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POVERTY AND THE RIGHT TO KNOW:

USING INFORMATION TO DEMAND EQUITY AND JUSTICE

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MODERATOR:

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PRESENTATION:

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REMARKS:

THOMAS BLANTON, Executive Director, National Security Archive

THIS IS AN UNCORRECTED TRANSCRIPT.

P R O C E E D I N G S

MS. FLORINI: Good afternoon, everyone. I'm Ann Florini, a Senior Fellow here at the Brookings Institution, and I would like to welcome you all to today's session on access to information, right to know, people power in India in particular and in the world as a whole. This is a session I have been looking forward to ever since we decided to have it, because we have two quite phenomenal speakers.

Over the last several years I've been working on transparency and access to information issues in the United States and around the world, and Aruna Roy and Tom Blanton are two of the most extraordinary people it's been my pleasure to run into in the course of that research.

This afternoon I'm going to give you a brief introduction to both of them, and then Tom will give us a short, 10- to 15-minute overview of the state of the world on access to information and transparency policies, followed by Aruna, who will discuss at some length the situation in India. We'll try to leave about half an hour for questions and answers at the end.

Aruna began her career with the prestigious Indian Administrative Service, the branch of Indian civil service that's responsible for the administration of all the levels of India's government. After seven years with the IAS, she resigned her position and began a ground-breaking career as a social activist in Rajasthan, India. She spent 10 years working with a development organization involved with a range of issues such as education, gender, health and role employment.

In 1990 she and several colleagues established an organization called the MKSS, which she will tell you about in detail. Its purpose was to strengthen

participatory democratic processes and collectively fight the exploitation that was being experienced by peasants and workers and rural workers in Rajasthan.

In the year 2000 Aruna received the Ramon Magsaysay Award for community leadership, which has sometimes been referred to as the Asian Nobel prize. In making the award, the board recognized the work that she and the MKSS had done to empower Indian villagers to demand social justice through the exercise of their right to information. It's a truly extraordinary story.

She was recently appointed as a member of India's National Advisory Council, which is a body headed by Sonia Gandhi, responsible for advising the Indian Government on the formulation and implementation of socioeconomic policies and welfare programs in line with the coalition government's Common Minimum Program. And I think she'll talk to you about that as well.

Tom Blanton is Director of the National Security Archive as George Washington University in Washington. The Archive has won a whole range of awards--I won't go through them all--and he has been with it since the beginning, starting as a research director and now as its executive director. I won't go through his extensive list of publications--I think there's bio information that's available on the speakers outside--except to say that Tom probably has filed more freedom of information requests than anybody else certainly that I have known of, and the National Security Archive is an extraordinary center for finding out just what it is that governments are up to that they don't want you to know about.

With that, let me turn it over to Tom.

MR. BLANTON: Thanks very much, Ann.

Nowadays all I do is serve as the designated mouth of the National Security Archive, actually, for the 30 brilliant people who sit over there filing those freedom of information requests, like I did once upon a time almost 20 years ago in the Brookings Annex, where we started in two or three little cubicles, and of small acorns. mighty oaks do grow, as they say.

I'm here just to provide a little bit of context for one of my heroes in life, and that's Aruna Roy. There has been a struggle by human beings against power for as long as there has been power, and as long as there have been human beings. And the particular phase that we're in today is one where a movement, a worldwide movement for greater freedom of information and the people's right to know really is sweeping the world, except for here in the United States. I want to comment on that because it takes remarkable people to make such a movement, and it's remarkable to me how the rallying cry for access to information has been central to those struggles for so long and especially today.

In the 1700s a group of Swedish free traders challenged the nobles who controlled the Baltic trade monopolies, and created the first Freedom of Information Act in the world in Sweden in 1766.

In the 1800s a group of American insurance companies in the Midwest, fighting to get ahold of who owned what land, established legal precedent for a public's right to know what the courthouses held, and thus created the legal basis for what in the 1900s, a bunch of crusading journalists and cantankerous congress people turned into a law, the Freedom of Information Act.

And then in the 1970s in the British Commonwealth, the same dynamic, journalists, opposition leaders who pledged to uphold the public's right to know in their

election campaign suddenly found themselves in office and had to actually fulfill part of their pledge. It is a tribute to the brilliance of Tony Blair that after 12 years of pledging his support for freedom of information, he came in as head of the Labor Government--how long ago now--almost a decade, and has managed to put off the implementation of the freedom of information law until 2006. A great politician, not so great for the right to know.

In the 1990s this movement became really multinational and global because it became the cry from the heart of human rights dissidents all over Eastern Europe and in Latin America and in South Africa, challenging the shibboleth of the old regimes, changing the relationships of power, taking back control of their own lives, passing freedom of information laws, creating truth commissions, opening up the secret files, holding the generals accountable, exposing corruption, exposing public health damage and governments out of control.

And in that context is where I first heard of Aruna Roy and MKSS, because one thing tied together 200 years of freedom of information activism, which is that it was largely a project of elites, a project of lawyers, of journalists, of politicians, of legal reformers. Human rights dissidents were an elite of sorts in Eastern Europe, for example. But what Aruna and her colleagues have done, have connected this phenomenal idea to the real lives of people for whom it has changed their lives. And by doing that, she's taken this idea--and it's not just Aruna, it's the phenomenal array of folks I sat and ate lentils with on a porch in Devdungri in India in January of this year, people named Nikhil and Shanker and Salmia and Vivek and Arvent, spectacular folks who are dedicating their lives in rural India to changing the relations of power by using freedom of information, the world's right to know, the public's right to know, to change

the relations between citizens and governments, between citizens and power of all shapes and sizes. What's most interesting to me is they didn't come to this work with freedom of information as a full-blown idea as their starting point. They came to this work by struggling over minimum wages that weren't being paid, by struggling over where was the money going for rural development projects. Into people's pockets, not into creating a water well that can save people's lives. What was happening to a local health service? Where was that money going? Who was being served? And in all of these struggles it was the right to know that made the difference. They came to the right to know because it was the threshold issue in dealing with every other abuse of power that existed.

So for me that serves as an inspiration because it grounds the work that I do, not only in the sense that it makes it holistic, it connects me to struggles everywhere in the world for the right to know, but also gain a lot from it personally because when the Central Intelligence Agency responds to one of our Freedom of Information requests for the latest intelligence estimate on the prognosis for Iraq, by saying, "There's not a compelling public interest in knowing what's in this estimate," you could get depressed if you see a lot of those answers. But I know Aruna Roy, and so I laugh, because that's what Aruna would do, sitting in her porch in Devdungri. She's seen these abuses of power over and over. She would laugh and get energized to go fight it.

When the Pentagon gives the ACLU, last week, the 6,000 pages on the torture case at Abu Ghraib, and along the way blacks out all the names of the commanding officers, not realizing that in fact the full report was leaked four months ago, and so we've just posted on the web the overlay of the blacked out names with the letters that you can now read. Who was the lieutenant general commanding in Iraq last

year? Gosh, I don't know. Has he appeared on national television? Maybe. When I get that response--and Aruna's chuckling--I laugh, because this is typical. That's what power does. Milan Kundera, the great Czech dissident writer said, "The struggle of the individual against power is the struggle of memory against forgetting." To me, that's universal, that's a universal human right, a universal aspiration.

