

# Transparency in foreign policy and international relations

## (A Case Study of the Bulgarian Participation in the ‘Open Government Partnership’)

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***Abstract:** Even in democratic countries international relations and foreign policy are usually considered an area that is reserved for secrecy. This is mainly due to the inertia of the old style diplomacy that sticks to custom and traditions, and to the comfort of politicians who would like to work beyond the ‘public gaze’ rather than to a real necessity. This paper argues that there are many reasons for the increasing of transparency in foreign policy and interstate relations. By disclosing information perceived as “sensitive” before the public and the media democratic countries do not usually incur losses in international relations and do not harm their national interests. Meanwhile, transparency is an inevitable part of the accountability mechanisms in international relations and foreign policy and is among the few instruments to guarantee that power is not abused on international level. ‘Open Government Partnership’ and the Bulgarian participation in the initiative are discussed as an argument for the hypothesis that transparency could be a ‘win-win game’ in international relations.*

According to its primary most popular connotation transparency is considered to be an instrument for fighting corruption (associated with the values of the international organization ‘Transparency International’). In literature however it is also viewed as a mechanism for accountability, for effective public policies and good governance, for democratic control of government and also as a means for regulation, mainly in the third sector and in business. The common features of transparency in all of those notions are: 1. its function - to control; 2. its aim – good governance and 3. its instrument – disclosure of information. Thus, for most researchers transparency means disclosure of information as a controlling mechanism with the aim of achieving good governance.

Although the use of the term ‘transparency’ in the field of international relations began in the 1980s it was not until the 1990s that it became a major emphasis of research and started to appear in titles of articles.<sup>1</sup> According to *Carolyn Ball* since that time transparency has been discussed in various aspects – as a value in foreign policy creation, as a norm of behavior of international NGOs, as a device signaling the trustworthiness of the actor in negotiations, as a goal that should be applied to non-democratic nations, as a mechanism for citizens’ involvement in foreign policy, etc. Unlike transparency research of public policies, in the field of international relations the term is problematic and is not perceived as a proved value. Although researchers recognize that transparency is inherent to democratic governance, they usually find certain limitations to that assumption in world politics. Therefore transparency is sometimes indicated as an impediment to the efficiency of international negotiations, as a factor for asymmetry of information between democratic and non-democratic countries, as a factor for peace or conflict. Scrutinizing transparency as a mechanism for good governance on world scale is not at all the dominant research strategy for the moment. However, with the evolution of the debates about participatory and deliberative democracy, with the growing recognition of the need for democratic control of the security sector and recent developments like the ‘Open Government Initiative’ of the USA President Barak Obama, the ‘Wikileaks’ and ‘Palestine Papers’ leaks, the open data

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<sup>1</sup> Ball, Carolyn. What Is Transparency. *Public Integrity*, Fall 2009, vol. 11, №. 4, pp. 297.

movement more research is getting focused on the ‘promise’ of transparency in foreign policy and international relations.

Nevertheless, the most widespread notion of transparency in international relations is for it to be one of the confidence building measures along with consultations, notifications, containment and access measures. According to the newest interpretations transparency is an element of the soft power in international relations and it is also associated with public diplomacy. Another modern speculation says that transparency is a foreign policy instrument for primacy in world politics. According to the author of this thesis - *James Marquardt*<sup>2</sup>, there has been an evident relation between transparency and power and this has been the reason for the successive efforts of the USA to enhance transparency in international relations since World War Two, especially in military area.

Whatever interpretations of transparency we may find, they still do not answer the main question - should public disclosure in foreign policy and international issues be enhanced. That is why we are going to discuss most of the widespread **arguments and counterarguments** to this assumption.

As long as transparency is not a modern notion, although it has modern interpretations, in the past, during the Enlightenment, it was debated mainly as a mechanism to control power in order to bring peace in world affairs. *Jeremy Bentham* (1748-1832), famous for his Panopticon, for example proposes the idea of the ‘public gaze’ as a legitimate instrument for monitoring the authorities in order to prevent abuse in liberal democracies. Bentham’s ideas have their foreign policy implications in his ‘Plan for Universal and Perpetual Peace’. He presumes that war is a product of the aspirations of statesmen for power and wealth and of misunderstanding between peoples. So if all states stick to reason, which could be endorsed through publicity, there would be no war. *Bentham* even proposed the creation of open international institutions like ‘Common Legislature’ and ‘Common Court of Judicature’ which could contribute to the international peace.<sup>3</sup> *Immanuel Kant* also longed for world peace in his 1795 essay ‘Perpetual Peace: A Philosophical Sketch’. The first step to achieve peace in *Kant’s* view is the invalidation of secret treaties of peace that tacitly reserve matter for a future war. In the XXth century *Woodrow Wilson* is the first US president to promote transparency in diplomacy as state policy. It is the first of his ‘Fourteen Points’ that calls upon for “open covenants of peace, openly arrived at, after which there shall be no private international undertakings of any kind but diplomacy shall proceed always frankly and in public view”.

Whether transparency is **a factor or an impediment to peace** is actually the most disputable question in theory. This issue is rarely a focus of separate publications and it is more often discussed in a broader context. The analysis is further complicated because of the usage of one and the same term – ‘transparency’, for two distinct phenomena – 1. interstate communication and exchange of information and 2. disclosure of information before the public. *Robert Jervis*<sup>4</sup> examines the problem at systematic level by exploring the probability of security cooperation in international anarchy and comparing two distinct security regimes – concert and balance of powers. His main finding is that security cooperation is possible even in anarchy provided that the security regime is concert of powers, which in reality happens rarely. According to *Jervis* the high level of communication and transparency in the system of concert makes the security cooperation easier. *Jervis* findings could be adapted to contemporary security situation in the world as far as the system of concert of powers resembles the system of collective security because both need consensus for securing of peace by collective norms and collective actions. *Bernard Finel* and *Kristin Lord*<sup>5</sup> say that according to

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<sup>2</sup> Marquardt, James. *Transparency and American Primacy in World Politics*. Ashgate, 2011.

