

The End of Transition? Information and Democracy on the Brink of Bulgaria's Accession to the European Union

JOSH ROSENTHAL '07

C hange at the Foot of Continuity

A Soviet soldier's strong, iron fist thrusts into the sky, clenching the rifle that liberated the Bulgarian people from the Nazis. Standing atop a tower several stories tall, he is flanked by a brave man and a woman carrying a baby, and all three look forward into a proud Communist future. Around the base of the tower, proletarians in bas relief toil and fight, carrying flags, guns, blueprints and hammers courageously. Dark metal wreaths line a pathway from the monument to the street. Halfway down the path on the platforms on either side, frozen men, women and children coming back from war cheerfully greet each other, the children bearing baskets of food for the undoubtedly hungry soldiers.

At the end of the pathway lies Boulevard Tsar Osoboditel, or Tsar Liberator, named for Alexander II of Russia in honor of his role in liberating Bulgaria from Ottoman rule in the late 1870s. At the corner of the park where the monument stands, the road is divided into two halves: leading south, the road is asphalt, but as you move north, the asphalt gives way to yellow Viennese bricks, which lead to the old National Palace, which once housed a royal family from Bavaria, and the old Party Headquarters, dedicated to leaders loyal to the Soviets. Nearby, the golden domes of Alexander Nevsky Cathedral glint in the sun, memorializing the Russian soldiers that died in the process of Bulgarian liberation.

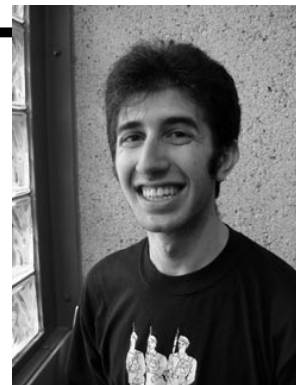
On the asphalt end of the boulevard, the monuments celebrate less foreign figures.

The white edifice of Sofia University "St Kliment of Ohrid" takes up an entire block, memorializing the priest who codified the Cyrillic alphabet. The national stadium on the other side serves to recognize both the Bulgarian man's pride in his country's

footballers and its namesake Vassil Levski. Levski is a martyr of the Bulgarian national movement, hanged for organizing networks of fellow revolutionaries five years before Bulgaria would gain its statehood.

But the monument of the Soviet soldier is not only surrounded by other colossal memorials of the past. To the right, a ramp descends from the base of one of the cheerful proletarian groups. There, you're likely to see a teenager on a bike or skateboard performing some complicated trick that probably has an equally complicated name. At almost any time of day, at least one or two kids are maneuvering the maze of ramps, rails, and obstacles that have been built up here. At night, the baggy-shorted high-schoolers seem like they could be anywhere, drinking beer on the benches surrounding the skate park. When they can get their hands on them, they like to shoot off fireworks that seem to shake apartment buildings for blocks around.

On the left side of the path, the other group of immortalized proletarians stands surrounded by prefabricated metal walls. Where these



barriers aren't covered in posters announcing a Depeche Mode concert on Wednesday or the strippers at a nearby club, they're decorated with brightly colored graffiti, mostly in Latin lettering. (The crowd has a large white speech bubble saying "Yeah!") A sign rises from behind the barriers announcing that this is where the Taisei Corporation, a Japanese company, is building an extension to the Sofia Metro system, a one-line subway that goes out to the city's far suburbs. More than one Sofian will proudly claim that it's cleaner than any subway they'd seen in the states. More noticeable, however, are the commercials that are projected onto each station wall at rush hour. These commercials are mirrored in the glass storefronts that line nearly every underground street crossing, displaying a narrow strip of goods and accompanying salesperson.

Back above ground, the park that contains the statue is filled with carts and small buildings that sell food or drinks. Each vendor has at least a few tables, sheltered from the sun by umbrellas. When a football match is being played in the stadium, the park fills with old

women, sitting behind card tables. Some of them are Romani (more commonly known by the derogatory term, gypsies) and some of them came from their small village farms or gardens nearby, but the peanuts and sunflower seeds they are selling all look the same. A few blocks away at Nevsky Cathedral, the card tables are more permanent, and more uniformly manned by Romani. They use their sparse English to hock old Socialist license plates, musical instruments, and rose oil to tourists and passersby.

Little of this commerce would have been allowed before the fall of communism in 1990. Teenagers would have little access to the Western subculture of skateboarding, let alone permission to skateboard around one of Sofia's main monuments. There is no chance that a Japanese company would have been constructing a public works project. As each of these activities occur around the monument, the meaning of the monument changes. Of course, there is no longer a Soviet Union for Bulgaria to pledge friendship to, but the monument has taken on other significance. It has become a skate park, a gathering place and a market. For executives halfway around the world, it is a building site. For the few Western tourists who come to Sofia, it is an opportunity for a souvenir photo – a photo that could say to disbelieving friends, “I was really there, and they really were Communists!” Although this monument and counterparts in other aspects of Bulgarian life celebrate history and mark continuity with the past, everyday actions and the developments at their feet continue to define how they are understood and experienced.

1. “Maybe it was just an interesting time”: An Oral History of Transition

As I tried to prepare myself to travel to Sofia, I tried to read as much as I could, whether travel book or academic volume. Although I had decided to spend the summer interning for a Bulgarian non-governmental organization (or NGO), I still felt largely ignorant of the place. Few Americans know much about this small country, wedged between the former Yugoslav states, Turkey, Greece and Romania. Yet I would be traveling to this hidden place and working with the Access to Information Programme, an organization of Bulgarians who try to increase the availability of government records, documents, and reports for citizens.

While preparing myself to leave, I kept seeing one metaphor over and over again. In its geography and its cultural history, Bulgaria is perpetually portrayed as a crossroads between East and West. In the early middle ages, this played itself out in Bulgaria's leadership within the Orthodox Church, in opposition to the Roman pope. After the rise of the Ottomans in Turkey (its neighbor to the south), Bulgaria became a site of contestation between Christianity in general and the “threat” of Islam and the Orient. As soon as Bulgaria gained its independence, the people realigned themselves with the West, highly valuing Western European thought and high culture, even as they paid their allegiance to the Russians for successfully liberating the country from Ottoman rule. During World War II, the Bulgarian state swung from supporting the fascists to supporting the Soviets, cementing the relationship that would last for the next 45 years. Although all of this

history is frequently recreated by Bulgarians through rituals and holidays, the years under Communist Party rule and those years since “the changes” of 1989 and 1990 have actively formed the perspectives and lives of the founding generation of the Access to Information Programme (AIP) and many other organizations.