I look around the world today: Aruna has some very, very good news I think from India. We're facing a lot of bad news in this country. We were the world's leader, the United States, on freedom of information and open government. I would say we are not today. Our trend lines are in the wrong direction. Our secrecy is on the rise. Our declassification is on the decline. Our backlogs of freedom of information requests are on the upswing. And we have a government that seems to find excuses wherever it looks not to empower us with information, whether it's about the terrorists before 9/11 or it's about chemical sites that endanger your and my life today. The instinct of government--and it's not simply this administration, but probably all governments--if faced with a vulnerability, if faced with a problem, the first instinct is to hide it, not to fix it. The world's right to know fixes problems, changes power.

And for me, it's an honor to be here today, to sit next to Aruna again, and to listen to her yet again because I expect that you will come away with what I get every time I talk to her, which is more inspiration, more smiles and more energy. It's a pleasure to be here.

[Applause.]

MS. ROY: Thank you, Tom. Thank you, Ann. Thanks for inviting me to this place.

Many years ago I thought I had no place in Washington because I didn't want money from the World Bank and I didn't want anything from the IMF. I had nothing to do with project funding. I work in a non-party political organization. My main issue is with my government, and what do I have to do in the U.S.?

But strangely enough, in today's international politics, U.S. has a lot to do with my country, and therefore I have a lot to do with Tom and what Tom's doing, what Ann's doing, and they have a lot to do with what I am doing. So we come and share as equals information. We learn from each other. I've learned from Tom and I've learned from Ann, and I've learned from numbers of other freedom of information activists I've met all over the world. We begin from different places, but our concern is more or less the same. We want a transparent, equal and just society. We want a government which is accountable. When it's the poor in my country who want a well or the school, or whether it's a citizen in the United States who's been arrested under the PATRIOT Act or whatever you have today, we need to know, we need to know with complete integrity and honesty, what our governments are doing. So that brings us together.

Go back a little to India and to the small village where I live, where Tom has been, where Vivek is from and where Nikhil, whose friends are here today in the audience, also lives with us. The Mazdoor Kisan Shakti Sangathan, which is the MKSS. It's a big mouthful for those who don't know Hindi. It's a workers and peasants organization which doesn't receive funds from institutions, funds either from an Indian source or any foreign source. We believe that for our struggle against our own government we should be funded by people to whom we are responsible and accountable and who can hold us to book. So at some later point when you ask questions, I'll answer how exactly we are funded.

But as people's organization defines an indeterminable number of people's organizations which define people's politics. We are all political. I don't believe that any one of us is nonpolitical. I believe that we are all political, and in a democracy where we vote, we cast a vote, we exercise our political choice. So it's very difficult to say in a democracy that we are nonpolitical, that we are apolitical. It's difficult. We do exercise at some point our political choice.

So MKSS recognizes that there is such a thing as people's politics, in which we are involved every single day: the land being grabbed from us; the well not coming to us, a scheduled caste, which is the lower caste in India, who live in a social hierarchy of taboos and untouchability, not getting water from the well; a head of a woman village council being paraded naked because she had done something terrible? I'm telling you the worse case scenario. But all this happens. It's a power struggle. It's a power struggle for the woman within the family. It's a struggle all the way. And whenever we talk about equality, it's a question of sharing power, it's a question of equality, it's a question of social justice, and it is in a sense, and sharing power for me is politics, as Tom pointed out.

In this people's politics versus electoral politics, the MKSS was first involved in making the village council work for itself. Our slogan is the right to know, the right to live, because what does lack of information deny us? It denies us food. It denies us a minimum wage. It denies medicine in a hospital. It denies us a policeman not lodging a report against us, for us, with us, against somebody else in the police station. It involves very basic things. So for us the right to know is really the right to live. This was defined by very common people.

A few months ago I was in Barcelona. There's a Barcelona forum, which has been organized over a number of months on the lines of the World Social Forum, where people have been exchanging ideas. And there was a big public debate on democracy, and they had invited me. And I heard Eduardo Galiano speak, and I heard in translation from the Spanish. He had said some beautiful things because he said democracy is common sense. And of course it's common sense and it's an abundance of common people. So we have to exercise the common sense to deepen democracy, to make democracy work, to make it more participatory, to make it more accountable, and democracy is not a period in history which has stopped, even in the United States.

And I think it's very important for you in the United States because in a sense you have become our leaders and you define democracy with the rest of the world. We may or may not accept it, but you do define it. Therefore, you have to deepen democracy in the United States. You've got to make it change. You've got to make it answer your present-day problems. You've got to make it more accountable. You've got to make it more transparent.

So, therefore, for us in Rajasthan, sitting there, it's been a very, very important thing to make our local government councils function. It was a huge battle. In the beginning when we began the battle we thought we were a bunch full of villagers, and, you know, we look ragamuffins. We are poor people. And so we were taunted. We were ridiculed. People said, "What can you do? You're a bunch of real ragamuffins, and you can't change policy. You can't change the government's attitude to anything. You will lose this battle."

But we sat in a huge sit-in for 40 days in a central town in Rajasthan called Beawar. And in those 40 days the whole town began supporting us. We got free

food. We got free vegetables. We got free water. We got free videography. We got tremendous participation of all sorts of workers, unions, of trade unions, of civil rights organizations, of human rights organizations, of civil society. It came to a point when one of them came and said to me, "You better win. You have to get the right information." And I said to this woman, "I'm sorry, but it's not in my hands. You had better go and talk to the chief minister of Rajasthan for us to give us the right to know." And I said, "But why are you so interested? You belong to the Congress Party?" She said, "No, no. You see, we have all bet on you." So they were betting.

[Laughter.]

MS. ROY: And in Hindi it's called Sakta [ph]. So there was a whole sakta on whether MKSS would win the battle or not. They got deeply involved with us. And ever since then it is long struggle for right to information that down in Beawar has owned this campaign. It's this kind of power in the right to information campaign which made us realize that it was not just the village council's accounts we were asking for, we were asking for accountability.

A very important journalist, who's now no longer alive, Nikhil Chakravarty. Many of you who are Indians in the audience who know his name, ethical journalist and important person in India. 84-years-old he came to our initial sit-in and said to us, "Don't have illusions that you're indulging in a small quarrel for equality. You are asking--this is the second war of independence." The first war of independence was against the British. Now there's a war of independence against our own governments, because if money doesn't come to poor people, if there's corruption, it does two things. Corruption destroys the lives of very poor people, they're marginalized, but

it also, when power is arbitrarily used, it destroys entire principles, it destroys democracy.

I'll jump from here because I have very little time, to go to an example of what happened in Gujarat. Because of our campaign--we go back to the campaign for a bit and then come to Gujarat. In our campaign we fought for the right to know. We didn't have legislation. There was an official secrets act. Wherever the British have ruled, they have left a legacy of official secrets act, whether it's India, or Pakistan, or Zimbabwe, or South Africa, wherever they ruled. And that denies us information and we couldn't get even ordinary published information, like the list of people below the poverty line was difficult to get. So we had to get rid of that.

So we needed an act. We needed legislation. We needed an entitlement, so civil society. In India we divide ourselves between people and civil society because in India civil society means people who know English, people who have access to the law, for whom there will be no trouble walking into sitting rooms or walking into five-star hotels. The people are those who dig, build, construct, workers who look poor, downtrodden, who will be stopped wherever we go, into offices or fancy buildings. So even civil society needed the right information, and civil society decided it would help us through legislation, through helping us frame the legislation.