<sup>3</sup> James Marquardt, *Transparency and American Primacy in World Politics*, Ashgate, 2011, pp. 16-38.

<sup>4</sup> Robert Jervis. From Balance to Concert: A Study of International Security Cooperation, *World Politics*, vol. 38, №1, Oct. 1985.

<sup>5</sup> Finel, Bernard, Kristin Lord. *Power and Conflict in the Age of Transparency*, Palgrave Macmillan, New York, 2002, pp. 341.

*Jervis's* logics transparency is a source of stability in contemporary international system as far as the main actors either support the status quo or have limited goals – USA, EU, Japan are status quo powers, Russia and Indonesia focus on their internal reform and China and India follow regional or limited agenda rather than global leadership.

The dominant view among researchers is that there are certain **conditions under which transparency could be productive and counterproductive for peace**. These conditions however have still not been precisely defined. According to *Dan Lindley*<sup>6</sup> transparency could work in peacekeeping operations if there is certain incomplete information and wrong perceptions in society. But if prejudice and wrong perceptions are too deep and the new information can not dispel rumors, transparency is irrelevant. In crises it could even first make things worse before making them better. *Lindley's* interpretation of transparency however is shaping the information environment rather than disclosing objective information. *Gadi Wolfsfeld's*<sup>7</sup> analysis, which is based mostly on the Oslo peace process, is in similar perspective. *Wolfsfeld* reckons that there is a fundamental contradiction between disclosure of information by media and the essence of a peace process. Media prefer dramatic events, which follow up speedily, have simple plot and ethnocentric perspective while peace negotiations are usually slow, complex and delicate which makes them rather unsuitable for media coverage. Nevertheless, in his dynamic model *Wolfsfeld* reveals that media could have a constructive role even in peace process but it all depends on the political and media environment. Media are more likely to play a positive role when there is a higher political support for the peace negotiations, in low intensity phase of the conflict and when media are more prone to responsible journalism and when politicians explain better their long term strategy in managing the conflict.

Although on a micro scale some researchers find problems in transparency and media coverage concerning peacekeeping and peacebuilding efforts, on a macro scale it seems that there is less international conflicts in a situation of higher media freedom (which is an indicator for transparency). Quantitative research of *Douglas Van Belle*<sup>8</sup> has shown that shared media freedom results not only in less international conflicts but also in lower probability for these conflicts to escalate to war. According to *Van Belle's* data no country with free press waged war against another country with free press between 1948 and 1992. He explains that this is due to the fact that media contain democratic leaders from engaging in conflicts because the last can not control the coverage of the conflicts which may be too harmful to their political image. *Van Belle* reckons that free media is even stronger containing mechanism than democratic political structures.

*Van Belle's* hypothesis is in close relation to **the democratic peace theory** which suggests that liberal democracies rarely if ever wage war against one another. However it is still not clear exactly what institutions, processes and norms explain the democratic peace, if it at all exists. 'Contemporary consent model'<sup>9</sup>, which says that democratic leaders, being pressed by the public opinion, start only wars they could win, is one option. Another one is transparency. Democratic countries are more probably to be transparent in their foreign policy and to disclose their strategic intentions which make them more prone to entering in negotiations instead of embarking on military actions. Transparency also relieves the security fears of other states. In Post Cold War era however rising public pressure in democratic countries for not entering into military interventions has dual effects on security as far as it contains Western and other powers to perform military operations against severe human rights abuses in non-democratic countries.

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<sup>6</sup> Dan Lindley, *Promoting Peace With Information. Transparency As a Tool of Security Regimes*, Princeton University Press.

<sup>7</sup> Gadi Wolfsfeld, *Media and the Path to Peace*, Cambridge University Press, 2004, pp. 227 – 231.

<sup>8</sup> Van Belle, Douglas. Press Freedom and Peace. Theory and Findings. In: *Power and Conflict In the Age of Transparency*, ed. by Bernard Finel and Kristin Lord, Palgrave Macmillan, New York, 2002, pp. 115 – 132.

<sup>9</sup> Ole Holsti, *Public Opinion and American Foreign Policy*, Revised Edition, Michigan, The University of Michigan Press, 2004.

Nevertheless, research has shown that on systematic level transparency is a factor for security cooperation and conflict evasion. On the level of the particular conflict situation however, especially during the escalation phase of a civil or regional military conflict, it is possible that transparency could have short-term negative effects due to problems in the functioning of the public sphere. In all other situations, including long lasting peace negotiations for example, the lack of official transparency could be an impediment to peace because leaks and unofficial information, which could not be checked, could still hamper the negotiation environment.

