

## Let people know



ANM NURUL HAQUE

### BY THE NUMBERS

What is crucial for an effective RTI is that the government functionaries must be well equipped to cater to the people's need for information. Creation of an information bank and information dissemination system at offices, and proper training of officials, is a must to cope with the situation.

THE much-awaited Right to Information (RTI) ordinance 2008, aiming to ensure people's right to information and to establish good governance in government offices and NGOs -- increasing transparency and accountability -- got final approval of the council of advisers on September 20.

New posts will be created in most of the government offices and NGOs, and the officials holding those posts will be basically responsible for providing people with the information within 20 days of receipt of application. In issues concerning a person's life and death, or arrest and release from jail, the official will have to provide primary information within 24 hours.

Academics, intellectuals, journalists, businessmen and civil society members had stressed the need for discussing the matter with political players who will ultimately implement the law. Though the information ministry organised discussions to get recommendations from the eminent citizens on the draft RTI ordinance before giving it a final shape, it did not feel the necessity of discussing with the political leaders.

The RTI ordinance with 36 sections, and a schedule of six security and intelligence agencies which cannot be asked for information, also has a list of about 20 exemptions from disclosure of information.

The security and intelligence agencies are National Security Intelligence (NSI), Directorate General of Forces Intelligence

(DGFI), Military Intelligence Directorate, Special Security Force (SSF), Criminal Investigation Department of Police (CID) and Central Intelligence Cell of the National Board of Revenue.

The most frustrating part of the RTI Ordinance is the exemption of all the six security and intelligence agencies from its purview, which is inconsistent to democratic dispensation. There is no denying that some of the agencies are often accused of overriding their jurisdiction.

Information related to state security, sovereignty and dignity should be exempted from disclosure. But the list of exemptions is too long. The people must have the right to know everything except the issues involved with state security. Exemption from disclosure of information counter to "public interest"

should be deleted as it goes against the spirit of the ordinance.

According to the RTI ordinance, the president of the country will appoint a chief information commissioner and two commissioners on recommendation of a search committee headed by a judge of the Appellate Division of Supreme Court, having the cabinet secretary, two MPs -- one each from the treasury and opposition benches -- and an eminent citizen as members.

The information commissioner's independence may be hampered because of the budgeting process stipulated in the RTI ordinance. The information commissioner must be granted full autonomy to recruit and remove its staff and to place its own budget directly to the parliament instead of going through the ministry. Otherwise, the commission will be a toothless one.

The information commission is empowered to impose a fine of Tk 50 for each day's delay, and a total fine not exceeding Tk 5,000, if any assigned officials fail to provide information to an information-seeker within the specified time.

The independent information commission formed by the ordinance must make it clear that aggrieved members of the public can seek enforcement of their "right to know" only through it. It should be considered as a criminal offence to destroy data for which a valid request is made.

What is crucial for an effective RTI is that the government functionaries must be well equipped to cater to the people's need for information. Creation of an information bank and information dissemination system at offices, and proper training of officials, is a must to cope with the situation. Freedom of Information Act in UK took five years after its approval to come fully into force in 2005.

According to the UK's freedom of information laws, anyone of any nationality, living anywhere in the world, may request for information held by more than one hundred thousand public authorities and other designated non-governmental organisations in UK and expect an answer within 20

working days, usually free of charge.

Most of the central government departments in UK are now well geared up with a mass of easily accessible information already on their websites. India has also implemented its RTI laws by successfully creating information bank.

It is a commendable development that the CTG has finally approved the RTI Ordinance-2008, which apparently meets one of the long-standing aspirations of the people. But implementation of the RTI laws remains a big hurdle to cross as a change in the mindset of all the government functionaries is needed to provide people with information affecting their lives and livings.

Many people are suspicious about the sincerity of the officials to be assigned to provide information to people, as the officials are accustomed to act as a barrier between the government and the people because of their bureaucratic breeding.

Certainly, the RTI Ordinance bears significance for a country like Bangladesh, where peoples are struggling to strike a balance between administrative transparency and accountability and their access to information. The RTI and good governance are intertwined



aspects of same factor, i.e. a driving force in democracy.

