overcome the challenges posed by climate change and secure a sustainable future for all.

According to the study's findings, a significant lack of awareness prevails among individuals regarding the procedural aspects of service delivery. This can be attributed to the absence of disclosed information or guidelines provided by the local government authorities at the community level. In depicting the state of disclosure, a local civil society representative aptly remarked:

I believe that information disclosure is important because it allows the public to access government services and helps marginalized groups. For example, Adivasi community in the region are socially and economically vulnerable. They do not have regular income and face difficulties in requesting information due to a lack of education. They also fear being rejected when they try to get information. However, when information about things like social safety net programs or land allocations is shared, it empowers the Adivasi community. It helps them exercise their rights and participate in state activities. Unfortunately, local institutions are hesitant to prioritize proactive disclosure.

At the central government level, a remarkable array of information is consistently disclosed, creating a landscape of transparency and efficiency. Websites are meticulously organized and

regularly updated, ensuring that citizens have access to the most up-to-date information. IEC materials, posters, t-shirts, banners, handouts, training modules, information sheets and brochures are regularly published. Describing the provision of such disclosure, the Information Commissioner eloquently stated:

The digitalization of numerous services has ushered in a new era of enhanced accessibility to government services. From paying taxes online to applying for National ID cards, admission forms, and even accessing secondary and higher secondary results, the power of the internet has revolutionized these processes. Moreover, many public universities have established free Wi-Fi zones, further bridging the digital divide. As we move forward in alignment with Vision 2021, the government is committed to bringing the internet to the doorsteps of every citizen. In doing so, e-governance will occupy a prominent position, playing a pivotal role in fostering good governance.

Proactive disclosure helps citizens to make informed decisions about various aspects of public life. However, the study finds that, while many actions are occurring at the central level, at the bottom levels where the information need is the greatest, there is no real effort to make the local administration stronger or encourage proactive disclosure of information.

Section 6(3) of the RTI Act unequivocally emphasizes the obligation of every authority to furnish an annual report encompassing a comprehensive range of vital information. This encompasses details regarding the authority's organizational structure, its diverse activities, the specific responsibilities entrusted to its officers and employees, the intricate decision-making processes it employs, as well as an extensive array of laws, regulations, notifications, directives, and manuals.

Moreover, the report must encompass the terms and conditions governing the provision of essential services, such as licenses and permits, outlining the precise procedures through which citizens may avail themselves of these services. To ensure utmost transparency and accountability, the report must also feature the names, designations, addresses, and other pertinent information regarding designated officers who hold pivotal roles within the authority. Additionally, in strict adherence to Section 6(4) of the Act, authorities are mandated to publish any formulated policies or consequential decisions they undertake. This imperative ensures that the public remains fully informed and apprised of the policies and decisions shaping their governance landscape. These provisions within the RTI Act bear immense significance as they serve as powerful instruments for upholding transparency and fostering citizen engagement. By adhering to these stipulations, authorities demonstrate their commitment to an accountable and participatory governance framework, bolstering public trust and fostering an environment conducive to a well-informed and empowered citizenry.

The study reveals that, at the central level, most departments diligently publish their annual reports as part of their regular practices. Furthermore, they have taken commendable steps in developing informative websites and ensuring the timely updating of information. These reports encompass a wide range of valuable content, including Acts and Ordinances, gazettes, proactive disclosure guidelines, regulations, newsletters, booklets, financial records, organizational structure, staff details, and the activities undertaken by various departments.

However, at the local level, there is a notable absence of evidence indicating that government departments are actively publishing similar reports. While local government institutions, particularly the Union Parishads, do prepare annual reports, they are not widely distributed or made publicly available unless a specific request is made. Additionally, these reports lack detailed descriptions of the institution's activities or provide insights into the decision-making processes concerning local-level activities and programs.

In relation to the Citizen's Charter (CC), this study reveals that not all government institutions display it at the local level. Furthermore, the participation of diverse groups representing different genders, races, ethnicities, and physical abilities in the formulation of the CC is noticeably absent. A significant majority of respondents reported a lack of involvement in the formulation or implementation of the CC, with one respondent stating, "none of our people has had the chance to participate in any of these events. In fact, I do not think they have any event as such."

Additionally, there is a lack of detailed information regarding the procedures, time frames, terms, conditions, and beneficiary selection criteria for social safety net services. Government institutions have made no noticeable efforts to educate the public about the CC's formulation and implementation processes.