Transparency in international relations is usually criticized as being ineffective in mitigating tensions and in correcting misunderstandings. Transparency however has been established as one of the one of the most often exercised **confidence and security-building measures (CSBMs)** along with consultations, notifications, containment and access measures. There is a view<sup>10</sup> that these measures do not achieve sustainable results. The idea is that in the fight for supremacy states are inclined to lying and gaining and therefore transparency could be only modest and each form of security cooperation – futile. This hypothesis is obviously based on the assumption that states applying CSBMs are in a situation of insurmountable controversies. Usually however basic interests of states do not include engaging in conflicts and waging wars, which means that CSBMs could be a useful instrument for preventing violence caused by mutual misunderstanding, tactical maneuvers or security dilemma considerations. Thus, CSBMs have a potential for restoring peace because otherwise each conflict should be considered as inevitable. This philosophy is embodied for example in the idea for transparency in armaments which has been partly realized through the **UN Register of Conventional Arms**. ‘If States behave in a predictable and transparent way, including being open about arms transfers, this could build confidence among them and help prevent conflict... Transparency in armaments can help determine if excessive or destabilizing accumulations of arms is taking place. Being open about armaments may encourage restraint in the transfer or production of arms, and can contribute to preventive diplomacy’<sup>11</sup>, the UN reports. This is not to say however that CSBMs and transparency in particular have unlimited potential to bring peace. They are effective when tensions are provoked by security dilemma considerations, misunderstandings and others but cannot eliminate the controversy of the core interests of the countries.

One of the most controversial issues in the transparency debate is the impact of openness on the **information contest during negotiations**. According to *Jeffrey Ritter*<sup>12</sup> the probability of war during negotiations between liberal democracies is low because both parts have preliminary information about each other which is a precondition for identifying the best possible solution which they will prefer to military conflict. When the negotiations are between a democracy and an autocracy however the democratic state is in a relatively weaker position because it cannot use bluffing and other techniques based on secrecy. *Kenneth Schultz*<sup>13</sup> also takes into account that a democratic state cannot take advantage of bluffing or misleading its counterpart but this fact according to him has a positive aspect. The lower possibility to bluff goes hand in hand with higher trust-worthiness of the statements of a democratic country. Therefore a warning or an ultimatum addressed by a democratic country is usually more effective than one made by a non-democratic one. ‘As a result, democracies are more likely to get their way without having to fight, and they are less likely to end up in unwanted wars’<sup>14</sup>, Schultz says.

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<sup>10</sup> James Marquardt, *Transparency and American Primacy in World Politics*, Ashgate, 2011.

<sup>11</sup> UN Register of Conventional Arms, Available at: <http://www.un.org/disarmament/convarms/Register/> [last seen on 21 September 2013].

<sup>12</sup> Jeffrey Ritter. Know Thine Enemy. In: Bernard Finel and Kristin Lord, ed., *Power and Conflict in the Age of Transparency*, New York, 2000.

<sup>13</sup> Schultz, Kenneth. Domestic Political Competition and Transparency in International Crises – The Good, The Bad, and The Ugly. In: *Power and Conflict In The Age of Transparency*, Palgrave Macmillan, New York, 2002.

<sup>14</sup> *Ibid.*, pp. 78.

As far as bluffs have become a regular tool of the despotic regimes during negotiations, they are familiar to the democratic states and therefore they have become far less effective over time. Moreover, it has never been proved empirically that democratic states, which are considered to be more transparent than non-democracies, are the typical loser in the international negotiations. Ritter<sup>15</sup> admits that democracies cope relatively well in international diplomacy; that they rarely engage in wars against one another and that they usually win the wars they wage. 'I certainly do not mean to suggest that there is conclusive evidence that the democratic peace is really an 'informational peace', only that it is plausible that democratic transparency could be a significant contributor to the behavior we have observed'<sup>16</sup>, Ritter says. Therefore, the fact that a standpoint for negotiations of a democratic country would be publicly available in advance is usually an advantage rather than a disadvantage as far as it is clear for the other party in the negotiations that democratic negotiators could not divert significantly from their initial standpoints.

The asymmetry of information in the negotiation process between a democracy and a non-democracy is actually not a significant problem as far as the standpoints of the autocratic country could be reasonably predicted. Unless concerning entirely new situation or problem the negotiation process has particular background and inertia which makes it rather predictable. This could be explained by the fact that the success or failure of the negotiation process is much more founded on the interests of the both parties and their BATNA<sup>17</sup> (BATNA - best alternative to negotiated agreement) rather than on negotiation techniques based on secrecy and bluffing.

Another disputable issue concerning transparency in negotiations is the impact on public opinion of **the announcement of the concessions** agreed by the parties. Concessions usually entail negative public reaction. This is however due to the wrong functioning of the national public sphere rather than on transparency itself – misuse of interpretation, national stereotypes, populist rhetoric, low level of confidence in politics and public institutions, bad communication, lack of independent expert community on international issues, tainted media environment, a tradition of not informing society on international issues and lack of debate, etc. If information about concessions made during negotiations is constantly being detained however, a vicious circle of irrationality emerges. The more real information is being detained from society, the more the problems of the public sphere – stereotypes, populist perceptions and others, are reproduced and strengthened. This results in lower quality of the foreign policy which one way or another is dependent on electoral perceptions. In addition, there is no rule in international politics saying that negotiations should always be effective and should always result in agreement. Actually negotiations are effective only if their result is better than BATNA of each of the parties. This means that making concessions during negotiations that are lower than BATNA or that contradict national or international law are not in national interest of the parties and their impairing by negative public response based on accessible information is actually in public interest.

Which are however the arguments for increasing transparency in international relations? Firstly, democratic understanding of politics even in the international system includes power being accountable. Otherwise it would be unrestricted and prone to abuse. As long as the international system is not democratic and there is no single source of power on international scale the **accountability in world politics** is a very problematic issue. *Ruth Grant and Robert Keohane*<sup>18</sup> use a pragmatic approach and propose seven different mechanisms for achieving accountability in world politics – hierarchical accountability (applicable for example to international organizations

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<sup>15</sup> Jeffrey Ritter. Know Thine Enemy. In: Bernard Finel and Kristin Lord, ed., *Power and Conflict in the Age of Transparency*, New York, 2002, pp. 84.