Looking at Gergana Jouleva, founder and executive director of AIP, as she sips freshly squeezed grapefruit juice at a chic café, it is not hard to imagine her when she was in her early 20s. She wears the matching jewelry, shoulder-length hair, and stylish clothes of a young woman. At the same time, a few strands of graying hair and bags under her eyes indicate the nearly constant stream of work, phone calls and meetings with a stream of journalists, clients and others. After ordering a vodka (and pressuring me to do the same), she begins to describe the turbulence she felt at the time. Bulgaria was one of the most closely tied satellite states to the USSR, even applying to be one of the Soviet Socialist Republics at one point. This led some of the best and brightest students to study there, including Gergana. This time in the USSR in the 1970s laid the seeds of her tendency to dissent.

“In its geography and its cultural history, Bulgaria is perpetually portrayed as a crossroads between East and West.”

Gergana: I was in the faculty of philosophy and there were professors who had just come back from the camps in Siberia. And they talked about their experiences. One of them had lost an eye, and he was teaching the class on History of Marxism. Soon, I decided to start a discussion group in the Philosophy faculty, because the Engineering faculty had created a very good one. We couldn't criticize socialism too explicitly, but we talked about all sorts of things. I'm glad that I got to learn from them, because a few years later they were banned from teaching again. There was a lot going on at Moscow University. Maybe it was just an interesting time.¹

For most summers, we had to go work in the farms, repaying our debt to the Russian people for financing our education. After a couple of years, we didn't have to go on these trips, but I was friends with several Jewish students at the time, and they still had to go work. I remember thinking and talking about how unfair that was. My father was always really apathetic, but my grandfather was a strong Communist who died trying to protect Spain from fascism in the Spanish Civil War.

Alexander Kashumov, or Sasho, the head of AIP's legal team, carries a similar youth. His salt-and-pepper hair seems to have grayed prematurely, perhaps from too much hard work. Nonetheless, he retains a useful excitement about the specifics of law, philosophy and religion. He found the start to his questioning character while going to high school, or gymnasium, in Sofia in the late 1980s.

Sasho: I attended the Classics Gymnasia, which is where I hope my son can get in. The teachers were largely professors from the university, where they were under strict surveillance, but no one was paying attention to what they taught

the younger students. So we could talk about anything. Even in the philosophy class, we only read an early piece by Marx, which the teacher described as "the last worthwhile piece he wrote." As I continued with protests and NGO work, students from my gymnasia who had gotten a similar education were often at the forefront.

Just as Sasho entered high school, the Chernobyl disaster struck, spreading clouds of radioactive materials across Europe. Upon learning about this crisis, Gergana started to become more involved in the budding environmental movement out of concern for her and her family's health.

Gergana: The Bulgarian government did not inform the Bulgarian population about pollution after Chernobyl disaster. I was pregnant at that time and I worried a lot about what will happen, because in the beginning of May at that time in 1986, we heard from Radio Belgrade and other radio stations about the pollutions. We realized as a family, my husband and I, that Bulgaria had, obviously there was pollution. And I was pregnant. I worried about the future, how it will be for my child. It was somehow one of factors which were the reason I was involved in the environmental movement, first in Rousse Committee and after that in Ekoglasnost. One of the main purposes and objectives of these dissident organizations was to have more information about environmental issues. Of course it is somehow connected with the social and political changes in Bulgaria because it was obvious that without normal government and elected government and change in the political system, we would not have normal information or normal environmental policy.

Under the leadership of long-time Communist dictator Todor Zhivkov, the Bulgarian government's secrecy with environmental information from was not its only violation of citizens' rights. In the 1980s, the state also initiated the "regenerative process." Intended to bolster Bulgarian nationalism, the government claimed that all Bulgarian citizens were ethnically Bulgarian, forcing ethnic Turks and others to choose Christian, "Bulgarian" names. As *glasnost*, or openness and transparency, became the buzzword in the USSR, Bulgarian dissidents made their meetings and actions more public. An environmental group piled dead birds in front of parliament to protest rodenticide use, and a protest against the regenerative process ended in violence when the government bussed in anti-Turkish counter-protestors.

In May 1989, facing intense opposition over the "regenerative process," Zhivkov opened the border to Turkey. Hundreds of thousands of ethnic Turks left Bulgaria, depriving several vital agricultural sectors of workers. That autumn, at a heavily publicized ecological demonstration, police beat and harassed protesters. On November 10, the day after the fall of the Berlin Wall, it was time for Zhivkov to fall as well. The Communist Party chose Petar Mladenov as his successor.

Sasho: All of the democratic-thinking people were very disappointed by this fact. And then, the students from Sofia University started their first strike, because they wanted to force the Socialist² president [Mladenov] to resign. A tape had been spread out about protests that had happened several months before and the record showed that the president had actually suggested that the military come, the tanks, to deal with the protesting people. And he was taped by an amateur's camera, video camera, and this information was spread out during the elections or right after the elections.

Gergana's husband ran for the National Assembly to help determine the structure of a new government for Bulgaria. Meanwhile, Gergana was involved in several groups advocating for democratic and market reform.

Gergana: Of course everything was on a voluntary basis, because people were very enthusiastic. You had to have been there in order to have this impression. It is somehow the feeling that you are involved in very radical changes in society, because we were moving from an authoritarian regime to a new society.

The leader of the United Democratic Forces, the anti-communist party, claimed that the first elections after the fall of Zhivkov had been "free but not fair" because of the significant logistical advantages of the Communist party. While there were many reasons for Bulgarians, largely in rural areas, to vote Communist, for many people in Sofia, the result, a Communist victory, was unbelievable

Sasho: After that, in summer 1990, they formed a socialist government and in October 1990, a new student strike started. It was just in my beginning. I was a freshman in university. The goal of the strike was asking the Socialist government to resign. It was a purely political aim, but at the same time, in these months, Bulgaria was put in great isolation. The economy was in very bad condition, and the crisis was great. The government introduced coupons for food. We had to wake up early in the morning, actually night, to go and to buy bread or cheese or something like that. And in December 1990, the strike turned into a national strike of everyone because the trade unions joined. We started occupation of the streets, I mean we the students. The trade unions were helping us, but people there because they were not as young as we, they had more fear, they were more afraid of what is happening.