Sir (?) joined, many people joined, and the law was formulated in 1996, and since then, now we have nine states have passed the law. So you have a dialectic between struggle on the one hand and advocacy on the other forming the law. And we framed the law. We sat in a huge group of 250 people, we framed the law. There were human rights activists. There were mainstream editors. There were all sorts of people. There were lawyers. There were politicians who felt that dignity and honesty and

accountability were important. There were civil servants who felt this was important. We got together and framed the law. Now we have nine states which have the law, and we have the central government which has passed a law last year which is so bad that notifying it would be of no consequence to us, but they did it under duress when there was litigation in the Supreme Court of India forcing them to display information about one important ministry in the government of India. They quickly said, "We're going to pass a law we don't need to bring information to the Court." The Court pressurized them. They passed the law. It was a terrible law.

So when the campaign began for the new government for the parliamentary elections, the right to information campaign demanded that the law that had been passed at the central level should be amended. And they agreed in their manifesto, the ruling party that is there today, the United Progress of Alliance. Many of the parties agreed, and they put it into their Common Minimum Program that they would amend the law.

I'll leave it there and I'll come back to what happened in Gujarat State, a western state in India. Two year ago, two and a half years ago, those of you who know Indian politics will know that there was misuse of power, state power to eliminate and kill members of a minority community. State terror is worse than any terrorism practiced by individuals or groups outside state power. The old rules, regulations regarding fundamental rights were suspended for two days. Members of a minority community were butchered in the state of Gujarat. It doesn't matter who was butchered. I really don't want to go into whether this minority was right or that majority was right, but no state government can suspend it's procedures of regulatory mechanism of the law for two days and say it doesn't have any responsibility.

So the right to information campaign, from working with corruption and working with misappropriation money understood that any suspension of rights which leads to loss of life and property also is something which is under the ambit of the right to information law. We needed to know what happened, why didn't they work? What motivated them not to work? What made them not function as legal officers? So it took us into another area.

And constantly we are told that this is not politics, this is not democracy; we are anti-government, we are anti-national; we don't know what it means. So we started talking about who defines this democracy? Will this democracy be defined by only the few political parties that win power and rule us or is it us who will define this notion of politics of democracy? And the ambit of the campaign grew much larger and it involved a larger number of groups.

In Rajasthan and in many parts of India for the last three and a half, four years, actually five years in some states, we have had no rainfall. We are rain-fed states. So when there was no rainfall, there was no agriculture and there was no employment. So we went to the state and we said we want work, we want employment. When we went and asked for employment they told us there's no money. So we said, but you'd better get the money from somewhere. We couldn't care less where you get the money from. You have a responsibility to keep us all together.

Meanwhile, dramatically, some people died of hunger. There were hunger deaths in some of the districts in Rajasthan as well as in some other states in India. So began a major right to food campaign, and the right to food campaign was based on the right to information campaign. We have a right to know why there's no food, why the public distribution system, which is shops which are run by the

government to give basic food, doesn't supply food. Why is there no food allocation to my state when the Food Corporation of India has godowns all over the country with 60 million tons of food grains rotting, which rats eat up, which rains are destroying, which has no place to be stored, and yet you say you have no food to give us. On what basis are you ruling us? If you cannot supply us food, what is your basis? On what mandate are you the rulers of my country?

So the questioning began at a much more fundamental level. We went through a whole lot of steps--I won't go into it because it's very detailed--to establish that people have a right to tell governments exactly what they should do in moments of crisis, also to tell them how to frame policy. We wanted to frame the right to food policy. We wanted to tell them how food much be allocated to states, how they should be made available in the small villages. And what happened to the people in the villages, because in the right to information campaign we had realized that a poor person couldn't just go and ask for food or for shelter or for a hospital. The poor learned that they had to talk nationally, they had to talk regionally. They had to talk politics at the state level. They can't simply say, "Give me work." Then the government says there is no work. So do you sit down after that? No. You say to them, "You have to give me work, and if you cannot give me money, you give me food. If you can't give me food, where is the grain? If the grain cannot be given to me, what are you doing with the grain?"

So my question in the village is the question that I ask immediately for my economic well-being, but linked to it is a larger question of policy, it's a larger question of the nation's accountability to me, the state accountability to me, the government accountability to me, both at the state and the center. So the links were

established both to the right to information campaign and the right to food campaign, and now the right to employment campaign, which is now from there they've come to a much larger and much more controversial and much more fundamental issue, that the poor in India have a right to employment and a guarantee to employment.

It's a controversial issue, but strangely enough, in the whole debate and in this whole struggle, we have negotiated with and we have advocated with political parties. So we have been to every single political party before the elections and said, "Are you going to support the right to food campaign? Are you going to support the right to employment guarantee?" And the Congress Government, which has won the elections this time and come to power, said that it would give us employment guarantee in its manifesto, and when it won the elections has said in the Common Minimum Program, which is a document that they have brought out, with the number of things that they will give the people of India, the first thing they say is they will give us an Employment Guarantee Act.

So we feel that democracy and right to information is not merely attacking corruption. It's asking for a share of governance. It's asking for a share in the cake. We just don't want only break which is stuffed down our throats, rotten wheat, bad wheat given to us in our local shops and we take the wheat and go home and we are happy, no. We now want to say we have a stake in how this country is run. We have a stake in what policy is made. We are 70 percent of India.

After all, you all know, those of you who read about Indian politics, that the previous government lost because it thought India was shining when it was not shining. India shone for a few people. It didn't shine for the rest of us. So India shone in the advertisements on television. It shone in ads. It shone in glossy magazines. But

for the poor it wasn't shining at all. It didn't give us food, it didn't give us water, it didn't give us access to essential services. So it went.

So now this government, if it has to stay in power, will have to honor its commitment in the Common Minimum Program. We now know, those of us in the right to information campaign, that it doesn't stop with asking for money, asking for documents relating to corruption. We want to make governments accountable to any promise they make whether in the state assembly, whether in the parliament, or whether outside. If they make a statement, they must be accountable. Otherwise, what is democracy all about?

So, now in the creation of the National Advisory Council, because this government has instituted an advisory council--we are not part of government, we are just advisers--to advise about the Common Minimum Program. We have entered into a very interesting dialogue, dialectic with government where members of the NAC, whether it's me or somebody else, goes with a document prepared by hundreds of Indians, so the Employment Guarantee Act that we take into the Council or the amendments to the Right to Information Act that we take into the Council has been mandated by thousands of Indians.

So it's gone through a huge process of consultation all over the country. We take this law and we say to them, "Now, this is our law. Are you going to enact it or not enact it?" But of course, there are always problems. There is within the government, there are contradictions in every political party in India, and there are contradictions within the ruling elite. Some of them think that the Employment Guarantee Act should not be enacted. Some think that they should be enacted. But we couldn't care less.

We say, "You've given us a Common Minimum Program. You've won the elections. Now you have to do it. You find your finances. We'll help. We'll sit with you. We'll work out things that you want to work out. We have our own economist. It's been mandated now by a part of the Congress, by the left, by many other parties, by people's movements. You will have to do it." So it's holding accountable governments to people friendly policies.

One of the things that this present government has been able to do, has to keep some of its promises, like it's put aside the Prevention of Terrorism Act. You had in this country the PATRIOT Act, kind of gave a signal to all the other countries that they could do what they like with terrorists. So in our country they did what was called POTA, Prevention of Terrorist Act. Then there was--I mean there was an ordinance--a lot of us agitated to say we didn't need this. There were several acts which put people in jail. We had several laws passed before this. We didn't need this. There were several acts which put people in jails. We had several laws passed before this. We didn't need another terrorist act. But they imposed the act, and many of us protested even the party--this party in power--didn't listen to us. It went in. But there's so much people's agitation against POTA, not against the fact that terrorists should be booked, but that innocent people should not be hanged.

