

Some Reflections on Transparency as the First Economic Disinfectant

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Abstract: Better access to information and administrative transparency are known for their popularity in recent years. Open data portals and transparency index have been slowly enabling public participation together with citizens' engagement and commitment.

From a business and economical perspective, these two principles are closely related to fairness promotion and the empowerment of a smarter and more informed choice. The following paper analysis how the lack of transparency instruments and several transparency measures taken especially in crisis times can affect public trust and also which are the possible solutions community actors such as business sector can contribute with.

Keywords: *transparency; economic challenges; public trust; digital platforms; open data; civic engagement.*

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1. Introduction

Transparency and access to information are seen as a solution to many complicated problems such as lack of public trust and government accountability or even corruption. After almost a century, the words of US Supreme Court Justice, Louis Brandeis's statement "sunlight is said to be the best of disinfectants" (Brandeis, 2014) underlining the importance of transparency is still applicable. From a business and economical perspective, these two principles are closely related to fairness promotion and the empowerment of a smarter and more informed choice. In an entrepreneur life the right to know transformed in the imperative need to know. Transparency is integrated as a part of every business strategy and "has never been more important to a successful business model" (Rick, 2015).

Lack of transparency especially in what regards financial instruments has been one of the major factors causing the 2008 near-global economic crisis. As a consequence, increasing transparency was one of the key directions of US president Barack Obama's 2008 election campaign. He promised to "create a transparent and connected democracy" and to introduce "sunlight before signing" which prevented the signing of "any non-emergency bill without giving the American public an opportunity to review and comment on the White House website for five days" (Obama, 2007). As a matter of fact, since his election, several transparency initiatives were introduced. One suitable example is the website Data.gov which was launched in May 2009 and entitled later the home of US government's open data. Also, one of the first actions of Obama administration was related to signing a memorandum committing to "create an unprecedented level of openness in Government" (Coglianese, 2009, p. 529).

As part of a governmental reform strategy, the public expectation of transparency raises questions concerning the type and level of transparency and the risks it can create in the longer run. For example, citizens' involvement can be affected if they are disappointed by the insufficiency of monitoring instruments for public decision-making process or other frequently failed transparency measures. In addition, a too enthusiastic approach on administrative transparency and full disclosure can lead also to private sector's reluctance to share information that can help possible competitors in the same market (Coglianese et al., 2004, p. 278).

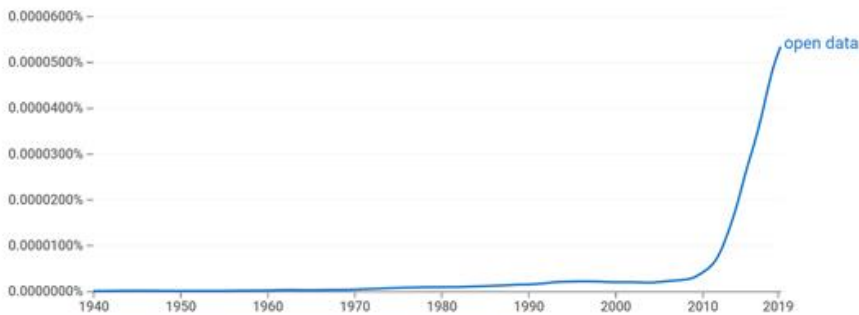
2. Transparency and open data role in regaining public trust

In order to build public accountability and trust, a national or local government or the public sector as a whole needs two key elements: transparency and openness. Both are essential for the proper function of market economies and healthy democracies. In several cases it was proved that public decisions were made without access to relevant data. In fact, in the Gurría's vision (*n.d.*) openness was declared to be a crucial value for creating a “stronger, cleaner and fairer world”.

Transparency and data that are influencing worldwide government's strategies. But as Brandeis stated government action could not always guarantee results if citizens were not kept sufficiently informed in an epoch when the only one way to maintain this direct relationship of proportionality and reach to large audiences was through print press. He saw it as “the greatest agency of good government”– but only “if the people are sufficiently interested to desire it” (Intern Sunlight, 2009).

As defined by Open Knowledge Foundation, the term of open (government) data is closely connected to building blocks of open knowledge which consists of “any content, information or data that people are free to use, re-use and redistribute — without any legal, technological or social restriction” (Open Knowledge Foundation, *n.d.*). Concerning this term, in the graphic below (*Fig. 1*), we can observe its

Fig. 1: Open Data Appearances in Text



Source: Google Books Ngram Viewer
(<http://books.google.com/ngrams/>)

rather low presence in books tracked by Google for several centuries and that since 1990 its use increased fourfold by 2019.

In the Open Data Handbook of the Open Knowledge International it was underlined that the essential point when opening up data was not focusing on “personal data” and its multiple concerns on personal privacy, but on “non-personal data” and its transformative power in what regards interaction between public authorities, businesses and citizens (Open Knowledge International, 2017). By removing barriers to access, use or shareability of data, open data encourages innovation and growth in businesses and a stronger collaboration between public and private sector. For instance, in France, coffee shop owners used open data to promote their services and attract tourists to the most affordable ones while in Iceland, local farmers used open data to gain the confidence of new customers in buying their qualitative meat products (European Commission, 2015). As a consequence, data literacy skills are becoming more and more important. In a recent research published in Harvard Business Review conducting on 20 “sophisticated companies”, Josh Bersin and Marc Zao-Sanders concluded that the “cost of not understanding the context of data was huge” (Bersin & Zao-Sanders, 2020).