Power switched hands frequently between the UDF ("democratic") and Socialist forces in the early 1990s. Finally, in 1992, a UDF government failed a vote of no confidence, and the Bulgarians went to the polls again. The emerging government was led by the Socialists, but they were maintained in power by the Turkish party, Movement for Rights and Freedoms. Little more than a century after achieving independence from the Ottomans, many Bulgarians were uncomfortable with this privileged position of the Turkish minority. And former dissidents like Gergana were disappointed with the approach to liberalization that the Socialists took.

Gergana: This Socialist Party, when they came to power again three years after changes, they had new arrogant leaders. They blamed a very weak Democratic government which was ruling for two years for all problems in Bulgarian society. Everything wrong in Bulgaria from their point of view, it was because of Democratic government. Of course it wasn't true. They ruled Bulgaria that way, so we had a collapse of the economy, of the bank system, of everything. That's why at that time, in this period, I think more active people who understand things or pretended to understand or has somehow the feeling that they may help, returned to some kind of NGO work. I think all these people who established organizations, NGOs of different kinds, different advocacy groups or think tanks, they were somehow involved in the first movement for democratic society. That's why I think it was time in Bulgaria in which NGOs were more powerful than the government. Powerful meaning that they had a more clear understanding of the agenda of society. Because they somehow have more permanent work on these issues. Because government in that time, 1997, we did not have stable government. Every two years, new government.

For Sasho, this was less a time for NGOs than for movements. And instead of ideology, he was most concerned with the practical impacts of the Socialist government enacted.

Sasho: They [the people in the Socialist cabinet] were introduced as experts. Then in the beginning of '94, the Minister of Education said that it's not possible to have free education, and that students should pay for their [higher] education. And this was announced that they were starting to introduce fees for students. This was the reason for the next strike, which I participated considerably more in.

We had some elections and we elected a board of people who are in charge of the policymaking of the strikers. But this board actually did nothing, they were just there, they didn't do anything. However, one of those people was quite experienced, he was in the past in one of the students' organizations. And also, he was in the fifth-year class of the law faculty and he was out of my gymnasium as well. He suggested that we form an expert group of mainly lawyers and other people who like to think on the rationale of things. We formed this group and we started to develop the reasoning of the claims of the students, so we relied on some laws giving arguments that it's not only unfair but also unlawful to shift to paid higher education and some other things.

In the beginning when we only had about 50 people who were actively striking, everyone was nervous. Some bad professors were making groups of anti-strikers who were giving trouble for us. And the ministry was saying "Who are you, we don't like to negotiate with you or do anything with you." In the end, I really don't know how it happened, it just happened. We succeeded. We got the signatures of the minister and one of the deputy ministers, I think. We got the

agreement that the government will not introduce fees as long as we were there.

During this period of political unrest, Gergana recognized a need for targeted advocacy on a specific issue: freedom for citizens to access information. Out of this need, the Access to Information Program was created.

Gergana: In the beginning of the political changes, I used to work in National Public Opinion Polls Center and after that in a marketing agency. It was in early '90s, and a new Socialist government started political campaign for mass privatizations. Our market agency where I used to work in that time, we were involved in an association of sociological and marketing agencies. Social Change was the name of this organization. My personal involvement in this organization was a survey of public attitudes to mass privatization. At that time I realized again how it was important to have informed public opinion to have knowledge of every ordinary citizen what is the policy of government. To know what are the projects of government in order to have normal public participation. Otherwise it is propaganda, these decisions of government and political parties without access of ordinary people and citizens to the documents, the information which [influenced the decision]. That's why it was my somehow personal belief that it is important issue. Several people, sociologists, three lawyers, we applied for our first project in 1995.

You have to know that the second Socialist government in 1994 started again very typical socialist behavior as a government. That's why it was in the end of 1996, it was hyperinflation in Bulgaria. It was bankrupts. The entire bank system was in catastrophe and for three months people went on the streets in the beginning of 1997. People surrounded parliament. It was an interesting time again.³

2. "The Time for Discussion": Democratic Theory and Practice in Bulgaria

As hardship threatened the country and riots overtook the cities, Bulgaria's seemingly inevitable movement toward "democracy" became more complicated. With the government switching so frequently, it became more relevant to understand what kind of democracy Bulgaria would be. Recognizing the ambivalent nature of "democracy" in any context, not just a time of transition, I took a particular interest in the perspective of political theory toward this vague term. In trying to understand how political theory is understood and can be applied to the Eastern European case, I found Ellen Comisso's presentation of three streams of thought on the subject to be a useful starting point.⁴ The first stream, procedural democracy, is the most limited in its requirements, looking only toward how leaders are selected and the rules by which they set policy. Liberal democracy is often conflated with pure procedural democracy, but it prioritizes certain outcomes of the process, especially the liberalization of the market. Similarly, egalitarian, or "strong," democracy requires specific attention to the way decisions are made and how social and economic inequities are corrected.

Joseph Schumpeter is the most prominent theorist associated with a procedural approach to democracy. With an eye toward the USSR and radical social movements of the American Great Depression, Schumpeter avoids ascribing very much meaning to democracy. Instead, he treats democracy primarily as a method for society to choose between elite groups that are competing for power. He has little hope, or even interest, in the possibility for ordinary citizens to have any more control over the policy and governance of their state.⁵ All that matters is that there is some mechanism for the citizens to change who is in power. In developing Schumpeter's theory into a broader and more contemporary one, Ellen Comisso includes a few other basic procedural measures. According to her, elections must be accurately

administered, but need not register high turnouts. Additionally, the government must operate according to some sort of set of rules, including rule-of-law precedent. Beyond these basic guidelines, however, Comisso shares Schumpeter's disregard for the outcomes of the process.