To give you an example, when the parliamentary bombing case took place in Delhi--there were bombs exploded in the Indian Parliament--and people were killed from one of them, and some were arrested. From one of their mobiles there can a name of a gentleman who teaches Urdu in the University of Delhi. They promptly arrested him and they said he was responsible for the bombing. There was a huge lobby, and there were also some video material taken by a very important television channel

which proved that he was innocent, which was not allowed to be broadcast on the news bulletin that particular day. He was put in prison.

And then came this huge committee that was set up by citizens of India for free and fair trial of Gilani, of which I am also a member. And we felt that we wanted a free and fair trial. We were not saying Gilani was innocent, but we said, you cannot book somebody who's innocent just because you have a terrorist law. The sessions court convicted him, and convicted him to death actually, and said he was guilt, and that sessions court did not accept evidence, did not accept this video, did not accept other evidence. But subsequently he went up in appeal and he has been acquitted by the high court, and now it's gone up in appeal again to the supreme court.

But my point is, you cannot have innocent people killed just because there are terrorists. You cannot have a law which books me tomorrow if the government doesn't like me. It can call me a terrorist and then I lose all my rights. And I might be protected because, you know, Ann knows me, Tom knows me. Now you all know me. But there are many other Indians who nobody knows. What happens to them? And all that they might be asking for is information against corrupt offices. It might be information against corrupt officials. It might be information which implicates corrupt leaders of a political party, and they will impose on you a terrorist law.

Some friends of mine from Manipur were saying that in Manipur, which is a northeastern state in India, you might have seen photographs of naked women who were protesting against violence and violation of their bodies by the Indian Army. They say that much of the protest is not of a national nature. It's a protest against non-delivery, none-delivery of resources, non-delivery of services, non-delivery of governance, and it might even implicate their own people in government. But the easiest

thing to use is a terrorist law, so any fight for freedom, any fight for right to information cannot accept opaqueness in the name of terror, and this fear that it breeds, and breeds intentionally must be fought against.

A very famous Indian poet called Rabindranath Tagore said that fear is the most important thing with which our minds are conditioned. He wondered that minds should not be riddled with fear, because when I'm afraid I'll believe anything. A mind should be without fear, where he said, minds without fear and when knowledge is free, only into such a world can we think of freedom. Otherwise there is no freedom, so I'm going into it a little bit more than I wanted to, but I'll take my last point and then I'll stop. There's lots to tell. There's very little time, and then I'd like to hear you speak and ask questions.

The last issue is about democratic space. I don't know what's happened in the United States, but definitely in India over the last 10 years, all kinds of democratic spaces have shrunk. You can't go and protest. No artist can paint anything he or she wishes. If you paint and then the right-wing fundamentalists think it's wrong, they'll go and rip open your paintings, they'll rip open your art studio. They'll malign you. They'll threaten you until you apologize. For what? They go and occupy public spaces, you can't protest. You can't take out a peace march. In Gujarat we couldn't take out a peace march because they threatened to beat us up if we took a peace march.

Maida Barka [ph], famous activist, was anti-dam. She went to Gujarat only to say, "Please don't beat each other up. This is the land of Gandhi. You must live in peace. It's something you cannot do." And they beat her up. They beat up video recorders. They beat up journalists. They threatened human rights activists, and increasingly in India there was a great fear that we would have no public spaces left.

And for me today, even today, with all the problems in India, the most wonderful thing is that we can stand up and talk anywhere. We can talk against the chief minister outside the secretariat. We can talk against the collector outside his office. We can shout slogans against whomsoever we wish, and we are not set upon, we are not beaten in most of India. I'm not taking a guarantee for the whole of India. There are parts of it which are terrible where you can't say a thing. But in most of our country today you have democratic spaces.

So what is the role of people? I think for one we have to own governance, we have to own governments. We have to own institutions. We can no longer see them as enemies. We have to own them. We have to use democracy better, and we really have to set things right. And as my friend, Lal Singh [ph], who is a high school graduate, went with me to give a lecture on right to information to civil servants in Rajasthan in Jaipur. And they all thought he was a token, for after all, what could he say? Even in India we have this feeling that villagers and people who dress simply can't speak or don't have any information or knowledge, which is all wrong because people have tremendous knowledge and have tremendous wisdom. So they said to him--they gave me 10 minutes. They gave my colleague Nikhil 10 minutes. They gave Shanker 10 minutes. And they said to Lal Singh, "You can say what you want to say in three minutes because it's lunchtime."

And Lal Singh said, "It's all right," and he was wrapped. You know, it was a very cool day--India can get very cold, Northern India can get very cold--and we are poor people, and we are people who come and hold our struggles in camps with very little. So he had wrapped himself up in a carpet which we call a dhurrie, which is a sort

of thing carpet. He really looks comfy. And he said, "I'll say what I want to say in one minute."

And I'll tell you what he said. And this was brilliant. This is my country, this is the common sense of my country. These are the people, and I promise you that the Magsaysay award has been given to hundreds of Indians. It's not me and it's not people who speak English, it's not people who have access to all kinds of benefits and resources like I do. And when you hear what Lal Singh said, you may agree with me.

Lal Singh said, "I only want one minute"--and I'll translate from Hindi into English because he spoke in Hindi. He said, "We people feel that if we do not have the right to information we lose the right to live." "You people," he point to them and said, "You people think that if there is right to information, you lose your seat of power, but friends, we must all get together and wonder what will happen to this earth, to this country, to me and you if there is no right to information."

Thank you.

[Applause.]

MS. FLORINI: Thank you, Aruna.

We now have time for some questions, and I hope answers as well. I'd like to start off by making a comment and a question. I think the comment is, I think you all understand now why Tom and I both find hearing from Aruna and her colleagues in the MKSS a rather inspiring experience. What they have accomplished in the last decade and a half in India is I think nothing short of miraculous. The transformation that they have brought about is an object lesson I think for the rest of the world, and much of the rest of the world has begun to see it that way as they are in heavy demand to go around the world, and tell the rest of us what they've been doing, which they keep

objecting to on the grounds that it takes them away from doing their work in India, but we're very grateful to Aruna for being willing to come and be here today.

There was so much in those presentations that I'd like to throw a few ideas together and then ask a very broad question that really has to do with not only India but the world as a whole, how access to information and right to information is seen by people who do not spend all of their time thinking about it.

What you have presented is a powerful lesson in how to hold power to account and allow citizens to participate in the decision making that affects them, not note that getting information is crucial whether it's information on local government expenditures, which is one of the things that MKSS started with, or getting information on how decision-making is done at the World Bank and the IMF, or getting the names of the commanders at Abu Ghraib prison. In all of these cases, for citizens to be able to play any kind of role, they have to have basic access to information.

But until fairly recently--and I think it's still true largely outside of India--the right to know, access to information community, has been focused very much on legal changes, laws that allow access to information much more than on the kind of political mobilization and changes in ideas that you're talking about. I think that community, in part because of the work of organizations like the National Security Archive and the MKSS, is beginning to understand much better the interplay of development issues, political empowerment, right to information, et cetera, but I'm wondering whether communities of activists in other issue areas understand those connections nearly as well. To what extent is it possible for the people who are pushing for access to information, right to know, as the basis underlying all other rights, to what

extent can they draw on political support from the communities that are working on development, gender rights, peace and security across the board?