But the RTI Ordinance cannot be meaningful unless a culture of seeking information can be developed in the society. In a country like ours, where a high rate of illiteracy exists, RTI would have a very little impact if common people are not acquainted with the procedures of seeking information. The media, NGOs and human right organisations can play this vital role by arranging campaigns to educate common people on how to exercise the right.

The RTI is a cardinal necessity

for good governance, and the whole mechanism of governance in the country has been vitiated owing to lack of it. The successive political governments did not make RTI laws as the vested interest groups had always influenced them with a view to keeping their misdeeds hidden. The onus now lies on the next elected government to make the RTI fully effective as soon as it takes oath of office and settles down.

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## Concept of national security

The traditional power politics approach has limitations because it does not take into account non-military challenges to security, such as political, economic and social. Threats to a state may come from within itself. Ethnic or religious conflicts, bad governance, economic insecurity and lack of social cohesion may undermine the existence of a state.

S.M. PERVEZ

TODAY, security is a multidimensional concept. The traditional power politics approach has limitations because it does not take into account non-military challenges to security, such as political, economic and social.

Threats to a state may come from within itself. Ethnic or religious conflicts, bad governance, economic insecurity and lack of social cohesion may undermine the existence of a state. For instance, the Soviet Union disintegrated not from war or external threat but from non-military pressures, including the economic and

political system. The failure to foresee such metamorphosis indicates that too much emphasis was laid on external threat.

### Non-military factors of national security

Although military power has a place in bringing stability in international relations, it has to be complemented with new approaches to security, such as the elimination of poverty, greater participation of people in national government, good governance, elimination of corruption in developing countries, and removal of inequality between rich and poor among, and within, nations.

Military power is only one of the

"pillars" on which state security is founded; the other four are political, economic, social and environmental. If any pillar is weak, it may adversely affect other pillars and may eventually undermine the security of the state.

Security depends to a great extent on how states resolve problems within their territories. For example, Bangladesh seceded from Pakistan because of Pakistan's mistaken policy of governance and suppression of political and economic rights of the people of the then East Pakistan.

### The transformation of national security

National security has undergone modification in the light of the

changing world. The world of the 21st century is characterized by four developments. One: Reduction of sovereignty and increasing role of inter-governmental organisations, including the UN. Two: Interdependence or interconnectedness of states because of economic globalisation. Three: Increase of low-level ethnic conflict and rise of nationalism in many groups within a state. Four: Attacks from non-state actors or terrorists.

The reason for change the concept of national sovereignty is the increasing number of inter-governmental organisations and transnational corporations intrude into activities that were once confined to the domain of states. The political boundaries of states have little relevance in the days of economic globalisation.

### Security of weak/small states

Weak or small states suffer from structural weaknesses -- political,

economic and social, which create insecurity for them. Newly independent states have not been able to develop strong political institutions, and the leaders are often dictatorial. They generally behave as though their countries and national resources were little more than their private property.

Small states are largely economically weak because their economic base is very narrow. The overwhelming majority of people live below the poverty line. Unemployment is chronic and disease and hunger are widespread. The gap between rich and poor is staggering. All these factors create frustration and instability.

It is argued in some quarters that economic dependence can lead to vulnerability by creating an opportunity for one state to dominate another, because it can be manipulated in such a manner that decision-makers have no option but to agree listen to foreign donors, even if their policies go against national interests in the long run.

However, there is another view that emphasises that free trade and economic interdependence promote peace, since states want beneficial economic relationship from joint enterprises. If economic relations are interconnected, they argue, war will be less likely because it will interrupt interconnected business and economy.

The Second Gulf War has given a serious jolt to security of small states. The world was sure that no war could be launched without UN approval, and the powerful states agreed under the UN Charter to refrain from armed attack unless they were attacked or under threat of imminent attack. This consensus was destroyed by the pre-emptive attack on Iraq.

The pre-emptive doctrine is dangerous because the distinction between "imminent threat of attack" and "capacity to attack" has been obliterated. This distinction is important for small states, otherwise they may be subject to unprovoked attacks by powerful states since they can no longer count on

the UN.

### Achieving security for weak/small states

Weak states have used various strategies for their security because they cannot be militarily powerful. A few small states adopt a deliberate policy of not arming themselves because they have no way to defend themselves against powerful states. For instance, Costa Rica has decided not to have an army, which deters powerful states from attacking.