Many other models of democracy, including the two I will discuss, share this basic procedural framework. However, these "substantive" forms, as Comisso calls them, add a concern for the results that come out of the process. Liberal – or libertarian – democratic thought works from the assumption that political freedom requires property rights to maintain itself. Led by theorists like Milton Friedman and Friedrich Hayek, who wrote during the height of the ideological Cold War, this movement discredits social democratic states for their willingness to plan or even regulate the market. Democracy is valuable inasmuch as it leaves people alone and to their own devices. The major goal of this stream of thought is liberty in an absolute sense, with the protection of property rights the paramount and only goal of government. In this context, elections exist less to express the people's will than to keep the government in check from becoming too large.

The final stream of thought in democratic theory, egalitarian democracy, takes an opposite stance toward the outcomes of the process of governing. Rather than valuing most highly the right to be left alone, egalitarian democrats, according to Comisso, prioritize political, social and economic equality, encouraging outcomes that reduce inequality among citizens. In order to achieve this end, groups affected by policy must be involved in the decision-making process to ensure that their needs and opinions are taken into account. Although Comisso presents this as instrumental to the real goal of social equality, other theorists discuss this involvement in policymaking as valuable for its own sake. Benjamin Barber speaks from his experience in the American New Left movement of the late 1960s and 1970s about democratic

involvement's potential to change how a person approaches the political community and public interest. By speaking with more people and becoming more involved in the political process she should gain a greater appreciation for the community as a whole and be more willing to make compromises for the sake of the community.⁶ Similarly, Amartya Sen discusses the "constructive function" of democracy, which leads a community to discuss its values, goals and even needs.⁷

In the end, these theories are useful in two ways. The aspects of the theories that focus on results, whether the libertarian dedication to property rights or the egalitarian quest for social equality, serve more accurately as ideologies that guide the actions of citizens and governments than as accurate descriptions of democracy as enacted in the world. For an American "progressive" like myself, concerned for social justice, the transition into the libertarian environment at AIP was a shock. For them, the state was necessarily construed as enemy of society, blocking the people's right to exercise control over their own property and live their own lives. From working on grassroots electoral campaigns like Howard Dean's unsuccessful run for presidency and Deval Patrick's successful bid to be governor of Massachusetts, I was much more accustomed to rhetoric about working together toward a common good through government.

In practice, the situation appeared to be just as strange for a hard-line American progressive. At first glance, many of the people I spoke with in Sofia had little trust in the accountability of the political process. The political parties seem essentially interchangeable, and politicians reinforce this belief by frequently switching parties and ideologies. Even among active groups like AIP, there was little faith in the ability of anyone who was not a member of parliament, or even a member of one of the ruling parties, to actually generate policy. Publicly declaring legislation as a goal, whether in a funding application or a statement to the press, was considered very irresponsible.

However, to look only at these factors in Bulgarian democracy would be a mistake. Sasho's experience as a leader of the student protest movements in the early 1990s illustrates the more active side of Bulgarian democracy. At first, student strikes and protests were more general, demanding that entire governments step down or striking for human rights. As the political situation "normalized," the reasons for striking became more and more narrowly defined. As Sasho said with regard to the student strike against tuition:

This was the first time when we had the feeling that we were doing something for ourselves, not for political reasons. The first discussion was what would be the aim of the strike. There was a big discussion whether to have the aim be to ask the government to resign, but we decided not to have this claim because of at least two reasons. The first reason was that the students participating had different political views and some of them did not like to have political statements and claims. The second reason was that there was not much justification. We didn't face any kind of crisis or something like that, so it was not justified to have political claims. And the real reason we were there was these damn fees and the fact that it's not fair, when you went to the university, when you had your plans, you bear in mind that you have free education. This is the ground on which you make your plans and suddenly they change the rules, that's not fair.

Many of the people I talked to echoed this sense that personal issues should be prioritized over broader, "political" ones. Protests still occur on specific issues and are organized by specific affected groups, like the protests in towns that are in consideration to be the site of the next Sofia City Dump. But general protests are often viewed with suspicion. When students this summer began to campaign against the re-zoning of a protected beach named Irakli, I heard many other people hypothesize that they

only wanted the beach to stay protected so they could continue to camp there illegally, not because they feared the detrimental effects to the beach's environment and wildlife.

Even as I heard about the declining impact and occurrence of these protests, I also heard about how important they were for the people involved. The

students who were working on the Irakli campaign saw themselves as hope for the future of meaningful democracy in their country, and were generally amazed at the attention that they could garner. Sasho's

experiences as a student helped him to understand his goals as a lawyer, so that he not only addresses public concerns as head of AIP's legal team, but tries to address corruption and injustice in private practice as well.

These effects confirm some of Barber's and Sen's ideas about the transformative and constructive potential of democratic practice, but they also seem to disprove others. They line up well with how the Irakli protesters described themselves, but Sasho doesn't seem to fit well into Barber's paradigm. As he and his friends from school became more active in politics, their concerns became more and more specific, and more and more parochial.

In order to understand this paradox, it is helpful to look further back into the history of political thought, to Benjamin Constant. Constant, a French liberal (libertarian) of the 19th century, arguing against the participatory democracy and violence of the French Revolution, claims that with the advent of capitalism, participatory democracy has less of a place in modern society. The market has a fundamentally privatizing logic, promoting a division between the public and private spheres of interest and

"This was the first time when we had the feeling that we were doing something for ourselves, not for political reasons."

activity. Beyond that, it promotes an ever-expanding private, commercial sector with which the public is expected not to interfere. In a context where democratization is so closely intertwined with movement toward market capitalism, this effect would be even stronger. Progress would be associated with more and more “privatized” political involvement, representing narrower issues and interests.

Taking Constant’s point to another level may explain the dynamic of competing elites in the political scene. The market operates primarily on the basis of choice between pre-existing options, rather than a more abstract sort of voice or participation in creating those options. The most direct application of this kind of choice to politics would be a system like the one Schumpeter describes. Bulgarians today choose products and parties from among those that are provided by economic and political

elites. Considering that these elites frequently overlap, consolidating power further, it’s unsurprising that many Bulgarians are pessimistic and apathetic about politics and their abilities to effect significant change.