MS. ARUNA: In India recently we had a national convention on right to information in Delhi. That was three weeks ago actually. And we had over a thousand people, and 20 states of India represented, and we had 39 workshops, and I don't think we now have to sell the idea that right to information is basic to every--the realization of every right and the realization of every democratic right, because in the 39 workshop we had a range of issues, ranging from disappearance and the right to know, because in states where there is the army and the law relating to the army, to the special law, there are no fundamental rights, so if your son or husband or somebody disappeared you really don't even know whether they're dead or alive. So there are 2,000 cases of disappearance in one state, many more thousands in many other states. So do you have the right to know in such cases or not? That was debated upon. This is at one end of the spectrum.

At the other end of the spectrum we had social audit. How do you have methods of social audit in your pun tribe [ph]? That's a small village council. How do you have social audit for health department? How do you have social audit for the public wealth department? How do you have social audit, and in what shape should that social audit format take? Because in the state of Rajasthan we have been able to push the government to enact some social audit laws, which means that a pun tribe has to have a social audit. The social audit, as opposed to financial audit, because financial audit--corruption in India--I don't know about the United States--but in corruption in India, the audit department is corrupt, the (?) department is corrupt. The anti-corruption department is corrupt, the police is corrupt. So where do you go?

So the audit department can come and audit the work, and still it can be nonexistent on paper, as it was proved in many cases which you know about in Janabad [ph] for instance in one pun tribe. There was 7 million rupees worth of non-works. I mean there was nothing. Ghost work. It was nothing. So you can do anything. And they were all audited. So we demanded there should be social audit, people's audit.

So they take the audit sheets and they presented it in front of the village or the municipality or whoever, and we say, it is there or is it not there? And if it's there, how good is it? So we wanted social audit accepted by the government as important as financial audit, so that we stop corruption, because we feel now that people alone can do it, people who are concerned and who benefit from such works. So that was one. And then we had right to information in health, we had right to information in defense accounts and defense expenditure. We had right to information in education. We had right to information in broadcasting. We had right to information in the media. We had all sorts of things because it is--it is like saying that I have the right to live. But for the right to live, I have to have the right to work, the right to earn money, the right to health. I mean, there are so many things that make me alive.

So the right to know has now been acknowledged and owned by a large number of people, and that is the best message we have got, and we were so happy with it because we didn't have to labor to say you must have the right to information. Now it is understood.

And in the panel--and we had one panel on the movements--we had Made Habaker [ph], who is in the (?) and she champions the cause of people who are displaced by large development projects. We had Preddi Pruval [ph] on tribals. Then we had somebody who works with urban affairs. We had somebody who works with the

gene campaign. We are fighting to preserver our seeds and intellectual--we're fighting against this notion of intellectual property rights. There were about 10 people representing 10 campaigns. And there was no right to information person because there was no need, because right to information is implicit in each one of their statements. So this is the way it is now.

So we're very happy that it's now owned. And actually, and the slogans that we shouted in 17 different Indian languages, also showed that it has penetrated India because we don't speak one language as you know in India. We speak 17 languages, and some of us simply cannot understand the other languages. So that means two slogans, "the right to know, the right to live," and "our money, our accounts." That these two slogans are shouted in 17 languages made us feel very good.

MS. FLORINI: Did you want to pick up on this?

MR. BLANTON: That's a much better answer then I could give.

MS. FLORINI: I'm now going to throw it open to all of you to raise any comments or questions that you have. I'd like to suggest that you not limit yourselves to talking only specifically about the Indian case, although of course questions on that are welcome, but also to think more broadly about the access to information issue and movement around the world. It's obviously an issue that's been of some concern here in the United States, and particularly in recent months as well.

When I call on you, just wait for the microphone to come to you so we can all hear you.

QUESTIONER: Thank you. It's quite an inspiriting talk.

MS. FLORINI: Please identify yourself.

QUESTIONER: My name is Michael Rhodes [ph]. I'm here from the National Archives. I came to hear the talk, wouldn't have missed it.

My question is what inspired you, Aruna Roy, to--I'm ignorant of the principle of accountability, what tradition there is in India, whether it goes back to the movement or independence in the first place, Gandhi. But I know in the United States we can trace it back to the Declaration of Independence, which in our fight for independence from the King of England, within the Declaration of Independence, one of the grievances is we do not have access to our records, to the records of government officials. And it further states that we have the right to alter or abolish the government if it is abusive of this. It sounds like this is something--so did the American--is that a model for you or is it more inherent in India?

MS. ARUNA: Actually, this is a method that is being designed by very poor people in my area. I claim no rights to thinking about it independently. In fact, I think I might have been the last one who put the label "right to information" on it. But actually it's people who said, when we asked for minimum wages on government work. You know, every state in India has a statutory minimum wage and that our government works, where they must pay the minimum wage, and then seldom pay it. They always say that the worker never worked. And it's a tradition, long tradition that workers have fought for minimum wages on these common sites.

So when we went and said we didn't get wages, we had sat on one hunger strike, because after all we are in the land of Gandhi, so we sat in two hunger strikes. In one hunger strike we forced the government to register and to pay our dues. We even forced the government of India to withhold an installment, a huge amount of money, to

the state government because it hadn't paid minimum wages. But after we got up from this strike, again we had the same problem.

So when we were sitting and discussing it, some friends of mine who are workers with little school education, said: Until those documents come out we will always be liars. And there are some documents that must be transparent. It is that perception that inside. And I still remember that evening sitting on the mud floor, which Tom talked about, that when we talked about this, and he said, "Yes, that's an important thing. The documents have to come out." We've always known that they have to come out, but that it should be said in this context. So we began a fight.

Of course, it's very funny. You know, we have a lot of tragic comedy in this whole thing because you discover extraordinary frauds, and it's really as if, you know, you have "Emperor's New Clothes" all over again. Because how can a whole population believe such an absurd thing, that it's something that simply doesn't exist. So the poor people need this information to prove that they are right, to earn a wage to survive, to earn a wage so that they can feed their children, to send their children to school, that if you go to a hospital and say that you are bitten by a snake and you go--by a cobra--when you want snake serum and they say they don't have it. But then later on in a public hearing you find that they had it in their stocks. So why didn't they give it to you? Why did they make you go and buy it, you know, at extraordinary cost, which might have meant indebtedness to that poor family for 3 years, 6 years, maybe for life?

So it's that impetus that made us see it, and it was very exciting to discover that this had happened here, there, everywhere. So many other people had asked for information, motivated by completely different issues, so that in sharing it, we give what we know. You give something that you know. And maybe we can fight a

much larger democratic battle if we all pool our resources, pool our processes and learn from each other.

QUESTIONER: My name is Rosalind Zigomo [ph]. I am at IFIS [ph]. I'm incidentally from Zimbabwe, where we have the Access to Information Act, which is causing a lot of problems there. My assessment from what you've said is that not only is there a tendency I think for governments to legislate bad access to information laws, but even when they do legislate possibly good access to information laws, there's a problem with enforcement.

So my question really is, MKSS, what mechanisms did you develop to enforce the access to information law? What I'm asking is the procedure involved in requesting for information, not just document, but information that the government may have? The appeals procedure, for example, if that information is not given to you. What monitoring and reporting tools have been developed to assist not just MKSS but various other individuals and organizations in different countries that could help one monitor these kind of laws in the countries, but how the government is upholding those basic human rights for people to have the right to know?