By supporting economic growth, the value and potential offered by open data initiatives is mutually beneficial to the public sector as well. In adopting the principle open by default and publishing key datasets, national or local public authorities express their intention to support data infrastructure that “connects data with those who use it” (Lagmay, 2018, p. 10). One suitable example is Finland where SMEs that had access to open data had a faster and higher growth than those without access. This was a very clear sign that open data awareness was and continues to be crucial part of “modern service delivery” (Chandra, 2016). Especially at the local level, the availability of “detailed open data” is of utmost importance in the process of improving services and generating new ones.

Some illustrative examples such as MySociety, Fix my Street Norway or the Hungarian Right to Know portal can be depicted from the European Data Portal website together with other valuable project descriptions of open data initiatives. All of them has been creating more and more engagement with civil society and public and private sector. Though, the question raised by many authors was in relation with the possible criteria that can make these initiatives being considered as successful ones. Beyond the need of publishers and consumers “to fully understand each others’ perspective” it is necessary for them to cultivate “an open dialogue” culture that can generate a strong community of open data users (Open Data Community, n.d.) A notable example of a strong open data community is the Open Street Map project implemented by Open Street Map Foundation

(n.d.). Undoubtedly, a strong community of open data users can create also a powerful sense of ownership over the data and its outputs.

Even though open data has the ability to unlock and create economic value, the simple availability and access to data alone is not sufficient.

3. Open Government Data principles

In measuring transparency through the level of openness, the Open Data Barometer Global Report which “ranks countries based on the quality of access to government data and related measurements” revealed that nine of tenth countries were not truly committed to be open and failed respecting the open government data principles (Open Data Barometer, 2017). The executive director of the Washington Coalition for Open Government, Juli Bunting stated that “lack of government transparency is deadly to democracy” (Bunting, 2019). Or as president Obama declared in 2013 when he committed to put all of his efforts in launching the Open Government Partnership (2011) initiative:

In all parts of the world, we see the promise of innovation to make government more open and accountable. And now, we must build on that progress. And when we gather back here next year, we should bring specific commitments to promote transparency; to fight corruption; to energize civic engagement; to leverage new technologies so that we strengthen the foundations of freedom in our own countries, while living up to the ideals that can light the world. (Obama, 2010)

The evolution of Open Government Partnership (2011) initiative today is significant, but it is still clouded by the incapacity of worldwide governments to provide constant, complete and qualitative data in order to strengthen public accountability and maximize citizens’ participation in public affairs (Hollyer et al., 2014). Although the Open Government Data principles did not define “what data should be public and open” (Tauberer, 2014) it specified which were the conditions public data should fulfill in order to be considered “open” (G8 Open Data Charter, 2013). In what regards promoting the application of the G8 Open Data Charter in all 28 EU Member States, in 2013, the European Commission endorsed them and committed “to implement a number of open data activities in the G8 members’ Collective Action Plan” (European Commission, 2013).

First of all, data cannot create added value and unlock its potential if it is not complete and available online. A piece of public information which is obtained only by request or by paying a certain fee for access is not “meaningfully public” (Tauberer, 2014, p. 15). Secondly, all the data must be

published without any alteration as it was collected at the source. Providing primary data to information users and consumers allow them to reuse it in research purposes which can bring a lot of innovative solutions.

Also, in order to “preserve the value of the data”, it has to be made public as quickly as possible. The American Association of Law Libraries’ Principles and Core Values Concerning Public Information on Government Websites stated that “government websites must provide users with sufficient information to make assessments about the accuracy and currency of legal information published on the website” (AALL Executive Board, 2007). Nevertheless, the different levels of timeliness are depending on the type or nature of the information provided and certainly updated.

In what concern the accessibility principle and the “easiness in finding information about a dataset”, the choice of data format plays an essential role. A regular information consumer need to “locate, interpret and understand” it in a relatively facile manner taking into consideration that availability and usability of the data are very closely related as the two sides of the same coin.

In analyzing the evolution of key open data indicators (*Fig. 2*) such as availability of data or if the data as a whole is machine-readable and reusable, 4th edition Open Data Barometer Report underlined that despite the fact that by 2018 there were more than 30 countries that were implementing the Open Government Data principles and the Open Data

Fig. 2: Evolution of key open data indicators throughout the four editions of the Barometer

Availability of data	Barometer 4th ed.	3rd ed.	2nd ed.	1st ed.
Open data	7% ▼	10% ◀	10% ▲	7%
Machine readable	53% ▼	55% ▲	41% ▲	37%
Openly licensed	26% ▲	24% ▲	14% ▲	12%

Source: 4th edition Open Data Barometer Global Report, (<https://opendatabarometer.org/4thedition/report/#table2>)

Charter’s set of best practices for “publishing, using and maximizing the potential of data” (Open Data Barometer, 2017, p. 12) there is still a very low percentage of data fully open (only 7%). Key aspects of data usability such as machine processable and license-free data represent still an obstacle that many public authorities find it difficult to overcome.