A coordinator at the Red House Center for Culture and Debate told me, “Then, it was the

time for protests, but now we are in the time for discussion.” Unfortunately, the discussions still only happen among small groups, like the concerned citizens that meet at the Red House or the members of the business/political elite who discuss real estate and banking reform at their mountain villas. As Bulgaria goes further in this age of discussion and the Irakli generation takes the reins, it is hard to say which direction “democratization” will go.

3. “They have to be interested more.” The Whys and Hows of Freedom of Information Advocacy

If concerned citizens want to find out what the projected environmental impact of a nuclear power plant will be, they need access to the government reports that led to that choice of location. When others raise questions of government corruption in the financing of NGOs, the right to know allows them to examine the contracts for signs of foul play. And after a controversial vote within the United Nations, the freedom of information allows any organization or person to leaf through the position papers commissioned by their country’s U.N. ambassador.

Whether approaching democracy from a liberal or egalitarian perspective, it is necessary to secure this right to freedom of information. The AIP website, written by staunch liberal democrats, states, “As information is a resource of vital importance at the present time, public servants must not be held in privilege because of their advantage of possessing it.” As a vital resource, information should not be greedily held by the state.

But AIP also has a streak of Barber’s “Strong Democracy,” recognizing the importance of an involved and participative citizenry. For this reason, Gergana hates to discuss “transparency.” “Transparency is somehow the policy of the government. Access to Information is more important for citizens because it is a right of citizens. They’re interested more in the right to information; they have to be interested more.” Transparency merely entails the government’s choice not to actively hide information, but information cannot be free in and of itself, in some passive way. Citizens have the right to know what the government knows, and therefore to speak, publish, petition, and protest with just as much information. This right has only been recognized recently, with legislatures worldwide only starting to recognize it during the 20th century. Nonetheless, concerned democracy activists at the Grand National Assembly of 1990, which

restructured Bulgarian government, enshrined the right “to seek, obtain and disseminate information” as Article 41 of the Bulgarian constitution. This guarantee, without specific laws clarifying its procedures and limitations, proved largely ineffective.

When AIP was founded in 1996, most Bulgarian journalists, the most natural exploiters of the right to know, were hesitant to pursue the creation of formalized structures for provision of public information. They were more willing to rely on the informal networks they had established under late socialism and since then, and concerned that a law would merely create more difficulty and bureaucracy in the search for information. Even if there had to be a law, they thought that they should retain a monopoly on access, with no other citizens allowed to make requests. In this harsh context, AIP began its campaign for an Access to Information law, modeled after the American Freedom of Information Act. Thanks to AIP’s efforts, Bulgaria’s Access to Public Information Act (APIA) was enacted in 2000, one of the earliest in Eastern Europe.

As pioneering as this law was, it could only be as useful as it was implemented. In order to ensure that this implementation fulfilled the potential of the law, AIP has continued activity along several lines. Foremost among these is litigation and legal advice. Cases pour into the AIP office by a variety of means. Journalists in towns across the country form a network of coordinators that gather cases of information requests and refusals from government agencies that require legal advice. Thanks to AIP’s prominent position among many local advocacy NGO’s, groups from all corners of the country and a wide variety of issue interests contact AIP for help finding information. Finally, a small group of individuals also employ AIP’s legal services.

All of these cases are important on a number of levels. First and foremost is the significance to the requestors of the information. With AIP’s help, they can uncover information of

“Transparency merely entails the government’s choice not to actively hide information, but information cannot be free in and of itself, in some passive way.”

public interest about highway contracts, environmental impact plans or conflicts of interest of elected officials. Furthermore, by setting an official judicial precedent, each successful case makes future information requests easier. Thanks to laws passed quickly after the fall of communism that require high levels of experience to serve in the court, many of the court officials remain statist and old-fashioned. This leads to tensions between precedent and the personal preferences or interests of the judges involved. While early rulings were remarkably erratic, it is now more likely that precedent will be followed on freedom of information cases. Judges have now begun to define the difficult balances between protecting non-governmental persons and releasing information of national interest or between national security and the citizens' right to know. From early in AIP's history, these cases were put to even further use.

Even before the Access to Public Information Act was passed, Gergana and the other founders determined that AIP must be a "Programme," incorporating a wide range of activities. They realized that the best way to improve understanding and exercise of the right to know among Bulgarian society was through individual stories of information refusal. People were skeptical of broad political ideologies and abstract campaigns, but specific stories and people could still speak to them. Sometimes the cases appear to be trivial, as with the artist whose design was not chosen for Bulgaria's new official seal and wanted to know why. Other times, the cases highlight important questions for Bulgaria as a whole, such as the issues raised with regard to the building of a nuclear plant in Belene. Over the summer that I was there, the stories from these cases were publicized through interviews and stories in the mainstream media, a monthly online newsletter and a weekly radio show. (Because the radio station that had hosted this show is converting from public radio to entertainment radio, it is unlikely that the radio show will survive.) It has now become trendy among journalists to make a high profile information request and write

about the extensive process of litigation that follows, which has the side effect of further educating the public about their information rights.

Along with all of these efforts on the demand side, AIP pays constant attention to the institutions and agencies that hold public information. For several years, they have organized trainings for public servants at the local, regional, and national levels of government. At the training I attended for regional government officials in the Southeast area of the country around the coastal city of Bourgas, specific cases clarified some of the complicated nuances of the Access to Public Information Act's exceptions and requirements. At the end, all of the officials participated in a simulation, deciding how to respond to real cases that AIP has brought to the court. In addition to these trainings, AIP staff, particularly the younger coordinators, Nikolay and Diana, conduct monitoring surveys of government institutions to see how well they are meeting international and Bulgarian standards of information provision. For example, many of these surveys are coordinated with organizations in other countries, so as to provide a comprehensive picture of the state of active provision of information over the internet or reactions to information requests by ethnic minority representatives.

Although AIP has been pursuing these litigation, education, training and monitoring activities for 10 years, the right to know still faces serious challenges in Bulgaria. Ministries and agencies often use excuses like the protection of a third party's (often commercial) interests or the protection of personal data. Where they could merely block out a page or two of sensitive information, sometimes as little as a sentence, they block the release of the entire document. Even worse, an entire category of internal, "administrative" information is exempted from AIP, in order to "protect the decision-making process." This information, which includes any documents

produced leading up to a final report or action, often contains vital data or is the only knowledge available before a government action, but it is frequently kept secret by institutions, supported by the courts.