The provisions outlined in Sections 6(5), 6(6), 8(1), 8(2), 8(3), 24(1), 24(2), 24(3), and 24(4) of the RTI Act delve specifically into the application process, cost implications, and procedures for appeals. Section 4 of the Act guarantees every citizen the right to request and obtain information from public bodies. A crucial aspect of this process is ensuring its accessibility and comprehensibility for both the demand and supply sides, with minimal or no associated costs. Timeliness is paramount, and in cases of delayed responses, the concerned authority is obligated to notify the applicant accordingly. Furthermore, it is imperative to minimize the occurrence of refusals for both oral and written information requests. Striving for a low refusal rate is essential in upholding the principles of transparency and access to information.

Sections 8(1), 8(2), and 8(3) of the RTI Act lay out the procedures for applying for information, either through the provided application form or in a prescribed format when the form is

unavailable. However, at the local level, there has been a strikingly low number of requests sent to the appellate authority. The study reveals that a significant portion of the population remains uninformed about the RTI Act and its application process, leading to reluctance in participating. The lack of experience in submitting written requests, coupled with the requirement for written applications, deters individuals, particularly those without a formal education, from engaging in the process. Moreover, the absence of available formats further hinders the submission of written requests at the community level. The study's findings demonstrate that information requests frequently experience delays or go unanswered, mainly due to information unavailability and inadequate record management practices.

In accordance with Sections 24(1), 24(2), 24(3), and 24(4) of the RTI Act, if an information request remains unanswered or the applicant is dissatisfied with the response received, they have the right to approach the appellate authority within 30 days. Upon receiving the application and determining its validity, the appellate authority can direct the officer in charge to provide the requested information. In cases where the application is rejected or not responded to, or if the appellant remains dissatisfied with the appeal decision, they have the option to file a complaint directly with the Information Commission within 30 days. The study highlights that 95 percent of the cases accepted by the Information Commission for hearing were successfully resolved, often resulting in the authorities being directed to provide the requested information. The Information Commission handles a wide range of information requests spanning various departments, with land management and registration, income and expenditure audits, development projects, and social safety net programs being the predominant subjects of inquiry. Additionally, requests related to exam results, advertisements, public discipline, and corruption also feature prominently in the information sought. Under subsection 11(b) of Section 25, the Information Commission has also fined authorities who were found guilty of noncompliance.

### **Freedom of information in Bangladesh: What went wrong?**

The implementation of the Freedom of Information (FOI) law in Bangladesh has been severely lacking, as evidenced by the absence of significant improvements in accessing information since its introduction. This section presents a compelling argument highlighting the key factors responsible for the failure to effectively implement the FOI law.

Firstly, the study reveals that the right to access information in Bangladesh did not arise from a grassroots movement but rather from a global initiative supported by NGOs and civil society during the late 1990s and early 2000s. Unfortunately, there exists a glaring lack of awareness and understanding of the RTI Act among the general population, posing a significant challenge to its inclusive implementation. The involvement of diverse stakeholders, including government officials, political parties, professional bodies, NGOs, media, and the public, is crucial for the

successful implementation of FOI laws. The study emphasizes the influence of various factors such as the behavior of the target population, frontline workers, civil society organizations (CSOs), and cooperation among different government units on the implementation process of the RTI Act.

Alarming statistics demonstrate the prevailing ignorance about the Act, with approximately 90 percent of those interviewed having never even heard of it. The Information Commission, responsible for raising awareness, has struggled to effectively reach the rural population, resulting in a lack of clarity and understanding regarding the functioning of the RTI Act. Fear of rejection and limited availability of information and services discourage people from engaging with government offices and participating in the process. Moreover, the requirement for written applications and the subsequent appeals process further dissuade individuals due to the associated time and monetary costs. The study supports the hypothesis that a more favourable attitude towards the RTI process positively influences its implementation.

Lack of cooperation and coordination among government agencies constitutes another significant obstacle to successful implementation. The top-down approach and inadequate communication with key stakeholders impede progress. The absence of direct supervision by the Information Commission and the lack of a monitoring system for RTI-related compliance further exacerbate the challenges. Local government administration is dominated by political affiliations and loyalties, leading to the non-disclosure of information that may reflect negatively on the ruling elites. Bureaucratic practices, an authoritarian culture within organizations, and the inaccessibility of government officials at the local level further hinder the implementation process.

The limited involvement of CSOs, particularly NGOs, in raising awareness about the RTI Act is identified as another contributing factor. Despite the substantial number of registered NGOs in Bangladesh, only a few prioritize RTI-related issues. Media coverage is insufficient, with minimal efforts made to create mass awareness. Consequently, CSOs have failed to effectively engage the public in exercising their right to access information and holding representatives accountable.