Another means a few states adopt is distancing themselves from power politics. For instance, Myanmar did not become a member of the Commonwealth and withdrew from the Non-Aligned Movement. It remained aloof from superpower rivalry during the Cold War. It had maintained "correct" relationship with major powers.

Some states believe in the strategy of mobilisation of their entire adult population to fight against any armed attack. Switzerland has adopted this policy. Every Swiss

adult has to undertake compulsory military training and is allowed to keep weapons at home. The policy of neutrality and swift mobilisation of human resources provides security. This policy may be called a "strategy of maximum effectiveness at minimum cost."

Other states have concentrated on diplomacy as a tool to protect their security. They do not open embassies world-wide. They try to maximise their efforts to protect their economic and security interests by opening their diplomatic representations in the capitals of big powers. For instance, Singapore and Jamaica opened embassies in powerful countries and ignored the rest.

In the same way, for social and political stability, Bangladesh needs a limited modern and dynamic defense force, or it can choose any of the above strategies suited to its population and geographical location.

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## Nukes for India

Washington should remember that whatever it does, the Indians have no intention of giving up the limited nuclear deterrent they've possessed since 1974. Barring a global deal on nuclear disarmament -- which India, unlike most declared nuclear-weapon states, actually supports -- New Delhi will maintain its weapons and has both the technology and the natural resources (uranium) to do so on its own.

PHILIP GORDON

MORE than three years after it was first negotiated, the US-India nuclear deal has at last been sent to the US Congress for approval. The agreement is the final stage in a process designed to let Washington provide New Delhi with the civil nuclear technology and fuel that the latter has been denied ever since it first tested a nuclear weapon in 1974.

Every hurdle facing the deal -- approval by the fractious Indian parliament, the hammering out of a "safeguards agreement" with the International Atomic Energy Agency, and approval by the 45-member Nuclear Suppliers Group --

has been cleared save this one. US legislators are the only remaining barriers to greater US-Indian nuclear cooperation.

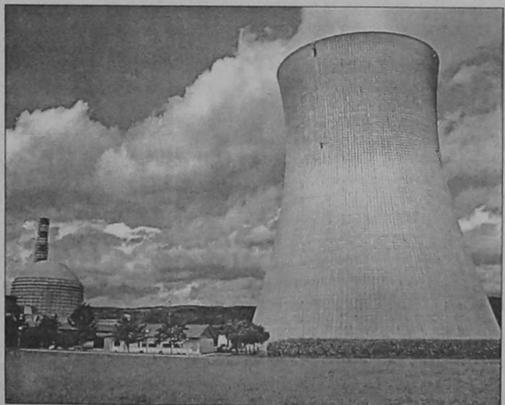
Congressional opponents of the deal -- echoing the arguments of many arms-control experts and some leading US editorial pages -- passionately insist that the pact brings little value and will blow a hole in the nuclear nonproliferation regime by authorising nuclear trade with India without requiring that New Delhi abandon its nuclear weapons or forego testing them.

But in fact, while hardly perfect, the deal has major advantages and limited downsides, and its rejection by the US Congress could actually undermine the

nonproliferation cause by transforming India from an emerging strategic partner into a resentful victim of what it sees as Western double standards.

Washington should remember that whatever it does, the Indians have no intention of giving up the limited nuclear deterrent they've possessed since 1974. Barring a global deal on nuclear disarmament -- which India, unlike most declared nuclear-weapon states, actually supports -- New Delhi will maintain its weapons and has both the technology and the natural resources (uranium) to do so on its own.

The issue is therefore not whether the world is going to allow India to keep its bombs, but whether the US and India are going



to reap the considerable advantages the pact would offer.

The Indian economy would benefit from the easing of restrictions on dual-use goods, while US companies would get to enter India's nuclear-energy market. Promoting civil nuclear energy in India as a clean alternative to coal

and oil would also help fight climate change.

As for the issue of weapons testing -- the main concern of the deal's opponents -- the reality is that New Delhi is more likely to sign the Comprehensive Nuclear Test Ban Treaty voluntarily if it feels like its being respected than if Washington

tries to make the treaty a condition for nuclear cooperation.