4. "A Spirit of Common Work": Sustainability, Leadership, and Communities in the Day-to-day Life of AIP

As funding grows scarcer for NGOs in Bulgaria, AIP is looking at diversifying its funding sources and its activities. Although the litigation program is permanently funded by the Open Society Justice Initiative, all the other activities are funded by limited-term projects. Because of their frequently oppositional stance toward the government, it would be difficult and problematic to provide government services beyond the implementation trainings. While I was in Sofia, the staff discussed possibilities such as long-term corporate sponsorship to remedy this problem. In addition, AIP is enhancing its visibility on the international level as a leader and successful model for information rights campaign. Many staff members hope that they can leverage this status to become consultants for organizations currently pushing for information rights legislation. With more academic "experts" floating around the world of freedom of information access, AIP's focus on practical experience would be less problematic than imported theoretical models.

One of the primary networks that organizes this community of activists, NGOs and academics is FOIANet. FOIANet, the Freedom of Information Advocates Network, most commonly interacts over an internet listserv maintained by AIP. Several times a week, an organization will ask the 90 or so organizations and individuals in countries around the world for advice or information about the state of the right to know in their countries. FOIANet members also meet at regional meetings and conferences. Diana, my supervisor and friend, described how one meeting of Southeastern and Eastern European

organizations convinced her to continue to work for AIP. "I felt like I belonged to something, that I was a part of something bigger." Through the cooperation of these groups, individual organizations can easily find facts and support to bring "global/European standards" and the "global community of FOI advocates" into discussions with reluctant governments. These groups lean left, right, and center, attaching many different values on ideas like democracy and human rights, but on this issue they can find consensus and work together.

In addition to this wide-ranging group, Gergana maintains contact with a community of NGO leaders who she had known during her days as a dissident before 1989, particularly environmental movements and those opposing the government's "regenerative process." This community can be difficult to define. Certainly, some individuals and the organizations they represent are obvious members, such as Kapka Panayotova's Center for Independent Living (CIL)

and Yurii Ivanov's Public Barometer in Sliven.

After the early changes, this group quickly became disenchanted with the corrupted politics of the United Democratic Forces and sought ways to effect change in the "third sector" of civil society. Other individuals and organizations in the community, like Dessislava and the Bulgarian Gay Organization-Gemini were influenced strongly by these former dissidents (in

the Gay Organization's case, Panayotova and CIL). Although there are no official networks, conferences or meetings connecting these organizations, their common memories and the value they place on self-sufficiency encourage them to cooperate and use each other's

resources. This is why a conference on archives of the totalitarian security services was sponsored by Zelevi Balkani (Green Balkans, an environmental group), and AIP was formed in the Bulgarian Helsinki Committee's offices. The reciprocity involved in these relationships is particularly illustrated by CIL, who uses AIP's legal services extensively and also volunteered to be in the trial group of AIP's NGO trainings on the right to information.

Beyond Bulgaria's borders, a broader ideological movement, the right-wing libertarian movement, connects Gergana along yet other lines. She joined somewhat by accident. Her husband, Krassen, had been friends with members of the American right wing for years, since America first sent political experts to him in 1989 to help him build the Institute for Market Economics, Bulgaria's first free think tank. Thus, Gergana encountered these American "democracy" experts in a social capacity, at dinners and parties after conferences. At one of these dinners, Gergana was energetically explaining the work of AIP to representatives of the Heritage Foundation and the Atlas Economic Research Foundation (named from Ayn Rand's novel *Atlas Shrugged*), when Kiril, one of the AIP lawyers, walked into the restaurant with a group of friends. This chance meeting illustrated the concreteness of the work of AIP, and before long, Gergana was invited to apply for Atlas's Templeton Awards. That year, AIP won the Templeton Freedom Prize in Ethics and Values and a Templeton Freedom Award Grant. (Ironically, Diana, the member of the staff most notably associated with the Left, wrote this application as one of her first jobs at AIP. Winning the grant solidified her decision to work there.) At the award presentation and following a conference in Miami, as well as later conferences in Colorado, Gergana learned more about fundraising and organizational strategies, and connected with other individuals working for free governments and markets from the Philippines to Nigeria. Thus, beyond the organizational tools that Gergana takes from these annual meetings, she also gains a sense

of less tangible support from following others' activities around the world.

Within the office, Gergana continues to display a remarkable sense of initiative. Moving quickly around the office, she growls in frustration or excitedly points out an article that quotes her in the International Herald Tribune. Although she talks about maintaining a "spirit of common work," she is definitely the boss of the office and the regional expert on freedom of information. All decisions inevitably defer to her.

This expertise can be so strong as to be intimidating. When Diana stayed home to work on her thesis, Gergana was still not far away. Diana sat surrounded by freedom of information legislation from around the world. Some Midwestern American state's law on electronic publication was now a bookmark in the South African access law. In the margins of these scattered books and sheets of paper, short notes in small, neat handwriting extracted important facts in Bulgarian or English. As she rose to make a cup of tea, she began to discuss her anxieties about finishing her thesis before the deadline and taking time off work to write it. She explained that Gergana hadn't wanted her to take on this Master's in the first place. As she spoke, her dark eyes grew wide. "Josh, Gergana knows so much about freedom of information. There's no way I can teach her anything new."

Nonetheless, Gergana frequently is successful in having a "spirit of common work" in the office. Sharing whiskey and peanuts in the kitchen-turned-smoking room. Standing together at a wedding, whispering about how beautiful the bride is. Furtively chatting across the office on ICQ while the boss thinks you're working. All of these activities, ranging from official and sanctioned to informal and probably forbidden, reinforce the sense of social connection within the AIP office. The internet, in particular, appears to serve Gergana's purpose of "common work." Internet chat programs help to combat the spatial

"These groups lean left, right, and center, attaching many different values on ideas like democracy and human rights, but on this issue they can find consensus and work together."

divisions between the different working groups. Although the general “coordinators,” lawyers and Mariana the accountant are only a few feet apart from each other, their separate offices could easily limit communication without ICQ, their chat program of choice. Furthermore, the conversations that take place over those programs and in person use lighthearted criticism and joking to flatten the office hierarchy and make a horizontal workspace. These relationships provide a welcoming and informal base to which AIP employees can bring ideas and from which they can draw support to pursue organizational goals.