The design of the Act itself has a profound impact on its implementation. The study identifies areas within the RTI Act that lack clarity and contain contradictions, causing confusion among those responsible for its implementation. Ambiguous terminologies, contradictory provisions regarding disclosure, and the absence of harm or public interest tests are some of the shortcomings identified. Institutional capacity plays a vital role in successful implementation, yet public authorities, apart from the Information Commission, receive insufficient funds for RTI-related activities. Inadequate infrastructure, ineffective record management systems, outdated

websites, and the absence of help desks at the local level further impede implementation efforts. The study concludes that public institutions, particularly at the rural level, lack the capacity to successfully implement the RTI Act.

In addition to these challenges, social, economic, and political factors significantly influence the outcomes of implementation. Gender inequality, lack of education, social class systems, and the influence of local elites are identified as contributing factors. Rural women face limited involvement in financial activities and restricted mobility, resulting in limited opportunities to learn about the RTI Act. Widespread illiteracy in rural areas contributes to a lack of awareness among the majority of the population.

In light of these issues, it is evident that the implementation of the FOI law in Bangladesh has been hindered by a combination of factors ranging from a lack of awareness and understanding among the population to inadequate institutional capacity and design flaws within the Act itself. Addressing these challenges is crucial for realizing the true potential of the RTI Act and ensuring transparency, accountability, and access to information for all citizens of Bangladesh.

### **Why Citizen Engagement Matters for the Success of FOI In Bangladesh?**

The significance of the target population and their active participation in policy implementation is often overlooked in policy implementation studies. However, it is crucial to recognize that successful policy implementation relies on the engagement and understanding of the target population. Scholars such as Skodvin, Hill, Hupe, Ryan, and Winter have emphasized the importance of involving target groups in the implementation process, asserting that effective implementation is impossible without their active engagement.<sup>7</sup> In the case of Bangladesh, studies have demonstrated that the behavior and perception of the target population regarding the policy and the implementing agency play a pivotal role in achieving successful implementation<sup>8</sup>.

Considering that the majority of Bangladesh's population resides in rural areas, it is imperative for people to be aware of the services available at government offices, particularly those offered by the Union Parishad and Government Line Agencies. Previous studies have indicated that ordinary citizens possess limited knowledge about government projects.<sup>2</sup> The RTI Act empowers individuals by granting them legal entitlements to access information about these projects and hold authorities accountable. Therefore, it is crucial for people to be informed about the Act and utilize its provisions. However, empirical evidence reveals that despite being enacted in 2009, the majority of the population remains unaware of the Act or lacks understanding of its functioning. Table 1 demonstrates that a staggering 84 percent of the respondents interviewed for this study had not heard about the Act. A local respondent aptly stated the challenges faced by rural communities, saying:

"We are farmers, we work in the field, grow crops, and that is how our family survives. That has been the case for so many of us for generations. Usually, if there is something happening in the Union Parishad, we come to know about it through our members. Unfortunately, we have not heard about such a law. Even if we were aware of it, it would be difficult for us to apply it as most of us cannot read. Many of us have not even attended school. Additionally, we lack the capacity to comprehend how these things work. Unless our local representatives or someone knowledgeable about it assists us in understanding, it is challenging for us to navigate and benefit from it."

These statements highlight the practical difficulties faced by rural communities, such as limited education, illiteracy, and a lack of access to information. In order to bridge this gap, it is essential to raise awareness about the RTI Act and ensure that the target population understands its purpose and mechanisms. Only then can they actively engage with the Act and exercise their rights to access information, fostering transparency, and holding authorities accountable.

**Table 1: Are you familiar with the RTI Act?**

Are you familiar with the RTI Act?	
Are no familiar with	42 (84%)
Fimiliar with	08 (16%)
No comment	–
<b>Total</b>	<b>50 (100%)</b>

Source: Based on researcher’s study in 2020

Raising public awareness and actively engaging them in the implementation process is an arduous undertaking. Despite the Information Commission's efforts to conduct training sessions and awareness-building events, their impact has been minimal due to their limited frequency. The study finds that government initiatives to raise awareness about the RTI Act have been inadequate, particularly at the local level. A staggering 80 percent of the respondents stated that no attempt was made to provide them with knowledge about the Act, as illustrated in Table 2. One local respondent aptly expressed:

"The majority of individuals in rural areas, including farmers and day labourers, rarely visit government offices unless they are specifically informed. It is challenging for us to be aware of a law that grants citizens the right to request information unless it is actively communicated to us. While there are several NGOs working in our area, most of them primarily focus on credit operations and maintain forums for engagement. There is only one organization that works directly with local government, and they conduct some training

programs. However, I have no knowledge about the selection criteria for participants or who has actually received training. Unfortunately, we have not been provided with any training or programs specifically related to the RTI Act."

