In “Understanding the Complex Dynamics of Transparency,” Albert Meijer presents a new heuristic model, the purpose of which is to provide governments and external stakeholders with insights that will enable them to reach a shared understanding of the complexities of the construction of government transparency through a process of joint learning.

The model certainly has its merits, notably because it caters to the “double nature” of transparency as a result of and as a factor influencing the interaction between government and society at large and among different government actors. Moreover, it highlights the interrelation between the various aspects at stake—that is, the strategic aspects (the impact of transparency on the relative power of government actors and external stakeholders), the cognitive aspects (analysis of the meaning and perceived impact of transparency in the policy-making process), and the institutional aspects (such as the effects of the legal framework governing the provision of information to external stakeholders).

The model is tested using two empirical cases: government transparency in the Dutch educational system and in the Council of the European Union (EU). This commentary focuses on the applicability of the model to the Council of the EU, where the construction of government transparency has been developing for the last 20 years.

The findings in the latter case are indeed useful: From having been of only marginal importance in the 1990s, the transparency policy became increasingly important at the European level from 2000 onward as a result of both the continuous evolution of the legal framework and the Internet revolution. However, as Meijer rightly points out, further research is needed to expand the model.

In addition, a more comprehensive case study should be undertaken that caters to, among other things, the effects of the increased focus on transparency policies in most EU member states, the impact on the Council’s behavior of the EU case law on access to documents.
In addition, the changes in the overall institutional balance between the Council and the European Parliament are not the result of developments in the area of transparency but rather of a series of treaty changes that have paved the way for a gradual increase in the legislative powers of the European Parliament and of its capacity to exercise parliamentary scrutiny with regard to the non-legislative activities of the EU. These developments, however, may have an impact on the construction of government transparency at the EU level, to the extent that the European Parliament may wish to give maximum effect and publicity to its new powers and role as the democratic “watchdog” of the EU.

Finally, it should be recalled that the original purpose of introducing transparency measures at the European level was to strengthen the legitimacy of the EU as a whole and not just that of the Council. This being said, Meijer is absolutely right in stressing the need for joint learning between the proponents and opponents of increased transparency. Interestingly enough, a new concept known as optimal (as distinct from maximal) transparency has emerged in the academic literature on government transparency during the last few years. It reflects a pragmatic approach to the very notion of transparency that—as Meijer’s study seems to indicate—might result from a process of joint learning.

A fine-tuning of his heuristic model that caters to the complexities of the construction of government transparency, while at the same time emphasizing the need for contextual learning, will without any doubt help us reach a better understanding of the phenomenon of government transparency, among other important transformations in the public sector.

**Note**

1. This article reflects only the views of the author and does not intend or purport to represent an official view of the General Secretariat of the Council.