<sup>16</sup> *Ibid.*, pp. 90.

<sup>17</sup> Fisher, Robert, W. Ury & for the Second Edition, Bruce Patton. *Getting to Yes: Negotiating Agreement Without Giving In*. New York, Penguin Books, 1991. Cited by: Plamen Pantev. *Mejdunarodnite Pregovori v Oblastta na Sigurnostta*, Sofia, Sofi-R, 2006, pp. 66.

<sup>18</sup> Grant, Ruth, Robert Keohane. Accountability and Abuses of Power in World Politics. In: *American Political Science Review*, Vol. 99, №1, Feb 2005, pp. 35.

with clear institutional structure), supervisory accountability (concerning the control of the states over the international organizations, created by them), fiscal accountability (by the creditors towards the recipients of the funding), legal accountability (abiding formal rules), market accountability (referring to investors moving from one country to another), peer accountability (mutual evaluation of the states), public reputational accountability (applicable even in the absence of other accountability mechanisms). All of these accountability mechanisms are not possible without transparency. ‘The availability of information is crucial for all forms of accountability, but transparency, or the widespread availability of information, is essential to market, peer, and reputational accountability, as well as to the internal workings of democratic accountability in states which play a supervisory role. Public reputational accountability, for example, relies almost exclusively on transparency. But transparency is not sufficient for effectiveness. Without standards and sanctions—and a configuration of power that enables sanctions to be imposed relatively consistently on all violators of standards—accountability that is both effective and widely viewed as legitimate will remain elusive’<sup>19</sup>, *Ruth Grant* and *Robert Keohane* say.

Transparency is crucial to accountability in world politics even if we approach the issue from different perspective. As far as there is no global civil society or no ‘transnational demos’ (a term by *James Headley* and *Jo-Ansie van Wyk*<sup>20</sup>) on the international arena it is not clear who should be entitled to hold the powerful accountable. *Ruth Grant* and *Robert Keohane*<sup>21</sup> say that this should be the people affected by the actions of the powerful (in their participation model of accountability) and the institutions that entrusted them with power (the delegation model of accountability). According to another view however in the absence of global demos the best way to hold world politics accountable is to hold national foreign policy accountable. In *Will Kymlicka*’s<sup>22</sup> view for example the most effective response to the press of globalization over democracy is to democratize national foreign policy. ‘If international institutions are increasingly powerful, they must be held accountable. But why can we not hold them accountable indirectly, by debating at the national level how we want our national government to act in intergovernmental contexts?’, *Kymlicka*<sup>23</sup> says. *James Headley* and *Jo-Ansie van Wyk* also think that the shift of the decision making process from national to international level should enhance the democratization of national foreign policy. ‘This might entail more debate, more information and media coverage of international affairs, making representatives (in government and parliament) more responsive to the public, and increasing public participation in foreign policy making and deliberation’, *James Headley* and *Jo-Ansie van Wyk*<sup>24</sup> say. Obviously globalization is a factor for higher accountability on international level but in the lack of global civil society the effective way to hold power accountable is to democratize national foreign policy by transparency and public participation.

Transparency is also a factor for **rationalizing public opinion** about foreign policy and international relations. Rationality is here associated with the concept of ‘public reason’ introduced by *John Rawls*<sup>25</sup>. The idea of *Rawls* is that the citizens in a well functioning democratic society should not appeal to religious, philosophic or moral beliefs, which are not prone to consensus,

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<sup>19</sup> *Ibid.*, pp. 34.

<sup>20</sup> Headley, James, Jo-Ansie van Wyk. Debating the Public’s Role in Foreign Policy. In: “*Public Participation in Foreign Policy*”, Ed. by James Headley, Andreas Reitzig and Joe Burton, UK, Palgrave Macmillan, 2012, pp. 8.

<sup>21</sup> Grant, Ruth, Robert Keohane. Accountability and Abuses of Power in World Politics. In: *American Political Science Review*, Vol. 99, №1, Feb 2005, pp. 30.

<sup>22</sup> Kymlycka, Will. Citizenship in the Era of Globalization: Commentary on Held”. In *Democracy’s Edges*, ed. by I. Shapiro and C. Hacker-Cordon. Cited by James Headley, Jo-Ansie van Wyk. Debating the Public’s Role in Foreign Policy. In: *Public Participation in Foreign Policy*, ed. by James Headley, Andreas Reitzig and Joe Burton, UK, Palgrave Macmillan, 2012, pp. 8.

<sup>23</sup> *Ibid.*, pp. 8.

<sup>24</sup> Headley, James, Jo-Ansie van Wyk. Debating the Public’s Role in Foreign Policy. In: *Public Participation in Foreign Policy*, ed. by James Headley, Andreas Reitzig and Joe Burton, UK, Palgrave Macmillan, 2012, pp. 8.

<sup>25</sup> Rawls, John. *The Law of People’s: with “The Idea of Public Reason Revisited”*, Harvard University Press, 2001.

when make decisions about the most important political issues.<sup>26</sup> The argument of the proponents of transparency is that a more transparent society means a better informed public. Informed people are in a better position to think and act rationally and to disregard policies that appeal to beliefs, sentiments, ideologies of the people and other manipulation techniques. This is especially important for foreign policy as far as society has relatively less information in this sphere and forms its opinion primarily using mediated information and analysis.