This statement sheds light on the situation faced by individuals in rural areas, where limited access to information and resources poses significant challenges. It highlights the lack of awareness among rural communities about the existence and provisions of the RTI Act. The absence of comprehensive training programs and information dissemination efforts has left these individuals uninformed and excluded from exercising their rights under the Act.

**Table 2: What could be the reason for your lack of awareness of the Act?**

What could be the reason for your lack of awareness of the Act?	
Lack of initiatives by government	36(72%)
Lack of initiative by NGOs and Others	8 (16%)
Not interested	6 (12%)
<b>Total</b>	<b>50 (100%)</b>

Source: Based on researcher's study in 2020

A lack of knowledge and understanding about the RTI Act means the public is disengaged from submitting written requests or asking for particular information. They are reluctant to make an effort to hold public offices accountable. There is also the fear they will offend political elites or the representatives in charge of public institutions if they make queries about government projects or ask for particular information such as a list of beneficiaries, selection criteria, or funds and allocations for specific projects. Such findings are substantiated by a local community member, who said:

Ever wondered about those burning questions that could be of great importance to you? The ones you're dying to have answers to but hesitate to ask your representatives directly? Let me give you an example: I'm genuinely curious about the process behind finalizing the list of beneficiaries for the Old Age Allowance this year. It's no secret that there have been some questionable practices, where certain individuals manage to secure a spot for their preferred candidates. Sadly, we can't raise complaints or question their motives, as doing so might risk straining our relationship with them. The last thing we want is to be perceived as opponents. Unfortunately, this situation dramatically decreases our chances of being included in the coveted list.

The study also finds that there is unwillingness among the local community to visit public offices

(see Table 3). As many as 72 per cent of respondents said that they hardly ever visit public offices, whereas only 18 per cent visit these offices on a regular basis.

**Table 3: How frequently do you visit public offices?**

How frequently do you visit public offices?	
Regularly	9 (18%)
Occasionally	5 (10%)
Hardly	36 (72%)
<b>Total</b>	<b>40 (100%)</b>

Source: Based on researcher’s study in 2020

The data reveals a striking reality: a staggering 61 percent of individuals who do not frequently visit public offices express their dissatisfaction due to the failure of these institutions to fulfil their expectations, while an additional 31 percent simply lack the desire to set foot in these places (see Table 4). It is evident that the unavailability of services and the absence of crucial personnel within public offices significantly impede people's active involvement.

One local respondent, shedding light on the reasons behind this lack of visitation, astutely points out a critical drawback: the glaring lack of resources plaguing local public bodies such as Union Parishad. Crippled by insufficient funds and subpar infrastructure, these institutions find themselves incapable of providing the full range of services and essential information that individuals yearn for. However, it is crucial to note that an opportunity for reform exists through the avenue of transparency. Presently, these public bodies are engaged in projects financed by both the government and non-governmental organizations (NGOs). By proactively disclosing comprehensive information about these projects, the public will become more aware of their existence. Consequently, an increase in footfall to local government institutions can be expected, bolstering community participation in the overall decision-making process.

**Table 4: What is the reason behind your decision of not visiting public offices?**

Do not find the information/services seeking?	22 (61%)
Do not feel interested	10 (32%)
Others	2 (7%)
<b>Total</b>	<b>28 (100%)</b>

Source: Based on Researcher’s study in 2020

The prevailing situation extends beyond the Union Parishad (UP) as there exist government department offices that operate independently without direct accountability to the UP. These offices encompass vital sectors such as agriculture, livestock, youth development, health, and family planning. The absence of accountability in these offices manifests itself in the form of staff members disregarding official working hours and absconding without notifying UP representatives. This flagrant lack of responsibility leads people to refrain from visiting these offices, well aware that their chances of receiving limited or no services are high.

