CHAPTER THREE

TRANSPARENCY AND POWER RELATIONS:
SOCIO-ANTHROPOLOGICAL PERSPECTIVES ON THE RIGHT OF
ACCESS TO INFORMATION

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ABSTRACT

This paper looks at the Senegalese case and argues that the legal–institutional framework that has been established to introduce transparent and democratic governance through an ATI framework remains largely marginalized. In Senegal, the model of the state inherited from colonialism has been refined by decades of ‘new policies’ but is unable to overcome informal practices that undermine ATI implementation. Using a socio-anthropological approach, the paper addresses structures of power relations that interrelate with any project targeting ATI effectiveness. It also argues for a historical understanding of a model of transparency that is established alongside informal structures and traditional systems, with which it must co-exist. This approach to and understanding of these features, which are characteristic of the post-colonial state, best explain the diversity of governance models and the impact on transparency issues.

Regardless of the apparent opacity around the other ..., what matters most is how to bring the other into the transparency which we experience: we either assimilate it or destroy it.

Edouard Glissant, 1990

Poétique de la relation, pp. 61–62.

INTRODUCTION: THE LEADEN WINGS1

The Ibrahim Index on Governance in Africa issued in October 20102 revealed that in Senegal between 2008 and 2009, the level of corruption in

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1 This chapter is a revised version of a presentation delivered at the First Global Conference on Transparency Research, Rutgers University, New Jersey, on 19–20 May 2011. I am indebted to Colin Darch, Philemon Muamba, Odon Kawaya Meya, and Abdou Seck for their very helpful comments.

public administration and in rural areas and the lack of accountability and transparency increased. Generally speaking, the country has been downgraded in the ranking of the 53 African countries on accountability and corruption, backsliding from the 12th place it had reached in 2000—thanks to its democratic regime transition—to 21st place in 2008. This leads us to interrogate the state of transparency and good governance in Senegal and prompts us to wonder why the country faces difficulties in implementing transparency despite the existence of a suitable institutional framework.3

The effectiveness of the law as it is applied in Senegal is often cause for critique and questioning because of its implementation through the adopted liberal model imported from the West. With globalization, the process of copying from the West, rather than being a rejected practice, has become an “institutional and political standardization” (De Gaudusson 2009). Imported models of governance constitute an impediment to transparency and access to information. Beyond being an issue of adaptation, there is the question of ‘governance’ based on transparency, which requires inclusive mechanisms in order to establish responsible citizenship.

Based on this fact, we will discuss the difficulties in adaptation that affect the implementation of transparency, especially related to ATI, owing to socio-cultural realities that are at the basis of power-holding. We will also discuss, as an interrelated issue, the problematic term ‘governance’, considering the notion of transparency as a critical aspect in the implementation of inclusive mechanisms for the affirmation of responsible citizenship. This affirmation is part of the additional power which citizens use to access information. Will power-holders resist such access because of the consequences for their own power? In addition, does the behaviour of stakeholders (policy-makers, civil society, and citizens) predict their orientation toward transparency?

The aim of this chapter, therefore, is neither to reject the efforts toward adaptation nor to reject the democratic values which have been rooted in socio-cultural realities in Africa for many centuries (Diagne 2011), values which Africans and Africanists have been trying to restore, at least in academia.4 This contribution aims at showing how ancient heritages are different from the modern one in terms of models and power relations,

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3 For more insights on the concept of transparency, see Birchall (2011), pp. 7–25.
4 The debate around the century-old Charter of the Mande is a good example on the prevalence of democratic ideas in pre-colonial Africa.