

Investigative Journalism and Right to Information

The News, August 29, 2007
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Notwithstanding relatively open debates on private TV channels which, in itself is quite a recent phenomenon, in Pakistan, since independence in 1947, the pattern of governance in a way remains plagued by a colonial mindset and shows an obvious lack of strong foundations for open, regular and liberal political discourse and governance. Furthermore, despite its key role in the recent lawyers' movement for the restoration of the Chief Justice of Pakistan, media, both print and electronic, in its role as the forth pillar of the state, has not used the existing freedom of information laws, in the shape of the Freedom of Information Ordinance 2002, at the federal level, and, the Local Government Ordinance 2001, at the district level, in order to make the political elite and bureaucracy accountable to the people by having access to public documents under these laws. Therefore, it is pertinent to analyse the linkages between democracy and the right to information and the role of media thereof.

The preamble of the Freedom of Information Ordinance 2002 and various provisions of the LGO 2001 pinpoint the linkages between access to information and transparency as well as public accountability. The preamble states: It is expedient to provide for transparency and freedom of information to ensure that the citizens of Pakistan have improved access to public records and for the purpose to make the federal government more accountable to its citizens, and for matters connected therewith or incidental thereto". Under section seven of the FOI Ordinance, citizens can have access to certified copies of policies and guidelines issued from time to time by federal ministries and their attached departments. Moreover, they can now demand, and get information about transactions involving acquisition and disposal of property and expenditure undertaken by a public body. Not only this, under the same section, citizens can claim information regarding grant of licences, allotments, other benefits, privileges, contracts and agreements made by a public body.

Lastly, we can now access to information about the final decisions that have been reached and orders that have been passed in different ministries and departments. Similarly, this theme is easily discernable in some of the provisions of the LGO 2001. Article 137 states: "Every citizen has the right to access information regarding any office of the district council, tehsil municipal administrations, and union administrations. All offices of the district council will provide the said information on receiving the relevant form along with the required fees unless the required information has been declared secret by law at that time."

Article 114 (4) says: "The district government will paste the details of its monthly and annual expenditures as well as other important reports at prominent places". In 2004, the federal government notified rules under this ordinance in order to facilitate the process of imparting information to the citizens.

In short, hitherto zealously guarded information can be had access to. Since, for the first time, citizens can exercise the right to demand the certified copies of public records, critical information contained in these public documents can lead to unmasking corruption cases and corrupt officials and public representatives can be taken to task. More importantly, the threat that these public documents can be brought into the open could act as a deterrent against corruption. Has investigative journalism in Pakistan equipped itself with the right to information tools on behalf of the citizens?

The forth estate model "dictates the press to make the government accountable by publishing information about matters of public interest even if such information reveals abuses or crimes perpetrated by those in authority". From this perspective, investigative reporting is one of the most important contributions that the press makes to democracy and, resultantly, to the citizens.

When we take into consideration the fact that most people do not exercise their right to the freedom of information in a direct and personal way, the significance of investigative reporting becomes all the more important. People are dependant on mass media: newspapers, radio, television and, increasingly, the internet, in order to have access to information. Therefore, it is the responsibility of the journalists to empower the citizens by exercising the right to information on their behalf, in matters pertaining to public interest, through investigative reporting. That is why journalists are not only supposed to use their access to information laws to inform themselves but also to better inform the public.

So far, journalists in Pakistan have not started using their right to information instruments to unearth corruption cases and thereby holding public officials accountable. Elsewhere, journalists are digging deep and coming up with potentially embarrassing stories for the ruling elite. Such is the power of the right to information tools which is begging to be used by journalists in Pakistan.

Available at : http://thenews.jang.com.pk/daily_detail.asp?id=70065

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