Supporting this finding, a respondent astutely highlights one of the primary issues plaguing these offices. Designated personnel, especially in government departments such as agriculture, livestock, and youth development, are often nowhere to be found within their respective offices. For instance, if an individual requires a discussion with the Block Supervisor regarding agriculture-related matters, the availability of said officer remains uncertain. Faced with such uncertainty, people resort to alternative measures like communicating with the officer over the phone or, in more dire situations, seeking advice or obtaining necessary supplies from local dealers. This showcases the systemic inefficiencies and challenges faced when attempting to engage with these offices.

The lack of accountability within government departments, apart from the Union Parishad (UP), raises significant concerns. These departments, including agriculture, livestock, youth development, health, and family planning, operate without direct oversight from the UP. This absence of accountability has dire consequences, as staff members in these offices frequently disregard official working hours and remain absent without notifying UP representatives. Consequently, people are reluctant to visit these offices, fully aware that they will encounter limited or even non-existent services.

Supporting this finding, one respondent exposes a critical issue plaguing these government offices. Designated personnel, particularly in departments such as agriculture, livestock, and youth development, are often conspicuously absent from their offices. For instance, when seeking a discussion with the Block Supervisor regarding agriculture-related matters, uncertainty looms over the officer's availability. In such circumstances, individuals are left with few options, resorting to communication over the phone or, in the worst-case scenario, seeking assistance and advice from local dealers. This highlights the systemic inefficiencies and challenges faced when attempting to engage with these offices.

To ensure the effective implementation of the Right to Information (RTI) Act, it is imperative that the public not only comprehends and embraces the law but also possesses the capability to utilize it when necessary. It reflects a failure of institutional mechanisms when individuals remain disengaged and lack the knowledge to exercise their rights effectively. As evidenced by

the study, the implementation of the RTI Act will face substantial hurdles unless participation is inclusive and encompasses all segments of society.

The study uncovers an intriguing insight into the lives of the majority residing in rural areas: they are primarily agricultural workers belonging to low-income groups. Their daily focus revolves around earning a livelihood to support their families. As a result, their attention towards activities transpiring within public offices remains relatively limited, unless a situation arises directly impacting their lives, such as road infrastructure, relief efforts, or government social safety net schemes.

To ensure the successful implementation of the Right to Information (RTI) Act, local public institutions and offices must take proactive measures to bridge the gap with the people. It becomes crucial to convey to individuals that they possess an inherent right to access information and empower them to exercise this right. Unfortunately, these agencies have yet to make any significant efforts in this regard.

In the event that a person's request for information faces denial, they do have the option to register an application with the appellate authority, situated either at the sub-district or district level. However, this process comes at a cost in terms of both time and money, as it necessitates visiting offices located in other areas. Understandably, this deters many individuals from pursuing their requests further, as they harbor doubts regarding the receipt of the desired information.

Addressing these challenges and fostering a more engaging environment between public offices and the public is vital for an inclusive and effective implementation of the RTI Act. It is crucial to alleviate the burden on individuals and create a streamlined process that encourages and assures them of access to the information they seek.

### **Discussion and Concluding Argument**

Referring back to Winter, Meter, and Horn's research, as well as Sabatier's work, the case for the influence of the target group in policy performance becomes even more compelling. These studies emphasize that in order to achieve successful policy implementation, securing the support and cooperation of the target individuals or groups is an absolute necessity. However, when we examine the impact of the Act aimed at ensuring transparency and reducing corruption through better access to public information, it becomes evident that the desired change has not been realized.

The study reveals a striking finding – a lack of citizen engagement in the implementation of the policy. In fact, a majority of the population surveyed were not even aware of the policy or its implications regarding access to information. Consequently, there has been a significantly low

number of applications registered since the Act was enacted. Moreover, there has been a noticeable decline in people's interest to visit public offices for services and information. This finding aligns with Calland's claim that well-crafted policies and comprehensive implementation plans can fall short if the target group does not comply with them.

The enactment of the Freedom of Information (FOI) law in Bangladesh has failed to resonate with the aspirations of the people, ultimately leading to a lack of ownership and commitment within the target group. By examining the history of previous policies introduced with high expectations but ultimately failing to live up to them, it becomes evident that the lack of participation and engagement of citizens cannot be overlooked as a major contributing factor to policy failure.

In conclusion, for a FOI law to be successful, it is crucial to actively engage the common people. Without their active involvement in holding public bodies accountable for the services they promise to deliver, the very purpose of the law becomes unattainable. The experiences and findings from this case study provide valuable lessons for policymakers, emphasizing the need to prioritize citizen engagement and participation in the design, implementation, and monitoring of policies. Only through such inclusiveness can policies truly fulfill their intended objectives and bring about the desired societal changes.

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