Congress's passage of the agreement would also be a major boon to America's burgeoning strategic relationship with India, a rising global power. In a world where nations pursue their interests first and foremost, one shouldn't overestimate the gratitude New Delhi will feel toward Washington, or the impact this will have on policy.

That said, it would also be a mistake to underestimate the degree to which Indians appreciate the Bush administration's efforts to end what New Delhi sees as deeply unjust nuclear constraints that have been imposed on them.

On a mid-September trip to New Delhi, Mumbai and Bangalore, the vast majority of Indians I spoke to voiced real gratitude for Washington's recognition of their democratic system, growing power, and good nonproliferation track record for more than 30 years. They will not soon forget the outcome of this vote, whichever way it goes.

Rejecting the deal at this point

would have the ironic effect of isolating not India but the United States. With the Nuclear Suppliers Group already having voted, at US behest, to lift its restrictions on civil nuclear trade with India, a Congressional rejection of the agreement now, would not end such trade but only deny US firms the opportunity to participate in it -- to the great advantage of Russian and French competitors.

The only way to change that would be to go back to the NSG and try to persuade it to reverse its recent agreement -- a move that would not only almost certainly fail, but also undermine the goal of improving US-India relations.

Opponents of the deal insist that its approval would send the wrong message to other countries that are currently threatening the nuclear nonproliferation regime, such as Iran.

In fact, the deal does not signal international indifference to proliferation. The pact shows that the international community is prepared to distinguish between countries that abide by, and are

increasing cooperation with, the nuclear nonproliferation regime -- like India -- and those that defy it.

Washington will also be better placed to solicit New Delhi's cooperation in efforts to contain Iran if the United States consolidates its strategic relationship with India, than it would be if Congress rejected the deal.

Walking away now would only revive all the old Indian complaints about "Indian apartheid" and encourage Indian solidarity with Iran.

In an ideal world, rejection of the nuclear deal would preserve the sanctity of the nuclear nonproliferation regime and make the world a safer place.

In the world we live in, however, it would do little to prevent nonproliferation and significantly harm India, the US, and their ability to do good things together.

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## Help, it's an aphorism attack

HELPI'm having an aphorism attack! Does this happen to everyone, or just me? I went from one side of the city to the other for a meeting yesterday. My bus was stuck in a jam and a Great Truism struck me: "The amount of traffic on the road is inversely proportional to how desperately you need to get somewhere."

When I finally reached my destination, I found I was the only one on time, although everyone else worked much closer to the meeting place. Another one struck me: "The nearest person arrives latest at the meeting."

The other day I was at the Venetian, a casino in Macau which I was told was the biggest building in Asia. It was massive. I soon detected another law of the universe: "Wherever you want to go in the Venetian, it's as far as possible from where you are, no matter where you are."

These days, one encounters loads of these, so here are 20 Aphorisms of Modern Life.

Any horizontal surface left long enough will grow a pile of paper.

If you are in a bad mood, all inanimate objects acquire the ability to move just enough to get in your way.

Cheques you write hide in the banking system until there is not enough money in your account, and then present themselves with a loud "Ta-da!"

The average person now has more remote controls in his house than there are objects to be remotely controlled.

If you drop some coins on the floor, the tiny worthless ones will stay at your feet, while the valuable ones will roll miles away and settle under a

Coke machine.

At banks or immigration counters, the other queue moves faster.

When a broken appliance is demonstrated for the repairman, it will work perfectly.

After you disassemble and reassemble any item, there will be one extra bit left on the desk.

The cost of the hairdo is directly related to the strength of the wind outside.

Any piece of wire or cable cut to length will be too short.

ately turn into legal battles.

Those who know the least will always know it the loudest.

If you say the words "Well, it can't get any worse," fate takes it as a challenge.

The only thing worse than losing a highly competitive tender is winning one.

You'll find something you've lost, and you'll find the original.

17. Washing machines will only ever eat one of each pair of socks.

turn the tap on.

Funny lists produced by columnists always have one item, which is just there for padding.

Or sometimes two.

Anyway, if anyone else has some truisms to add to this list, do send them to me. Readers of this website are surely smarter than most people, so I expect some gems. After all, one of the scariest rules of modern life is this one: "Common sense is surprisingly uncommon."

Add your own aphorisms by writing to our columnist via www.vittachi.com.