Transparency opponents however state that disclosure of information by governments does not mean that people know more or understand better. In ‘Transparency Delusion’<sup>27</sup> *Ivan Krastev* claims that the end of governmental secrecy does not at all entail the emergence of the informed citizen. ‘For instance, when American voters learned that the US had started a war with Iraq without proof of weapons of mass destruction, they still re-elected the president who led the way. And when Italians kept Silvio Berlusconi in power for more than a decade, they had long been saturated with news of all the wrongdoings that anti-Berlusconi activists hoped would be enough to get rid of the guy’<sup>28</sup>, *Krastev* says. In his view the full disclosure of information does not improve the quality of the public debate but makes it more complicated and shifts the focus away from the moral competence of the citizen to his expertise in one or another area. Arguments for this important deduction – that transparency does not improve the public debate, could be found in the article ‘Against Transparency’<sup>29</sup> by *Lawrence Lessig*. According to him the greatest problem with transparency is the attention-span problem. This means that citizens driven by the rational use of their own time cannot spare enough time to explore each public problem and as a result a cascade of wrong perceptions emerges.

*Krastev* and *Lessig* are partly right. Undoubtedly, there is an attention-span problem and it is definitely not rational to expect that each citizen will search information in governmental data sets on daily basis in order to form his/her opinion about each public issue. The disclosed information however is valuable for journalists, analysts, experts from NGOs and other opinion leaders who mediate the public debate. Official information cannot prevent the debate from biased interpretation but can at least limit its scope. And the quality of the debate is definitely higher when the controversy is about interpretations and not about facts because nobody can judge rightly when he does not have the basic factual information. Moreover, the regular and comprehensive official data that are disseminated by law regardless of the will of the government could disprove rumors, myths and conspiratorial hypotheses which are abundant in the field of international politics. Whatever the impediments for the effective public use of transparency are - psychological, political, cultural, social or religious - there is no other objective mechanism than providing correct information that could make the public debate more rational.

*Krastev’s* observation that transparency makes the public debate more complicated and shifts the focus away from the moral competence of the citizen to his expertise is actually the best proof for the effectiveness of transparency. The need for rational public debate based primarily on expert knowledge and less on moral and ethical notions is high especially in the sphere of international relations. As far as people lack information and knowledge about world affairs they rely on their ethics, ideology, etc. to form opinion but on the other hand real world politics is driven by expert

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<sup>26</sup> Hristov, Hristo. Rakovodnoto poniatie za publichen razum vav filosofiata na John Rawls. Avtoreferat, June 2013, Available at: [http://www.uni-sofia.bg/index.php/bul/universitet/t/proceduri\\_za\\_nauchni\\_stepeni\\_i\\_akademichni\\_dl\\_zhnosti/proceduri\\_po\\_pridobivane\\_na\\_nauchni\\_stepeni/pridobivane\\_na\\_obrazovatelna\\_i\\_nauchna\\_stepen\\_doktor/arhiv/hristo\\_zhelyazkov\\_hristov\\_filosofski\\_fakultet](http://www.uni-sofia.bg/index.php/bul/universitet/t/proceduri_za_nauchni_stepeni_i_akademichni_dl_zhnosti/proceduri_po_pridobivane_na_nauchni_stepeni/pridobivane_na_obrazovatelna_i_nauchna_stepen_doktor/arhiv/hristo_zhelyazkov_hristov_filosofski_fakultet) [last seen on 18 August 2013], pp. 36.

<sup>27</sup> Krastev, Ivan. The Transparency Delusion. Excerpt from: “In Mistrust We Trust: Can Democracy Survive When We Don’t Trust Our Leaders?”, TED Books, 2013. Available at: <http://www.eurozine.com/articles/2013-02-01-krastev-en.html> [last seen on 11 August 2013].

<sup>28</sup> Ibid.

<sup>29</sup> Lessig, Lawrence. Against Transparency. The Perils of Openness in Government. In: *The New Republic*, October 2009. Available at: <http://www.law.utah.edu/wp-content/uploads/WeekOne-Lessig.pdf> [last seen on 11 August 2013].

knowledge and pragmatics. There is no other instrument but rationality to solve the problem with perceptions like 'pro and anti US', 'pro and anti humanitarian interventions', 'pro and anti islam' etc.

As to the fact that people vote over and over again for politicians that have been telling lies, this is definitely not a problem of disclosure. The basic function of transparency is to assist to uncover the truth. Whether there will be a sanction (which is the final element of the accountability mechanism) – political, reputational, judiciary or other, is a problem of the maturity of the democracy in society and has nothing to do with transparency itself.

In short, politicians should not be afraid from people knowing more about foreign policy and international relations because empirical research has shown that public opinion about these issues is generally rational, comprehensive and stable. In the first two decades after the World War II there is almost a consensus that the public opinion about international affairs is not only ignorant but also wavering and following the mood of the moment.<sup>30</sup> At that time some researchers, including *Walter Lippman*, doubt that democracies are at all able to exert efficient foreign policy. Actually in the 1950s public opinion is considered to be irresponsible and even a catastrophic factor in foreign policy. As a result of the Vietnam War there is a serious rethinking of the postwar consensus. Although the studies confirm that society has relatively low information about international relations, the new research disproves the hypothesis that public opinion about foreign policy and international relations is unstable, unstructured, irrational and with negligible impact on the decision making process. Despite the insufficient knowledge on international issues people use simple cognitive links which help them to understand the more and more complex world and to organize in a reasonable manner their political perceptions about world politics. According to an example of *Max Kaase and Kenneth Newton*<sup>31</sup> people may lack in depth information about the European Parliament but most of them still consider that it has democratic deficit. This phenomenon is known as 'low information rationality'. In addition, research on public opinion has shown that education, information and the type of the used media (press, radio, TV) influence the public opinion. According to *Ole Holsti*<sup>32</sup> people in the US with lower education for example are more probably to be isolationists, chauvinists, suspicious to other nations and opponents to international cooperation.