Last but not least, it is recommendable that published datasets to be accessible in a non-proprietary data format. These kind of formats can be problematic for open data because “data is not open if it is not open at all” (Tauberer, 2014, p. 51). In addition to this, only a non-discriminatory data approach can assure a real open access to it. Every citizen has the constitutional right to information and therefore the right to data. But how can governments or public authorities be certain that they included every single citizen? There are several examples of initiatives in countries such as Japan or Côte d’Ivoire that found an answer to this question, but definitely we consider that it is worth revealing the Aboriginal Community Data Initiative launched by Statistics Canada (2006) which provided “Aboriginal communities in Western Canada with important data for use in understanding the demographic and socio-economic dynamics of their community”.

4. The best team of disinfectants: transparency and technology

In the next coming years, a vital challenge for civil society will be to detect or identify coherent ways of action in order to support open governance through online mechanisms that provide clarity and predictability in the process of public participation, as part of the principle of transparency’s objective. On one hand, developing an organized and coherent framework for consultation and collaboration between public authorities and citizens can strengthen the interest in transparency and increase public trust and on the other can show the impact that community actors are able to generate in collaborating and running projects together finding new intelligent and innovative solution for community’s issues. As a consequence, we can definitely affirm that open data is not changing only the way we work, but also in a pioneering path, the way we will further collaborate and be involved in decision and policymaking processes.

In a paper from UCLA Law Review published in 2012, Harlan Yu and David G. Robinson (2012) underlined that “opening data goes far beyond putting data on a website under an open license [...] Applying the technology is the easy part”, but instead “bringing about cultural change can be much harder”. Greater transparency encourages new technologies, but this can result to be a two sided blade in the end.

It is officially acknowledged that public administration will be “by far the sector that will gain the most from opening up data with a value of 22 bn EUR in 2020”. In reusing data, one key recommendation of the European Commission which is vital to empower community actors to make the most

of open data, is the creation of feedback mechanisms on open data portals. In order for this to happen, any government portal should focus on site analytics and have knowledge on “who used the website, which datasets were downloaded and how many downloads took place” (European Commission, 2015, p. 11-12). The multiple benefits, but also the costs of accessing and using data can be depicted in various open data entrepreneurial initiatives. For example, a French small company developed an application called Tranquilien (Hosansky, 2014) which was able to move the business forward. Its mission was to “improve passenger comfort on transport and promote efficient use of public transport by providing information about empty seats or leaving times”.

In times of crisis and economic challenges such as the most recent one - the 2020 pandemic crisis, administrative transparency limitations were counterbalanced by lots of civic engagement initiatives implemented by citizens together with NGO's, academia or private sector. For instance, in Argentina was created a Whatsapp bot that was able to answer questions about prevention, symptoms or any other general information from city services about Covid-19 virus. In France, it was developed an open source platform in order to help doctors and hospitals to remotely monitor real or suspected cases which received treatment at home (Open Government Approaches to Tackling COVID-19, 2020). Also, private companies initiatives such as Scaleway's shared infrastructure were developed in order to “help teams organize remote business calls and meetings”.

In Italy and Spain, one of the most pandemic affected countries from the European Union, there were developed various open collaborative platforms. One proper example was the coronavirus website with transparency information to make it a coronavirus transparency portal. In this way, the Basque Government Health Department had the opportunity to publish data daily focusing especial on reusable formats (Open Government Approaches to Tackling COVID-19, 2020).

Another digital tools to enable a transparency culture and facilitate opening and data disclosure are participatory digital platforms and applications. These instruments main function is to enhance public participation as they were one of the responses to poor collaboration between public administration and civil society (citizens, NGOs, private sector, academia) not only in prioritizing and solving community, but also in engaging and using know-how in civil society to “find and develop intelligent and innovative solutions to increase the quality of life of citizens” (Divjak, Forbici, 2017). In their continuously efforts to advocate for transparency, access to information and public data, citizens, civil society

and business are often forgetting the benefits and great role that technology can play. One example to point out is the Yogera case (Kakande, 2019) a platform developed for increasing citizens' engagement by connecting them to their governments and "allowing anyone to anonymously report an issue using their social media platforms".

6. Conclusions

Transparency and open data movement have the potential to change societies and enable better targeted public policies. The step to transformative changes can be made in many domains if the appropriate reforms are in place.

Only a successful open government's strategy which is able to empower a future generation of "data innovators" and the skills and tools they need to process the provided information, can generate positive impact on a longer run. In order to advocate for change and maintain public authorities accountable for their public decisions, citizens, civil society and businesses have to be committed to constant monitoring and involvement in boosting the potential of new technology to consolidate accountability and expand transparency in public affairs.

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