5. Opening the Box: Dossiers and the Past

One of the first displays of Bulgaria’s ability to be healthy enough to join the European Union was a far-reaching 1997 report that documented the past involvement that many public figures had had with the Socialist government or even its security services. With the European Commission ready to vote on whether Bulgaria was ready to enter the Union in the fall, the next major step to transparency in the country’s past happened on May 15. The Minister of the Interior announced that he would finally implement the decision to open the archives, inspiring journalist Angelina Petrova to request the dossiers of many leading journalists, editors and owners of media outlets. The results from her request revealed that four current leading journalists had been agents in the totalitarian security services. Media organizations expressed outrage, creating an organization named Clean Voices for the explicit purpose of ridding the media of former collaborators. In the next weeks, the government slowly opened files implicating several more prominent individuals in the activities of the security services. As political parties wheatpasted conflicting demands across Sofia’s walls (“Open the dossiers,” “Protect personal information”), the conflict simmered over the summer. For some of my colleagues, the scandal was very important for Bulgaria’s future. For others, and many of

the Bulgarians I talked to, the opening of some dossiers was merely a political ploy to discredit enemies, suck up to the European Union, or both. Finally, as I was preparing to leave Bulgaria, there seemed to be developments. The Green/European Free Alliance block in the European Parliament was sponsoring a conference, along with AIP and several other organizations, to discuss the opening of the archives, and Roumen Petkov, the interior minister was attending.

I was very excited as I approached the National Palace of Culture, or NDK, a massive structure that dominates the southern half of the city center. This maze of conference halls, performance spaces and exhibitions was created at the desire of Lyudmila Zhivkova, daughter of Todor Zhivkov. She believed that the children of Bulgaria needed a palace to celebrate arts and culture, so she bulldozed a small central neighborhood to build it. Today, the building echoes the rise of the Vitosha mountain behind it. Billboards, banners and a giant television screen advertise products and events, while semi-permanent food vendors hawk pizza, ice cream, beer and sausages. Old men and women sit on the benches, watching the skateboarders and bicyclists negotiate Zhivkova’s landscape design. Stairs lead down to a shopping center and bus stop below NDK and security guards wait just inside the doors of the building. Diana and I approached the main entrance of the building, only to be directed around the back to what looked like a service entrance. Slipping between news vans, we wandered through back hallways, asked directions to two oddly placed security guards, and finally arrived at Hall 6, where the conference was being held. A tall, elaborate mural in the social realist style appeared to document the history of the tortured Bulgarian proletariat, as archivists from across Central Europe lined up in front of it.

At first, reporters were buzzing around the entrance and the front of the room, but most of them disappeared soon after Minister Petkov’s address, which predictably paid lip service to

the idea of opening the files while reserving the government’s right to keep some personal dossiers secret. As the microphones followed Petkov out the door, hoping for a sound bite, the remaining journalists were weeded out by a series of presentations on the logistical and methodological issues of dealing with totalitarian archives, a topic which I think only Diana found interesting. By the afternoon session, there were no journalists left.

At this point I began to realize how unusual my presence at this conference was. For one thing, there were so few non-Bulgarians that one friendly woman, upon noticing that I was listening to the English translation, tried to tell me that I was on the wrong channel. More specifically, I noticed how old the attendees for the conference were. The average age seemed to be around 70, and most of them were men. Furthermore, all of the individuals who spoke appeared to be former dissidents. One man, who called himself a “client” of the security services, broke into tears as he described the torture he had experienced and questioned whether “my children will be governed by the people who sent me to prison.” In fact, not all of the old men were victims of the security services. Sasho, one of my colleagues, pointed out to me that many of them were actually former agents of the totalitarian regime, currently on state pension rolls. This was the first conference any of my colleagues had seen with such high attendance from this group. Although they remained too stigmatized to voice their opinions, any victim who spoke graphically about his experiences or angrily regarding the future got applauded loudly – drowning out the rest of his speech.

The one young person who asked a question, a student, blamed the notable absence of other young people on the excuses that all ruling governments have made for keeping the files secret, claiming a lack of “political will.” This sentiment resounded throughout the conference. Even the host of conference, a Member of European Parliament from Belgium, spoke disdainfully of “European

Socialists who don't realize that changing a C [for Communist] to an S [for Socialist] does not create democratic, legitimate socialism." Yanko Yankov, a law professor who Amnesty International called Bulgaria's foremost political prisoner in the 1980s, compared the conference itself to players performing for Hamlet's uncle, with the king remaining unguilty. While his analogy may not quite fit most understandings of Shakespeare's play, the sense of futility which he described, with all the speakers and attendees merely entertaining the elite, was clear. Without any real hope for progress, it was unsurprising that no one without a personal stake in the proceedings would show up.

As the conference went later into the afternoon, the civility and tedium that had dominated the morning session soon disappeared. Screaming, crying men would speak out of turn, unable to get to a microphone. Over and over, the men expressed their distrust of the current government, despair of the future and disgust at the European Union for not pushing the Bulgarian

government more visibly. Although they often seemed to say the same things, there were many arguments. At times, disagreements were so loud and frequent that in order to understand, I had to look at the translator,

"Over and over, the men expressed their distrust of the current government, despair of the future and disgust at the European Union for not pushing the Bulgarian government more visibly."

trying to read his lips. In the midst of this chaotic scene, one victim of the dissidents approached a microphone and waited his turn. When it came, he introduced himself, and asked whether information concerning the contemporary persecution of persons claiming Macedonian ethnicity would also be published. Before he could finish, he was booed and pushed away from his microphone. Only two participants went to speak with him afterward, both affiliated with the Bulgarian Helsinki Committee, a human rights group. Apparently, the one thing that all of the participants could agree on, whether dissident or agent, was the illegitimacy of Macedonian ethnicity.⁸

As I left the conference, I stopped to take one of the conference posters as a souvenir. Between the title and the long string of sponsors' logos, there is a picture of a statue against a black background. An ancient Pandora leans over her ornately decorated box, poised to open it. Undoubtedly, some social ills will escape when she opens the box, like political unrest and discrimination on the basis of people's pasts. But the box also holds something incredibly valuable: hope for Bulgaria to be able to move beyond its past and into a future without fear of neo-totalitarian mafias or governments.