The debate over the necessary level of transparency in international politics reflects the **contemporary controversies in the theory of democracy**, for example the clash between the elite theory and the pluralism concept. The studies in the area of elite theory have clearly indicated that there is a link between knowledge (based on information) and power. This means that if society voluntarily steps back in the competition for information (even in the international politics area) and transfers it to politicians or experts, it will start losing the power competition. This particular logic probably explains the gradual transition from '**president knows best**' principle to '**collective wisdom**' principle, at least in the US foreign policy tradition. The fact that politicians are not always the people that know best has been clear since the 1970s, after the Vietnam War and the 'Pentagon Papers' and the 'Watergate' cases. In his article 'Farewell to 'President Knows Best'<sup>33</sup> *Daniel Yankelovich* states: 'For many years, public attitudes toward foreign policy leadership in the United States could be summed up as "President knows best."... President, any President, was presumed to possess vital information unavailable to others, and therefore to be in the best position to judge what actions were in the nation's interest. Several years ago I calculated a pre-Watergate, 50 percent "automatic support" factor for presidential decisions in foreign policy... In the wake of Vietnam and Watergate, these "old rules" of presidential latitude largely collapsed, victims of abuses under the so-called imperial presidency... Increasingly, the President may find himself having to justify his initiatives to a critical reluctant public, with few citizens going along just because the President is presumed to know best.'

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<sup>30</sup> Holsti, Ole. *Public Opinion and American Foreign Policy*. Revised edition. 2004.

<sup>31</sup> Kaase, Max. Kenneth Newton. *Beliefs in Government*. European Science Foundation, 1995.

<sup>32</sup> Holsti, Ole. *Public Opinion and American Foreign Policy*. Revised edition, 2004.

<sup>33</sup> Yankelovich, Daniel. Farewell to "President Knows Best". In: *Foreign Affairs*, vol. 57, №3, 1978, pp. 670-693.

The ‘president knows best’ principle has been gradually replaced by the ‘collective wisdom’ notion. The idea is not new and could be found (as ‘collective consciousness’, ‘collective intelligence’, etc.) in the works of many authors, ancient and modern – Plato, Confucius, Thomas Jefferson, Thomas Hobbes, Emile Durkheim, etc. In most of the works however collective wisdom is mostly discussed in its psychological, cognitive aspects and rarely in political and sociological perspective. In this article however collective wisdom is perceived as notion stating that knowledge and wisdom in society is not necessarily concentrated in the people in power. It is rather widely dispersed in society which means that people in power are in no way in an implicit position to take the best decisions in either sphere of politics. Therefore, information from government should be accessible to society not only to make authorities accountable but to make possible the best ideas for society to be produced which could happen only under the condition of equal access to information. In similar context the collective wisdom notion is discussed in the ‘National Action Plan for the United States of America’<sup>34</sup> for the international initiative ‘Open Government Partnership’: ‘In many domains, government should develop policies, rules, and plans with close reference to the knowledge, expertise, and perspectives of diverse members of the public. As the President has said, “knowledge is widely dispersed in society, and public officials benefit from having access to that dispersed knowledge” and hence to “collective expertise and wisdom’. The process of gradual endorsement of the idea of ‘collective wisdom’ in politics proves that the hypothesis for the enlightened authorities and the ignorant public which should therefore not actively participate in government is actually outmoded according to the democratic understanding of politics in the XXI century.

The new role of citizens in government is in the base of the evolving theory and practice of democracy and the transition to **participatory democracy** and **deliberative democracy**, which are both strongly dependent on information and communication. Deliberative democracy requires each policy decision to be a result of public deliberation in order to be legitimate. It has so far been rather a normative ideal than a reality. ‘The ideal is that public decisions are a result of a representative group of informed, engaged people coming together, using good information, discussing differences, working through tough choices, uncovering common ground, and coming to a reasoned public judgment for broad collaborative’<sup>35</sup>, *Martin Carcasson* and *Leah Sprain* say. This also concerns the so called ‘deliberative media’ which are expected to discuss the value dilemmas and hard choices accompanying each public issue. Although deliberative democracy is not entirely realistic nowadays, it could not function without governmental transparency, even in the sphere of international politics.

As to participatory democracy, there is already specialized research focused on the need for a stronger public participation in foreign policy. In their study ‘Public Participation in Foreign Policy’<sup>36</sup> James Headley and Andreas Reitzig state that even if we assume that society is badly informed and its perceptions are unstructured and wavering, the fault would be in the way the public participation in foreign policy is implemented in contemporary democracies rather than an argument against the public participation itself. The final purpose of public participation, which is not possible without exchange of information and transparency, is the democratization of foreign policy. ‘Public Participation in Foreign Policy’ states that the exclusion of the public in foreign policy making process and disregarding its opinion entail loss of trust in government and eventually harm foreign policy itself. A study of *Ole Holsti*<sup>37</sup> concerning the American public opinion about the war in Iraq (2003) has shown that the administration of President George Bush attempted

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<sup>34</sup> ‘The Open Government Partnership. National Action Plan For the United States of America’, Sep 2011, Available at: [http://www.whitehouse.gov/sites/default/files/us\\_national\\_action\\_plan\\_final\\_2.pdf](http://www.whitehouse.gov/sites/default/files/us_national_action_plan_final_2.pdf) [last seen on 15 August 2013], pp.1.