MS. ARUNA: That's a very relevant question. First of all, we have the right to inspect records. So that means that we could have a look at it. And after having looked at it, then we file an application for information. Now, depending on the state in which you are, there's a different time period. Some states give information in 15 days, some in a month, some maybe in 40 days. So in 40 days that information must be given to you.

Now, in actual fact they do not give the information, there is a lot of trouble because whether we understand it or not, government understand that parting

with a list of information, say in Delhi, on how much wheat has been supplied to a ration shop, is dynamite. So they don't give it. In fact, there's been huge unrest in the Delhi suburbia because of information finally having been procured about how much wheat has gone. So they're terrified. They're terrified for two reasons. One is that their inadequacies will come to light, and for the second reason, the money that they defraud or they pocket, they won't be able to do any more.

[Inaudible] sitting in front of me, [inaudible] their sales tax when I was still in the government. And I remember how every sales tax inspector just led you a devil's dance because they never, ever brought to the exchequer what they should have brought. And they took bribes instead and money never came. So in this whole process it's the trader, it's the civil servant, it's the power elite, it's the elected representative, and you're really shaking the earth under their feet. So they realize it much sooner than say civil society or even people realize it, so they're going to block you. So they block you. They say records are not available. They'll say records are being audited. They might say anything.

So the first level of appeal therefore is within the department. Now, in many states there is no independent appeal authority. What we've been fighting for in the national law now is that there should be an independent appellant authority. There is an independent appellant authority in the state of Delhi, which has a right to information law. There's an independent appellant authority in Maharashtra, which is a state in India. There is an independent appellant authority in Karnataka, which is another state in India. Therefore you go outside the government and you appeal. Maybe there is a grievances commissioner. Maybe there's a commissioner for information who then directs the government to give you the information.

But there's a very peculiar thing that has happened in Maharashtra. An industrialist wanted to get information from the police department as to on what grounds the inspectors of police who man the police stations were transferred. They wouldn't give the information. He went up in appeal. They wouldn't give him the information. He went on an independent appeal. The independent appellant authority directed the department to give the information. They wouldn't give the information. So he went back to the appellant authority and they said, "I can't do anything. I've directed them. Now it's their business."

He went to the high court, and in the high court, believe it or not--and we got many [inaudible], it's not all rosy--he went back to the high court, and in the high court--he wasn't present but his lawyer was told by the judge: that you withdraw this case; otherwise you will have to pay costs because you will not get the information. This is [inaudible]. Why should an ordinary citizen know on what grounds a police inspector is posted? And the lawyer, for some reason, was intimidated, and he withdraw the case. Now we are processing it further. So I am just trying to tell you that that's one side.

And on the other hand, you have a small organization in Delhi which is working with resettlement colonies, that is the slum dwellers, where they've been able to access information about ration shops, where the ration shop owners' licenses have been suspended, where the ration shops, they all mobilized to say that, you know, it's millions of rupees worth of business. If you stop us, we are going to take you to court. They went to court. They stopped the information from being given for a while, but they had to finally give the information. That's the success there.

So there's success. There's failure. There's struggle. And there is this, as you say, the government, left to itself will give you a weak law, because it can say in front of the World Bank, it can say in international gatherings, that we are a very democratic country. We have the right to information law. We have passed it in so many states. But in actual fact, if you go to get the information, you are blocked.

So I think we have to fight a people's war, you know. We have to fight. Civil society has to take it up. Lawyers have to take it up. Different groups have to take it up. And in India we now realize that it has to be an ongoing struggle. In fact, just before I came to the United States, we went and met the Prime Minister and we met the Secretary, saying that you cannot dilute the law, but the Secretary said--just between all of us, that it shouldn't go onto the papers because it shouldn't, and of course I don't believe in secrecy, but I hope there is no one is going to print it--but the Secretary said, "You know, if you impose a penalty we can't function." The point is that without a penalty you don't function.

[Laughter.]

MS. ARUNA: So it's your word against mine. You say that with a penalty you won't function. We say without a penalty you can't function. So you have to be afraid that something will go from your pocket. Then you'll give the information. Otherwise you don't. So the penalty clause is something civil servants don't like, but we feel it's absolutely imperative to have a penalty clause. Otherwise, you won't get information.

MS. FLORINI: That's a very comprehensive answer.

I'm going to ask Tom if he wouldn't mind expanding on it a little bit. On the Zimbabwe case in particular. It's notorious for being much of a "how to prevent

access to information" law than what we would think of as a freedom of information law. But, Tom, you might want to talk a little bit about the information that's available on freedominfo.org and other places about the experience that a whole range of countries that have been adopting these laws lately have had.

MR. BLANTON: And it's come down exactly to enforcement, how do you compel? You may have 55 countries now with a statutory right, but how can it actually work? We have the exact same experience here in the United States that Aruna has. We have pro bono lawyers who bring lawsuits. We get stiffed by bureaucracies. We have to appeal. But the tools I think are relatively straightforward. You try to find independent authorities inside governments, appellate authorities, commissioners. In a couple of cases Aruna's organization found an actual honest auditor to come and do a report that confirmed what they found.

We've found allies within the United States Government who work at the Pentagon and who salute and carry out the Freedom of Information Act because they are American patriots in their way too. And so we've helped create a professional society of freedom of information officials in the United States Government to in a sense raise each other's -- [Tape change] -- best practice. Independent countervailing power within bureaucracies.

The biggest declassifications of U.S. secrets have come because review boards, set up by congressional statute, looked at big chunks of material and said, "Release this." For example, on all the Nazis who were hired by U.S. intelligence to be our intelligence agents after World War II. Now those files, the only CIA agent case files ever declassified are the 800 some odd Nazis who we hired. But that only came about because of a congressional law. You can force these kind of independent

investigations and countervailing power. You have to have a right to sue to go to court. You have to find allies inside who--they are citizens too and they have an interest themselves, as much as their bureaucratic interest may work the other way. And even so, you have to line up all the planets in the right order.

One of the most successful cases here in the United States to get loose all the documents, or as many as we could find, that the United States had about the Guatemalan death squads. And what it required was a whistleblower from inside in the State Department to say the CIA is lying to White House. People at the White House in the Clinton administration, who were angry that they had been lied to, congressional pressure including committees investigating, a barrage of front page newspaper stories and editorials, a freedom of information lawsuit by the widow of one of the people killed, freedom of information requests from us, a common front among the human rights groups investigating, and international pressure. And you put all of that together, and it still took about three years. But the net effect was what resulted in the truth commission report on Guatemala, an actual case where a high-ranking officer has gone to jail on human rights crimes for the first time in Guatemala, and a shift in the power of the military in that country. But it takes that kind of effort. It's a constant struggle, as you know.

MS. FLORINI: Yes, here.

QUESTIONER: My name is [inaudible]. I'm a policy consultant. Thank you for the very inspiring talk.

My question is, if there isn't a full-fledged Employment Guarantee Act by the end of 2005, are you going to openly oppose the ruling party or will you tolerate them as the lesser evil?

[Laughter.]

MS. ARUNA: No. A commitment is a commitment. They'll have to honor it, and we will force them to honor it because--

QUESTIONER: [Inaudible].

MS. ARUNA: They have said--and this is the unwritten promise--that by March next year they will have the Employment Guarantee Act in position, and the next financial year, that is April next year to March the year after, they will have employment guarantee work in 150 of the poorest districts in India, and in five years, it will cover the whole of India. It doesn't cover urban areas so far. If they don't keep their promise, we will fight them.