Epilogue: "Make our Capital a European One"

On September 26, 2006, the European Commission's Monitoring Report on Bulgaria and Romania confirmed that Bulgaria will enter the European Union on January 1, 2007. Although there are some official safeguards

in place and Great Britain has already announced that Bulgarians will not enjoy free movement to their country, many questions are left unanswered. Will the exodus of the productive generation of Bulgarians to the West that started in 1990 grow even worse? Will all of the Bulgarian small businesses that are not run into the ground by more developed competition simply be bought out by multinational corporations from Germany and the Netherlands? Will shkembe, a soup of tripe that is practically the national dish, pass muster for EU food safety laws?

With all of these questions looming, one last set is particularly appropriate for AIP and many other NGOs. A brochure for the Sofia public transportation company, begging residents to follow the rules of the buses and trams, exhorts, "Make our capital a European one!" Now that Sofia and Bulgaria have been accepted into the club of European capitals and countries, will the pressure be off the people and government? Without the threat of "European standards," will citizens and groups be able to affect the actions of the state, or has joining the European Union removed the last carrot and stick from the NGOs' arsenal? Now that Bulgaria is a member of all the European and Atlantic organizations it had aspired toward, what is next on the horizon? Is the transition that lasted a decade-and-a-half finally over? At this point, these questions are unanswerable. No matter what else, I am certain that on January 2, 2007, as the debris from New Year's and Accession celebrations is cleaned up from around Nevsky Cathedral, a staunch Soviet soldier will continue to fix his iron gaze over the changes below, his cold fist raising a rifle high into the air.

Further Reading

(2004). NGO Alternative Report on Bulgaria's Progress Towards EU Accession. Sofia, Save the Children UK, Bulgarian Helsinki Committee, Inter Ethnic Initiative for Human Rights, Center for Independent Living, and EveryChild.

(2006). "Citizens initiative "Let's save Irakli!" Retrieved November 6, 2006, from http://www.bnr.bg/RadioBulgaria/Emission_English/Theme_Science_And_Nature/Material/Irakli.htm.

(2006). "Former State Security Files- issue of past and present." Retrieved November 6, 2006, from http://www.bnr.bg/RadioBulgaria/Emission_English/Theme_Lifestyle/Material/dosieta.htm.

(9.26.2006). Monitoring report on the state of preparedness for EU membership of Bulgaria and Romania COM (2006) 549.

Barber, B. R. (1984). *Strong democracy : participatory politics for a new age*. Berkeley, University of California Press.

Bodnar, J. (1998). "Assembling the Square: Social Transformation in Public Space and the Broken Mirage of the Second Economy in Postsocialist Budapest." *Slavic Review* 57(3): 489-515.

Brunwasser, M. (2006). Bulgaria's painful past still hidden, but for how long? *International Herald Tribune*.

Center for Liberal Studies and Institute for Market Economics (2003). *The Inflexibility Trap: Frustrated Societies, Weak States, and Democracy*. Sofia.

Comisso, E. (1997). "Is the Glass Half Full or Half Empty? Reflections on Five Years of Competitive Politics in Eastern Europe." *Communist and Post-Communist Studies* 30(1): 1-21.

Constant, B. (1988). *The Liberty of the Ancients Compared with that of the Moderns. The Political Writings*. Cambridge, Cambridge University Press.

Council of Ministers (2002). Recommendation on Access to Official Documents Rec (2002)2. Council of Europe.

Cowley, J. (2003). "Being Political: Polish Youth and Democratic Practice." *Journal of the Society for the Anthropology of Europe* 3(1): 27-36.

Crampton, R. J. (2005). *A concise history of Bulgaria*. Cambridge, UK ; New York, Cambridge University Press.

Creed, G. W. (1998). *Domesticating revolution: from socialist reform to ambivalent transition in a Bulgarian village*. University Park, Pa., Pennsylvania State University Press.

Jung, Y. (2006). *Consumer Lament: An Ethnographic Study on Consumption, Needs, and Everyday Complaints*. Cambridge, MA, Harvard University. PhD.

Kashumov, A., D. Palova, et al. (2006). Access to Information in Bulgaria 2005. Sofia, Access to Information Programme.

Schumpeter, J. A. (1976). *Capitalism, socialism, and democracy*. London, Allen and Unwin.

Sen, A. (1999). "Democracy as a Universal Value." *Journal of Democracy* 10(3): 3-17.

Shchekochikhin, Y. (1994). "Where Does the "Mafiya" Come From?" *Demokratizatsiya* 2(2): 191-193.

Verdery, K. (1996). *What was socialism, and what comes next?* Princeton, N.J., Princeton University Press.

Notes

1. Although the other passages in this section are transcripts from taped interviews, this passage and the one that follows are reconstructed from notes taken after un-taped interviews.

2. The Bulgarian Communist Party quickly changed its name to the Bulgarian Socialist Party.

3. Blame for the hyperinflation and economic crisis of the mid-1990's lies on both political parties, as well as on forces beyond their control. Faced with external, internal, and ideological pressures, both sides implemented hastily constructed policies, especially with regard to privatization. The Socialist government's refusal to accept IMF guidelines made the crisis inevitable.

4. Comisso. 1997. "Is the Glass Half-Full or Half-Empty? Reflections on Five Years of Competitive Politics in Eastern Europe." *Journal of Communist and Post-Communist Studies* 30(1) 1-21

5. Joseph Schumpeter. "Another Theory of Democracy" in *Capitalism, Socialism, and Democracy*

6. Benjamin Barber. 1984. *Strong Democracy: Participatory Politics for a New Age* Berkeley: University of California

7. Amartya Sen. 1999. "Democracy as a Universal Value" *Journal of Democracy* 10(3) 3-17

8. The uniqueness of Macedonian ethnicity, nationhood, and language are heavily disputed by two of its neighbors, Bulgaria and Greece. When the Former Yugoslav Republic of Macedonia (FYROM) declared its independence in 1991, Bulgaria recognized it as a state, but refused to recognize the nation or language. Even this step was highly controversial among Bulgarian citizens.