<sup>35</sup> Carcasson, Martin, Leah Sprain. Key Aspects of the Deliberative Democracy Movement. In: *Public Sector Digest*, Summer 2010, Available at: <http://www.cpd.colostate.edu/keyaspects.pdf> [last seen on 15 August 2013].

<sup>36</sup> Headley, James, Andreas Reitzig, Joe Burton. *Public Participation in Foreign Policy*. Palgrave Macmillan, 2012.

<sup>37</sup> Holsti, Ole. American Public Opinion and Foreign Policy after September 11: The Iraq War. In: *Public Participation in Foreign Policy*, ed. by James Headley, Andreas Reitzig, Joe Burton, Palgrave Macmillan, 2012, pp. 41-78.

through different campaigns and initiatives predominantly to shape public opinion rather than to respond to the public perceptions. „If democratic governments were to listen more to the public’s views on foreign policy rather than ignoring them or seeking to mould them it might be a step towards reversing this trend [of increasing the skepticism towards politicians]’, James Headley and Jo-Ansie van Wyk<sup>38</sup> say.

Apart for modern developments in the theory of democracy there is another branch of scientific research that is relevant to transparency in foreign policy and international relations. This is the notion of **democratic control of the security sector**. It is based on the assumption that ‘the relationship between civilian authorities and the armed forces is critically important to democratic political stability, defense policymaking, and international security cooperation’<sup>39</sup>. Democratic control of the security sector, including foreign policy, is needed to insure that there will be rational decision-making process in the sphere of national and international security and that the institutions empowered with the legitimate use of force will execute it properly, in accordance with the law, not for repression or for violation of human rights. Transparency is among the vital classical requirements for democratic oversight on the security sector: ‘Effective arrangements for public information and accountability and practically executed democratic oversight of the security sector– this is to be done to create conditions for public and non-governmental institutions involvement into security sector development and use’<sup>40</sup>, *Todor Tagarev* says.

The theoretical discussion about whether or not transparency is necessary in international relations would hardly ever come to an end. Nevertheless, it surely disperses at least four major fears of transparency opponents – 1. that transparency could be harmful to security cooperation in the Post Cold War period; 2. that it is always spoiling efforts for peace; 3. that it entails losses for democratic countries when negotiating with non-democracies; 4. that it ruins the efforts to make concessions in negotiations. At the same time the added value of transparent foreign policy and international relations is truly high in an age when democracy is progressing in more and more countries, when information and communication technologies flourish, when there is a spreading interconnectedness in the world, when leaks of information become inevitable, when there is a growing need for public participation in foreign policy, when governments of both developed and developing countries, non-state actors and the public require accountability in world affairs, when there is high pressure over international organizations to be more transparent and inclusive and when transparency itself is perceived not as a threat but as an instrument of foreign policy.

All of these factors explain the sustainable trend since decades towards a more transparent world. The emanation of this trend is the growing number of international intergovernmental initiatives to foster transparency: Extractive Industries Transparency Initiative (EITI, 2002, initiated by the United Kingdom to gather and disclose information about the amount of natural resources and the income generated by their extraction in each country ), International Aid Transparency Initiative (IATI, launched in Ghana in 2008 to gather data about the distribution of foreign aid), Open Government Partnership (OGP, 2011), etc. It turns out that transparency initiatives could be ‘win games’ for both developed and developing countries. According to *James Marquardt*<sup>41</sup> there is a clear link between transparency and power and this is what has been the reason for the successive efforts of US authorities to endorse transparency in international relations since the World War II. As a foreign policy instrument of a developed country transparency could have many applications: 1. involvement of non-democratic governments in different security regimes

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<sup>38</sup> Headley, James, Jo-Ansie Wyk. Debating the Public’s Role in Foreign Policy. In: *Public Participation in Foreign Policy*, ed. by James Headley, Andreas Reitzig, Joe Burton, Palgrave Macmillan, 2012, pp. 17.

<sup>39</sup> Tagarev Tagarev, ‘The Role of Mass Media and Public Opinion In Implementing Democratic Control of the Security Sector’. In: Plamen Pantev, Valeri Ratchev, Todor Tagarev, Viara Zaprianova, ed., *Civil – Military Relations and Democratic Control of the Security Sector*, Sofia, ProCon, 2005, pp. 6.

<sup>40</sup> *Ibid.*, pp. 8.

<sup>41</sup> James Marquardt, *Transparency and American Primacy in World Politics*, Ashgate, 2011.

based on exchange of information; 2. providing an instrument to measure power; 3. liberalizing international trade and investments; 4. an instrument to influence internal politics of foreign countries; 5. an instrument to involve other nations in coordinated international actions in different sectors – ecology, intellectual property, etc.; 6. an instrument of soft power, etc. For a developing country transparency initiatives could be a good instrument for: 1. requiring accountability from developed/donor countries about financial or other obligations that have been negotiated; 2. a demonstration of enhancing democratic policies which are often a part of the ‘conditionality’ mechanism for the developing countries (For example, in its National Action Plan for the ‘Open Government Partnership’ the United Kingdom has stated that ‘the UK government will include the OGP eligibility criteria and related datasets in our overall assessment processes which determine the readiness of partner governments for UK budget support’<sup>42</sup>); 3. a mechanism to increase the power of the developing countries on the world scene, especially in international organizations, etc.