MS. FLORINI: The gentleman here and then the lady right behind him.

QUESTIONER: You talked about the grain rotting in FCA godowns, and that has been a problem for a very, very long time. Is there any social audit being set up all over India? I think that would be a great service if you could do that, and I could come and become your disciple to do that, because now I am--because, really, millions of tons of food (?) I know is missing--I have been service supplies commission also--or rotting, unaccounted for. And I don't know of any audit having been done. We don't know whether the real physical verifications are carried out properly. So since you are doing so much work, and I think food is so intimately connected with survival of people, that if we could institute--is there any social audit being instituted? If not, would you consider that as a matter of high priority?

MS. ARUNA: I thank you very much, Mr. Vinprakash [ph], because Mr. Vinprakash was my senior officer when I was working in administrative service. I invite you to head the social audit on the FCA.

[Laughter.]

MS. ARUNA: And we will give you all support. So when you come to India, please get in touch with us.

MS. FLORINI: The lady behind--

QUESTIONER: So there's none yet?

MS. ARUNA: There's none yet.

QUESTIONER: Hello. My name is Inoga Herat [ph] from the Bank Information Center. It is clear to me that those displaced by development projects would have an interest and benefit from the right to know. And I was wondering, has there been a push for more transparency and accountability from the World Bank and the Asian Development Bank, and from the government and the Ministry of Finance in dealing with those institutions?

MS. ARUNA: Actually, we haven't really come to demanding and accessing international aid agencies and banks as yet. But we think that the best way to get them to work is through our national and state governments, because ultimately, all these agreements are made by my national government in my name, my state government in my name. I may not have any control over the World Bank and its functioning, but I certainly have a control over all natural resources in my country, in my state, in my country. So we feel that perhaps that would be one way. Independently I know there are many other groups which are fighting for getting information across from these agencies. And there are some others, some specialists within our large group of people who are trying to access this kind of information. Yes, it is important for us to know it.

MS. FLORINI: Just as a point of information for those in the audience who don't know--certainly the Bank Information Center knows--there has been a fairly concerted international campaign over several years to try to get the Bank especially, other multilateral banks as well, to be much more forthcoming in general about the kind of information that they make publicly available. How successful that campaign has been is a matter of opinion. Certainly there has been progress, but there's also clearly still quite a ways to go.

Let's go in the back now.

QUESTIONER: Alan Heston [ph], retired. I wanted to ask, to add to your workload, what about large corporations in the private sector, and given that, the second question is, has IT technology only helped civil society and the registration of lands and that kind of thing, or are you able to use it for the people, [inaudible]?

MS. ARUNA: Multinational corporations, we've been--in every right to information bill that we adopted--

QUESTIONER: National corporations.

MS. ARUNA: National or multinational?

QUESTIONER: National.

MS. ARUNA: National and multinational corporations, for us, our national corporations are multinational corporations [inaudible]. So what we've done is we've tried to put into our draft bill every time, all people who use public funds as being accountable. Now, whether it's an NGO, whether it's a trade union, whether it's a political party, whether it's a private investment, the use of public funds should determine the nature of the accountability of that organization to the people. But systematically every time the government has removed everything but itself, which is

rather curious, but you and I know why. They have removed everyone else but themselves.

And so now what we are trying to do in the new bill is trying to put in a back drawer kind of information. Now, any institution that's registered, any institution that's licensed, any institution that's taken any benefit from the government in terms of land, electricity supply, or any other special privileges, should all be accountable through the concerned ministry of the government to us. So we should be able to get that information is what we've put in.

I don't know what the net result will be, but this is our demand. And in some of the acts there is limited liability of national and international private investment in the state to answer these questions.

About using Internet and all these various facilities, it has a very powerful but limited draw. It can't stop corruption. It also cannot alleviate all problems. But if we don't control it, we lose. So we understand now, especially after Gujarat, where, you know, mobile phones and Internet was used widely for disseminating misinformation, we now realize that technology cannot be ignored, so technology will have to be used. So how do we use this technology?

So in many states there have been attempts to put up kiosks where you can go and access information, where you can--and in fact, now the Election Commission in India publishes all its information on a website. In India now every candidate who stands for election has to file two affidavits after--I mean I didn't go into that. That was a spinoff of the entire right to information campaign, but a completely different one, where some professors in the Indian Institute of Management went and filed a writ saying that every person who contests should file two affidavits, one on

criminality and one on assets. So they file it. Of course many of them say wrong things, but we haven't had time to book them. But that will be the next step.

[Laughter.]

MS. ARUNA: But this is available on the website, so you can download any affidavit you want, but then you have the other problems in India of small towns not having connectivity. It's taking a lot of time to downloading one affidavit and all that. But nevertheless I think it's important to demystify and control IT technology.

MR. BLANTON: Can I make one point on corporations? There's an interesting experiment taking place, applying right to information law to private sector in South Africa, which has one of the most--maybe the most progressive right to information law of any country in the world in terms of its statutory basis. And it says that even private parties, businesses, partnerships, corporations, that hold information that implicate the exercise of another right, can be reached through the access law. This is currently being tested with actual cases against a couple of large, private South African corporations that hold data.

In a certain way, in principle it follows the idea of making, you know, mortgage(?) information public in this country, or securities and exchange information, or your school personnel file or the like, often held by private corporations, and so--but it's an interesting experiment, and it may provide a way to bring more control and accountability even in the private sector along the same principled basis as in the public.

Information on this is on the website, freedominfo.org. There's a whole case study just on the South Africa issue, along with a wonderful case study and an essay by Aruna, and photographs of many of these events that she's described today.

MS. FLORINI: And since Tom has not really done so, let me just make a plug for freedominfo.org, which is a website that Tom's organization has put together. It is a one-stop shopping center for everything you can want to know on access to information. It's a truly wonderful site.

The lady right behind you, and then over here.

QUESTIONER: My name's Ann Weaver. What role has the news media played in helping the people get access to records and information? Have they been supportive? Have they not been supportive? I'm referring to India, but Mr. Blanton could also comment on the U.S. if he'd like to. But have they been helpful?

MS. ARUNA: At the beginning the media jointed the struggle because the important unions joined the struggle of right to information. And they reported, and I assume they supported us. But it's strange that except for one state, which is Goa, which is in the south of India, none of the journalists have applied for information through the law. They still prefer to use their contacts, still prefer to go and sit in somebody's office and chat up somebody and get information, rather than go through the process. And this has been one major issue of debate.

So far as media is concerned, it's still ruled by corporate bodies, and I know that you have Fox and we have Sun Television and we have something else, and all these television companies still think that power lies in the corridors of New Delhi or in the corridors of the secretariat or the parliament. They follow and they give so much coverage to people who are non-entities in my opinion, who are so-called politicians, who really don't deserve to be projected. But genuine cases of rights information or just don't get as much projection as they should.

Nevertheless, if you take other movements and us, then we've had adequate space, but that's a very, very small proportion of the space that should rightly come to us. But if you look at the print media on the other hand, I don't know what the status in America, we feel that there are very few independent language dailies in India. When I say language, it's Hindi, the local language. They're all controlled by corporate houses, small corporate houses. They have a line. And you just cannot go within the line. So if you--and they are the majority of readers. English newspapers are read by a small fraction of Indians. The large majority today are reading local language papers, so there is no independent media. And this is a very, very important thing if you have to fight a large war that we have in independent media.

So I think that's another next issue--I mean an issue on which many of us will try and persuade people who have a lot of money maybe, diaspora, Indian diaspora in the U.S. or U.K., to finance a newspaper, rather than spend the money on building temples or whatever. Then the best thing probably would be to fund a newspaper, so that the newspaper would make so many millions of lives better. So media is always a mixed blessing, as you know, and you have to keep up with them. You have to talk to them, and you also have to critique them. I don't know what it's like in the U.S.

MR. BLANTON: Pretty similar.

[Laughter.]

MS. FLORINI: We are unfortunately running close up against our closing time, which is 5:30. What I'm going to do is suggest that we take two or three questions together, and give both Tom and Aruna a chance to respond to them and make any closing comments, and go from there.

So the lady against the window here?

QUESTIONER: Hello. My name is [inaudible], and I'm a student at American University.

When you were talking about holding countries accountable for their actions I was just thinking about the International Criminal Court and the International Court of Justice, and just thinking about the future of these bodies, these international bodies. And I was wondering what are your thoughts, you two, about do you think that this movement is from a state level, like just countries? Do you think it's more effective that way, or how do you feel about international accountability?

MS. FLORINI: This gentleman here.

QUESTIONER: Could you comment on the role of right to information campaign and [inaudible] resource allocation at the national level, and the participation in, for example a community's right to know about how many resources are being drained by other power center sources, resources coming in?

MS. FLORINI: This lady here.

QUESTIONER: I'm also a student from American University. I was just wondering--I understand how hard it is--I'm from Honduras, and I understand how hard it is to get something of this nature going and to keep it running. I would just--I'm wondering if you communicate, you know, with the right to know internationally with other nations, and if you have any yearly forums or anything of the sort? And what have you accomplished through this, if it's done that way?

MS. FLORINI: Tom?

MR. BLANTON: Just on the contacts among the international freedom of information activists, I would say until very recently most of this activity took place in isolation and people did not so much feed off each other. It was very ad hoc. Ann has

played this phenomenal role bringing people together, sort of making connections. She introduced me to Aruna actually in Seoul, South Korea at a anti-corruption conference, and said, "You should meet this person." And a lot of the building of this movement, I would say, it's only now gaining a consciousness as a movement. We're only now beginning to learn the parallels between Aruna's experience or the experience of a Guatemalan or a Honduran or a Mexican fighting against the same issues, corruption and abuse of power and lack of control and accountability to their own government.

In Honduras I don't know the NGOs that are working for freedom of information. I know in Mexico there's been an extraordinary triumph for freedom of information. And one of the best laws on the books and active implementing agency. There's work in the whole hemisphere, and Argentina and Peru both have freedom of information, one a decree, one a law, and people in civil society and journalism, in mass movement groups human rights groups, are trying to use those laws and take advantage. And now we're at a place where if we can keep these connections going, most of them virtual through websites like freedominfo.org, we can sort of raise the bar so that we get best practices everywhere.

But it's a long--55 countries have these laws. One of them is Zimbabwe. So that you know maybe 20 or 30 of these laws are actually working. And even the ones that actually work, here in this country we have 3 million successful freedom of information requests a year, and yet it is painful. It's, you know, wringing blood from a turnip to get information out of the government sometimes. So that's still enormous difficulty, a long way to go.

Your question about the international institutions, this is a real, to me--Ann has written much about this and Aruna and I have talked a lot about it in various

forums--there's the democratic deficit, and even the people in foreign policy establishment of our country use that phrase, the gap between the power exercised by multilateral institutions, primarily financial and trade and corporate, and the actual degree of control any of us have. Aruna's answer to that strategically is national government control.

Entities like the International Criminal Court are an attempt to create a hybrid, something that can restrain national government power, particularly in matters of war, peace, genocide and human rights. I applaud it. I think that the appropriate U.S. response would have been to be inside it. It has jurisdiction when a national government, national court system fails. And so that's an appropriate way to create I think restraint on national power without giving too much power to a multinational or international institution. But this is the debate. It's too easy to say, oh, we're just not going to have any judges in Brussels passing judgment on us, and our government, many other governments besides the one currently occupying the White House have rejected that kind of notion. So there may be something peculiarly American about it. That is sort of the next struggle. If we can bring national governments in effect more within our control, that's in effect the next frontier.

MS. ARUNA: The question that you asked about the sources, you see, actually, the trouble is that when we ask for information we're given large figures. You know, we have a play which we do, a street theater, in which a foreman goes and asks the collector, "How much money is there--what have you done with my money?" And he says, you know, "1,600,250.60." I means nothing. So the English, they say the devil lies in the details,a nd it does. So for all information that you have to source information, and you have to analyze the information, and you have to look at the

details. Then if you do that, then the next question, which is yours, of seeing that it is proportionately spent, that it is right spent, that, you know, there is no--that it's equitable, that there is no, you know, other pressure which comes to bear on the spending of that money is next.

But now everything we say is impressionistic and some people dismiss it. Oh, that's very impressionistic. Tell me the hard facts. But for hard facts you have to go through this process of getting information, and believe me, it's such hard work. They've made it all into--in Hindi we saw baboos [ph] which means clocks, you know. So we sit with these multiple rolls of paper, and if you want to find out if Aruna, wife of Sandeep Roy, worked on a particular work site, then you have to take 15 master rolls from the 1st of October to the 15th of October, and you have to go through every single name to see that she has been only on one master roll and not on six. Very often my name will be on six master rolls, you know, because nobody looks at the master rolls. So every master roll must labor list, go separately to be paid. So they will pay this labor list without checking the other labor list. And sometimes I become--well, I have this power of being present, omniscient in six different places at the same time. So I'm digging somewhere. I'm doing earthwork somewhere else, and carrying stone in a third place. It's all fraud. So it really means hard work.

And that's why I think people who go into the right to information framework have to have grit, because it means looking at the documents, so you have to have a set of skills. Then you have to file with the lobby. Then you have to file to stay on with it. And then of course there's violence, of course there are threats. You know, that's the whole syndrome about which we have not talked today, but I am sure Tom has gone through it. Every who has gone to the right to information, it's not all rosy, it's not

all comfortable. So there is the threats, there is violence. And my colleague's hand was broken three months ago. When we went to ask for information, they set upon a bunch of people. His hand was broken. We got off very lightly.

But in the state of Bihar, there was an engineer who questioned the way money was being spent on the golden quadrilateral, which is a huge, big national library, which is being spent, and he was just shot dead. So you don't know.

So in this whole scenario, you need to have several levels of operation and determination and grit, and then in the end you're bound to succeed. But like all struggles, it's a struggle.

MS. FLORINI: I'm afraid we've come just about to the end of our time, but I'd like to leave you with one closing thought. Tom began and ended by talking about there being an international movement that is now starting to come together on access to information. Aruna's story I think is the most inspirational for many of us within that movement, but it is a much larger story. And there are all sorts of very different national experiences taking place.

This is not something that is really modeled on the United States at all, though I think most Americans who get into this start off by assuming that of course this is a response to American openness and that's spreading around the world. In fact, this is something that is arising out of all sorts of different societies for all sorts of different reasons.

In China there are now right to information laws being passed in a host of municipalities, including Shanghai, which is coming out of a rationale that is much more economic in origin, but is bound to have political consequences whether or not the

current rulers are trying to realize what those consequences are likely to be. There are important and inspirational stories in just about all parts of the world.

I'd like you to join me in thanking Tom and Aruna for sharing some of this with us, and I hope you go out feeling as inspired as I do.

[Applause.]

[End of discussion.]

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