Open Government Partnership is a clear example of the fact that transparency could be a ‘win-win game’ in international relations. The initiative was launched in 2011 by the USA and Brazil and has been joined by 47 countries as of October 2013. The main objective of the initiative is to promote transparency into internal affairs of the participating countries. Its main commitments are improving public services, increasing public integrity, more effectively managing public resources, creating safer communities, and increasing corporate accountability. In addition, commitments reflect the four principles of OGP: transparency, citizen participation, accountability, and technology and innovation.<sup>43</sup> A success of the initiative is that it has been initiated or joined not only by developed countries but also by many developing countries from Latin America, Africa, The Middle East and some – from Asia: Brazil, Argentina, Peru, Paraguay, Chile, Colombia, Uruguay, Ghana, Liberia, Kenya, Mongolia, Israel, Azerbaijan, Georgia, Ukraine, Turkey, etc. Jordan, which is the first country in the Arab region to enact a law that regulates the right of access to information, is also a participating country.

Bulgaria has joined OGP in 2011 with the belief that ‘the best way of ensuring optimal government decisions and of building a participatory civil society which is actively involved in government is by presenting the policy ideas to the public at the early stage of their formulation and seeking timely feedback’. In comparative perspective Bulgaria is in a relatively good starting point in its first years in the OGP initiative. Its best achievements in transparency policy could be summarized in several points: 1. relatively liberal legislation for access to information and for classification of information; 2. tradition of good financial transparency since the financial crisis in Bulgaria in the late 1990s – open process of preparation and implementation of the budgetary legislation, open audits of the public finance sector, fair banking statistics, including non-performing loans, transparent currency composition of the foreign exchange reserves, high level of national financial statistics, including the level of the budgetary deficit and the public debt; 3. high level of transparency of the legislative process – the sessions of the national parliament are available online; 4. increased transparency of the government – the minutes of the meetings of the Council of Ministers, including the documentation of the decisions of the Council, are regularly published; 5. functioning open platform for public consultations – [www.strategy.bg](http://www.strategy.bg); 6. online register of public procurement, 7. public annual report for the export and import of conventional arms, etc.

Although Bulgaria is in a relatively good position concerning its transparency policy in comparison to other countries participating in the OGP initiative, it faces a lot of challenges if it really wants to achieve the final purpose of its involvement: 1. reform in the access to information legislation aimed at: enhancing the active transparency, i. e. regular disclosure of unclassified

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<sup>42</sup> United Kingdom OGP Action Plan. Available at: [http://www.opengovpartnership.org/sites/default/files/country\\_action\\_plans/UnitedKingdom\\_actionPlan.doc](http://www.opengovpartnership.org/sites/default/files/country_action_plans/UnitedKingdom_actionPlan.doc) [last seen on 1 October 2013], pp. 7.

<sup>43</sup> Open Government Partnership Webpage

information by the authorities; introducing a sanctioning mechanism for public servants who do not stick to the active transparency rules; introducing special protection of whistleblowers in the administration; 2. introducing the institution of information commissioner in Bulgaria in order to supervise the process of active transparency and to play its role in solving the problem with unlawful classification of documents; 3. introduce an open data or similar portal in accordance with the EU directive on the reuse of public sector information; 4. improving the registries of concession contracts and natural resources; 5. improving the financial transparency – introducing an independent fiscal institution with public reports; opening of the analyses and some of the datasets of the revenue agencies, better information for the activities of the banking supervision authority; 6. reform in the availability of information in the judicial system; 7. introducing of e-healthcare; 8. enhancing consumer protection transparency; 9. enhancing media transparency; 10. higher level of transparency of the security sector and foreign policy in particular.

Bulgaria has so far prepared a national action plan and a working plan for the OGP initiative. The deadline for implementation of both is the end of 2013. The working plan consists of 33 tasks which are mainly focused on increasing budgetary accountability, enhancing corporate social responsibility, improving registries for natural resources and improving existing websites for public consultations. Most of the tasks are announced as implemented although they are either partly implemented or the result of the implementation is unclear and hard to be confirmed from an independent observer. For example the regular announcement of the quantity of the tax audit reports once in a quarter is announced as implemented although it is not clear where in internet this information could be found. Other measures like the announcement of budgetary expenses on everyday basis are presented as a great example of a high budgetary transparency although the data presented are totally unsuitable for any kind of analysis. They are even not used by economists and other specialists in the field, which means that they actually could not be considered as transparency. Among the real and important achievements in the action plan is the introducing in 2013 an e-health file of each citizen which is a part of the national health information system.

The review of the Bulgarian participation in OGP has shown that it is modest both in ambition and in implementation, which is actually the situation with almost all of the participating countries. Although on political level the countries demonstrate strong support for the initiative, the implementation of its values in the field is quite modest. This means that the initiative itself, which is still quite young, needs serious further improvement in order to be really effective. An important step in this way is the activation of the Independent Reporting Mechanism which is scheduled for the autumn of 2013.

Although interstate transparency initiatives like the Open Government Partnership have had relatively humble achievements so far, the fact of their existence is an argument in favor of the hypothesis that transparency could be a ‘win-win game’ in international relations. The practice of transparency policies, even in imminently ‘secret’ areas such as security and diplomacy, has shown that fears are immensely higher than real hazards of disclosure. The expectations of the supposed ‘magical’ power of transparency as an instrument for solving every problem are of course also higher than the real achievements. Therefore, this article has tried to expose the pragmatic approach, saying that transparency is predominantly good than bad thing for foreign policy and international relations and that it should be enhanced as a way to democratize these areas that have always been reserved for ‘provident’ politicians and ‘all-knowing’ experts.